



# MARYLAND STATE POLICE PERSONNEL DIRECTIVE



## Emergency Suspension of Police Powers

**Distribution:** All Troopers

**Index:** **PER 19.07**

**DLI Reference:** N/A

**Rescinds:** CHAPTER 5, SEC. VIII

**Issued:** 01/01/2013

**Revised:** 11/26/2024

### .01 Purpose

To describe the procedures to be followed when it is necessary to suspend a trooper's police powers.

### .02 Policy

The MSP will suspend a trooper's police powers in accordance with the law and this directive.

### .03 Definitions

EMERGENCY SUSPENSION: suspension of a trooper's police powers when deemed to be in the best interest of the public.

### .04 References

[MD. CODE ANN., PUB. SAFETY §3-107](#)

[MD. CODE ANN., PUB. SAFETY §5-101](#)

### .05 CALEA Standards

**LE:** 26.3.7

**TA:** N/A

**CM:** N/A

### .06 Procedures

#### A. General Provisions

1. An emergency suspension may be imposed in any instance where a suspension of police powers would be in the best interest of the public.
2. A trooper's police powers will be promptly suspended when the trooper:
  - a. is the respondent of an interim, temporary or final extreme risk protective order;
  - b. is the respondent to a temporary or final protective order;
  - c. is the respondent to a temporary or final peace order where the issuing authority prohibits the trooper from possessing a firearm;
  - d. is accused of a criminal offense and a charging document has been issued by a court or the issuance of a charging document is imminent;
  - e. has been charged with a serious traffic offense that calls for a period of incarceration;

---

**Emergency Suspension of Police Powers**

---

- f. is administratively charged (or charges are imminent) with misconduct identified by the Statewide Police Disciplinary Matrix as having a possible penalty of termination (Category E or F offense); or
  - g. fails to obey a lawful order dealing with submitting to a test, examination or interrogation as described in [PER 19.01](#).
- 3. Concerns about a trooper's ability to perform the essential job functions, due to physical or psychological reasons, will be referred to the Medical Services Unit. Only the Human Resources Division Director (HRD) and the Medical Director have the authority to medically suspend employees and will be handled in accordance with [ADM 08.04](#).
- 4. The commander of a suspended employee will retain custody of the employee's issued:
  - a. firearm(s), magazines, and ammunition;
  - b. conducted energy weapon, magazine and cartridges;
  - c. badge(s);
  - d. identification card;
  - e. MPTSC officer certification card; and
  - f. vehicle.
- 5. A Form 18, Order of Emergency Suspension of Police Powers, will be completed and provided to the trooper. A copy will be immediately forwarded to the involved employee's bureau chief through the chain of command, the Internal Affairs Division (IAD), and the HRD.
- 6. A suspended trooper will not exercise his police powers until those powers have been restored by the Superintendent.
- 7. A suspended trooper will be notified of his suspension status and instructions for daily reporting to his commander by way of the Form 18.
- 8. An emergency suspension of police powers will only be imposed against a trooper by a supervisor/commander of a higher rank than the suspended trooper.

**B. Emergency Suspensions without Pay**

- 1. An emergency suspension without pay will be promptly imposed when a trooper is charged with a:
  - a. disqualifying crime, as defined in [MD. CODE ANN., PUB. SAFETY §5-101](#) (a crime of violence; a felony; or a misdemeanor that carries a penalty of more than two years); or
  - b. misdemeanor involving dishonesty, fraud, theft, or misrepresentation.
- 2. A trooper who is suspended without pay in accordance with Section B-1 is entitled to receive back pay if the criminal charges against the trooper result in a finding of not guilty, an acquittal, a dismissal or a nolle prosequi.

**C. Reinstatement of Police Powers**

- 1. When a trooper's police powers have been suspended and the allegations which led to the suspension are or appear to be without merit, the trooper's bureau chief will consult with the Commander of IAD for input on all relevant case information.
- 2. If the employee's bureau chief determines the trooper's police powers should be reinstated, the trooper's bureau chief will provide the reasons for recommendation of reinstatement to the Superintendent.

## **Emergency Suspension of Police Powers**

---

3. The Superintendent will evaluate the request and make a final decision.
4. If the Superintendent reinstates the trooper's police powers, the trooper's bureau chief will make the appropriate notifications.

Approved:

\_\_\_\_\_  
Colonel Roland L. Butler, Jr.  
Superintendent 11/26/2024