



Chapter: Personnel
Subject: 03-42 – Personal Protection Orders Against Enforcement Members
Effective: April 19, 2022
Supersedes: Official Order 47, Section 47.26, dated September 14, 2021
Distribution: Department Members

03-42-1 PERSONAL PROTECTION ORDERS AGAINST ENFORCEMENT MEMBERS

This Order establishes administrative guidelines relating to the issuance of a Personal Protection Order (PPO), against a law enforcement member of the department. [The Revised Judicature Act of 1961, MCL 600.101 et seq.](#), permits citizens of the state to request PPOs from the court. It includes a provision that allows the courts to prohibit a person from purchasing or possessing a firearm. When an enforcement member has been served with a PPO that specifically restricts or disqualifies the member from carrying a weapon, the department will administratively handle the situation in the following manner:

- A. Members of the department shall report any legal action that restricts or impedes their ability to use or carry a departmental weapon. The report should be made to the member's worksite supervisor as soon as practicable, but no later than the beginning of the first work assignment following the member's knowledge of the legal action.
- B. When the department becomes aware of the issuance of a PPO against an enforcement member that prohibits the purchase or possession of a firearm, the appropriate worksite commander will immediately take possession of all department issued firearms.
- C. [MCL 600.2950](#) provides that if a law enforcement member receives a PPO prohibiting the purchase or possession of a firearm, the court shall schedule a hearing on a motion to modify or rescind the PPO within five days of the filing of the motion. It is the sole responsibility of the member to file such a motion and take such other action as is necessary to obtain legal relief from the PPO prohibitions. Any contact or action with the court pertaining to the PPO and firearms restriction is the responsibility of the member. The member's access to department weapons shall, at all times, comply with the provisions of any current court order.
- D. The member's police authority to carry a firearm and the obligation to intervene while off-duty is suspended while the PPO is in effect.
- E. If there has been no hearing on a motion to modify or rescind a PPO that prohibits a member's right to possess or carry a firearm, the member shall be relieved from duty. A member may, at their discretion, use available leave credits (annual leave or compensatory time) in lieu of going without pay. In the event the member exhausts all leave credits or does not have appropriate leave credits, they will be placed on unpaid leave for accounting purposes.

- F. The member shall not be returned to duty until the PPO is rescinded or the PPO has been modified to permit the member to carry a firearm while on duty.
- G. If the court states that a member may carry a firearm only while on duty, the member will take possession of their firearms at the beginning of each shift and said firearms shall be returned to a supervisor at the conclusion of their shift or other scheduled work hours. If there is no supervisor available during the member's work hours, the member may surrender the weapons to a trooper assigned to the worksite or the member may secure the weapons at the worksite. Under no circumstances will the member leave the worksite with a firearm in their possession in violation of a court order.
- H. If the member's worksite supervisor has knowledge of conduct related to the issuance of the PPO that may constitute a violation of the Code of Conduct, the supervisor shall complete a BlueTeam Complaint Against Member.
- I. Any loss of pay resulting from an enforcement member's inability to carry a department weapon due to the issuance of a PPO does not constitute discipline. Discipline may be proposed for the conduct giving rise to the firearms restriction or prohibition in accordance with applicable department rules.

DIRECTOR

Annual Review Responsibility: Human Resources Division

Accreditation Standards: CALEA 26.1.1