



Series 100 - Administration	Effective Date TBD	Review Date Three Years	Directive Number 102.13
Chapter 102 – Standard of Conduct			
Reviewing Office Professional Standards Bureau			<input checked="" type="checkbox"/> New Directive <input type="checkbox"/> Revised <small>Revisions are in <i>italics</i></small>
References			

PERSONAL PROTECTION ORDERS AGAINST MEMBERS

102.13 - 1 PURPOSE

To establish guidelines for when personal protection order (PPO) is issued against a sworn or reserve member of the Detroit Police Department (DPD).

102.13 - 2 POLICY

MCL 600.101 et seq., permits a citizen to request PPOs from the court. This statute includes a provision that allows the courts to prohibit a person from purchasing or possessing a firearm. Any sworn member or reservist against whom a *PPO* is issued that restricts or disqualifies the member from carrying a weapon, will be deemed unfit for duty, incompetent to hold the position of police officer, and subject to disciplinary action as set forth below.

Any administrative or disciplinary action taken against the member for the issuance of a PPO shall be considered separate and apart from any policy violations that may have occurred during the incident on which the PPO is based.

102.13 - 3 PROCEDURES

102.13 - 3.1 Service of a PPO

When a sworn member or reservist is served with a PPO, the member shall immediately notify his or her supervisor. The supervisor receiving the notification shall promptly notify Internal Affairs and suspend the member with pay.

Members are responsible for adhering to all aspects of the PPO, including dispossessing themselves of any firearms or other prohibited items as required by law, the PPO order, or this policy.

102.13 - 3.2 Discovery of a PPO

In the event any member becomes aware that a PPO has been issued against a member, Internal Affairs shall be notified immediately. If the PPO restricts or disqualifies the member from carrying a weapon, the commanding officer of the Professional Standards Bureau shall be responsible for coordinating the suspension of the member against whom the PPO was issued.

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102.13 - 3.3 Appealing a PPO

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. The member or reservist against whom the PPO was issued is solely responsible for filing the appropriate forms with the court or take other necessary action to obtain relief from the PPO prohibitions. The member's or reservist's access to firearms shall at all times conform to the provisions of any current order.

102.13 - 3.4 Notification to MCOLES/BOPC

The member's police authority shall be immediately suspended once a PPO that restricts or disqualifies the member from carrying a weapon has been issued, MCOLES shall be notified through MITN of the suspension of police authority. The suspension of police authority shall continue while the PPO is in effect, except as provided below. *Once the Professional Standards Bureau is made aware of a member that is served with a valid PPO, notifications shall be made to Board of Police Commissioners as soon as practical.*

102.13 - 3.5 Failure to Obtain Relief

If the member either fails to request a hearing or is otherwise unsuccessful in having the PPO rescinded or modified to allow the member to carry a firearm while on duty, the commanding officer of the Professional Standards Bureau shall forward an appropriate memorandum to the Chief of Police recommending that the member's duty status be changed to "Administrative Leave Without Pay but with Medical Benefits." Once approved by Chief of Police the members' duty status shall be referred to the Board of Police Commissioners for their prerogative.

Contemporaneous with this action, the commanding of the Professional Standards Bureau shall forward a report of the misconduct to the Disciplinary Administration Unit (DAU). The commanding officer of the Disciplinary Administration Unit shall promptly issue a Notice of Discipline based on Internal Affairs' findings. The presumptive penalty shall be the duration of the term of the PPO.

102.13 - 3.6 Return to Duty

Under no circumstances may a member 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.

At the discretion of the Chief of Police, 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 shall return them to a supervisor at the conclusion of the member's shift. Only a supervisor is authorized to facilitate this process. Under no circumstances may a member leave the facility with a firearm in their possession in violation of a court order.

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305.4 - 3.7 PPO Violations

If a member learns that a member has violated a PPO, Internal Affairs shall be promptly notified.

Related Procedures:

- *Directive 102.4 Discipline/Misconduct Investigations*

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