

# Exhibit J

# **Memphis Police Department Policy and Procedures**



**Revised 01-31-20**

**MEMPHIS POLICE DEPARTMENT POLICY AND PROCEDURES**  
**SECTION: Internal Integrity**

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**Internal Integrity**

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### I. Internal Investigation

Allegations of misconduct generally arise from three (3) sources, complaints filed by citizens, administrative investigations originating from within the Memphis Police Department, and the confidential information line.

Statements of Charges originate from the operations level mostly for simple violations of rules and regulations, and will continue to originate from that level.

Other Statement of Charges are instituted at the Internal Affairs Bureau level upon completion of an investigation where the presumption of guilt has been determined. The authority to discipline City employees derives from the City Charter, City Ordinances, and the Civil Service regulations and is implicit in positions of command, management, and supervisory responsibility.

Line supervisors must complete a “Workstation Complaint Form” EVERY TIME a citizen makes any complaint regarding MPD officers and personnel. Line supervisors should handle allegations originating from the workstation that do not involve force, property damage, or injury and are generally minor in nature. Supervisors from the rank of Lieutenant and above should enter the Workstation Complaint into Blue Team, which can be accessed by typing the following address into your web browser, “<http://mpdsupport:8080>”. The complaint entry should be made before the supervisor completes his/her tour of duty. Supervisors who need assistance on how to enter an incident into Blue Team can access the Blue Team Quick Reference Guides on the <http://mpdsupport> link under Departmental Forms/Administrative Forms. The completed entry is to be submitted up the supervisor’s chain of command to the Workstation Lieutenant Colonel who will forward a copy of all workstation complaints to IAB upon receipt. No copies should be placed in the employee’s workstation file, unless disciplinary action is taken (including any counseling\* or statement of charges) in which case a copy of the “Workstation Complaint Form” must be placed in the employee’s workstation file.(52.1.1)

\* Counseling sessions may be used to instruct or correct an employee’s actions. The information from the session will be documented and reviewed with the employee. However, instead of becoming a part of the employee’s personnel file in Human Resources, these forms will be maintained only in the employees Workstation file. Counseling is normally conducted by the immediate supervisor.

A resolution letter from the workstation commander or assistant commander should be sent to the complainant advising them of the disposition of the workstation complaint investigated by that unit. An electronic copy of the written letter will be forwarded to ISB along with the resolution of the complaint via Blue Team.

Major offenses will always require full investigation by the Inspectional Services Bureau in accordance with Article XV of the Agreement between City of Memphis, Tennessee and Memphis Police Association. ISB will be responsible for sending written correspondence on the complaints that it handles.

**A. The Inspectional Services Bureau Security Squad will be responsible for investigation of:**

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1. All Criminal complaints of misconduct involving MPD Officers on and off duty. All Homicides involving Commissioned Officers will be investigated in conjunction with the Homicide Bureau.
2. All Criminal complaints of misconduct involving MPD Civilian employees on duty. Civilian employees off duty complaints will be investigated as deemed necessary by the Director of Police Services.
3. Criminal complaints of misconduct involving City of Memphis employees of other City Divisions as deemed necessary by the Director of Police Services or his designee.
4. All Police involved shootings, on and off duty, in conjunction with the Homicide Bureau/Felony Response Unit, as specified in the MPD P & P Manual, Chapter II Section 8: Response to Resistance.
5. Any investigation, Criminal or Administrative, as deemed necessary by the Director of Police Services

The Security Squad is located at 2714 Union Extd. #700. Office hours are 0800 to 1600 hrs, Monday thru Friday. The phone number is 576-4966.

#### **B. The Inspectional Services Bureau Internal Affairs will be responsible for investigation of:**

1. All Administrative complaints of violations of MPD and City Policy & Procedure involving Officers on and off duty. The only exception to this will be courtesy complaints without multiple witnesses. These will be documented on a "Walk-In Complaint" form. That form along with all pertinent information will be forwarded to the workstation commander for resolution. A written response indicating the resolution must be returned to IAB within 20 working days.
2. All Administrative complaints of MPD and City Policy & Procedure involving MPD Civilian employees on and off duty.
3. Administrative complaints of violations of City Policy & Procedure of other City of Memphis Divisions as deemed necessary by the Director of Police Services.
4. Any investigation as directed by the Director of Police Services.
5. The Additional Employment Office is a function of Internal Affairs.

MPD Internal Affairs is located at 2714 Union Extd. Suite 600. Office hours are 0800 to 1600 hrs, Monday thru Friday. The phone number is 576-4966.

#### **C. Criminal Complaint Routing**

Criminal complaints filed with the Memphis Police Department should be forwarded to the Security Squad where the suspect is an:

- On or Off Duty Sworn Member
- On Duty Civilian Member

Criminal complaints involving Off Duty Civilian Members as suspects will be forwarded

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to the appropriate bureau unless deemed otherwise by the Director of Police Services.

To report police misconduct or policy violations the Inspectional Services Hot Line number is 576-4979, 24 hours.

**NOTE:** *Critical Incidents:* The Inspectional Services Bureau, Homicide or any other Investigative Bureau will not interview officers who have been involved in a critical incident until at least 48 hours has passed since the time of the critical incident. This 48-hour provision will not preclude conducting interviews at the discretion of the Director of Police Services, his designee or the ISB, Homicide or any other Investigative Bureau Supervisor when circumstances dictate such.

## II. Internal Discipline

Statements of charges originating from the Operations level (i.e., Lieutenant through Lieutenant Colonel) will be forwarded to the respective Deputy Chief for the determination of hearing authority.

The Station/Bureau Commanding Officer has the authority to order disciplinary action from an oral reprimand up to and including a twenty (20) day suspension without conferring with any higher authority.

If the Station/Bureau Commanding Officer determines that the preponderance of the evidence shows that the accused officers may be found guilty of violating departmental regulations, and decides a more severe penalty should be ordered than he / she is authorized, he / she may refer the matter to higher authority for hearing.

Statements of charges originating from the Internal Affairs Bureau will be forwarded, along with the complete investigative file, to the Director and/or Deputy Director for staff review, and referral to the Station or Bureau Commanding Officer.

### A. Definitions:

Unless otherwise indicated for the purposes of this section:

1. "Violation" means a failure to comply with:
  - a. A written departmental rule, regulation, order, policy or procedure; or
  - b. An Ordinance of the City of Memphis applicable to personnel governed by the Civil Service; or
  - c. A verbal directive given by a person in legal authority acting in the line of duty; or
  - d. Any binding and applicable provision of the City of Memphis Personnel manual.
2. "Administering Authority" is a major or manager who is specifically empowered under the terms of this section to administer disciplinary action.
3. "Supervisor" means anyone of the rank of Lieutenant or above.
4. "Commanding Officer" means anyone of the rank of Major or above.

Administering Authority	Level of Disciplinary Action	Statement of Charges
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	Authorized	
Immediate Supervisor/ Commanding Officer	Oral Reprimand	Optional
Shift or Squad Major	Oral - 3 day suspension	Yes
Station/Bureau Lieutenant Colonel	Oral - 10 day suspension	Yes
Station/Bureau Colonel	Oral - 20 day suspension	Yes
Deputy Chief	Oral - termination	Yes
Deputy Director	Oral - termination	Yes
Director	Oral - termination	Yes

5. "Appeal Authority" is a commanding officer or manager in the same chain of command at a higher level than that of an administering authority who hears appeals.
6. "Charging Authority" is defined as any commissioned officer, as defined in Section C-1, regardless of rank, wishing to file charges against another officer for any violation. In the event an officer wishes to file charges against another officer of equal rank, or of higher rank, the charging officer must contact an officer of higher rank than the accused for issuance of the Statement of Charges.
7. "Issuing Officer" is the officer, usually of command rank, who is charged with the responsibility of issuing a Statement of Charges when charges are preferred by another officer.

#### B. Reporting Police Misconduct:

1. Any sworn member of this department who personally observes or receives a complaint of serious misconduct on the part of any other law enforcement officer, is required to inform either his or her immediate supervisor or the Internal Affairs Bureau without delay.
2. For purposes of this part, "serious" misconduct is defined as: physical abuse or threats of bodily harm against another person; or dishonest, scandalous or reckless conduct which compromises law enforcement or the rights or safety of any person.
3. Supervisors and Commanding Officers who receive information of serious police misconduct shall outline the allegations, identify principals and witnesses to the extent that they are known and present a brief to the bureau or station commander within four hours with a copy to the Internal Affairs Bureau (IAB). If the misconduct is of a nature that constitutes a risk or potential for the continuance of the misconduct or injury to any person, the briefing of command and IAB personnel should be immediate.

#### C. Statement of Charges:

Upon determination that a violation has occurred, or reasonably appear to have occurred, the officer making such determination will issue, or cause to be issued, the accused officer statement of Charges. This Statement of Charge will specify the violation(s) and will contain brief description of the incident constituting the violation. The Statement of Charges will be

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executed in original and three (3) copies.

The Statement of Charges will be issued:

1. By the officer discovering the violation, or his / her designee immediately if practical;
2. In the event the officer making the discovery is unable to issue the Statement of Charges, he/ she may refer a Commanding Officer to issue a Statement of Charges provided the name of the officer making the discovery is listed as the "charging" officer and the issuing officer signs as such;
3. The Statement of Charges shall be written by the Investigating officer upon completion of an I.A.B. investigation and signed by the investigator as the charging officer, if the presumption of guilt has been established. This Statement of Charges will be forwarded with the I.A.B. investigative file to the Director and/or Deputy Director.
4. On determination that the Statement of Charges should be served on the accused officer, it will be sent to the appropriate Station/Bureau Commanding Officer and served by the Shift/Squad Commanding Officer, or an immediate supervisor.
5. The Statement of Charges involving negligent use of a Police Vehicle may be issued after determination by the Station/ Traffic Commanding Officer(s) as to the charge-ability of the accident;
6. The Statement of Charges involving the use of firearms may be issued after determination by the Director / Deputy Director as to the accountability of the individual officer.

The accused officer will be furnished a copy of the Statement of Charges at the time it is executed and will be required to sign the original copy which will be retained by the issuing Officer for processing. The signature of the accused officer will attest only that he did receive a copy of the Statement of Charges and will not be construed as an admission to the charge(s) alleged.

NOTE: The charging officer will enter each Statement of Charges, with the exception of traffic crashes and ISB-generated charges, into Blue Team as a workstation complaint. The involved officer or employee will be clearly identified and the alleged violation will be entered. Additionally, the Statement of Charges and Administrative Summons, along with any support documentation, will be scanned and electronically attached to the Blue Team entry.

#### **D. Issuance of Statement of Charges:**

Statements of Charges will be reviewed by the Deputy Director of Police Services and the charged officer's respective Command Staff member, who will authorize issuance and assign hearing authority. Upon issuance, the original and **two** (2) copies of the Statement of Charges will be immediately forwarded to the Station or Bureau Commanding Officer to which the accused officer is assigned.



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#### **E. Further Investigation:**

Upon notification that a Statement of Charges is to be resolved at a particular level of administering Authority, it will be the responsibility of the Commander of that level to initiate action to provide the accused officer with a full, impartial hearing. It will be the responsibility of the Commanding Officer to use all pertinent information, facts, letters, and report available to him to ensure a full hearing.

#### **F. Notice of Hearing:**

"In the event the charges specified on the statement of Charges have been amended or added to, the accused should be notified by the administering authority prior to, or at the hearing, of the new or amended charges. The accused will have the option of proceeding with the hearing of the new or amended charges at that time, or have the hearing on the new or amended charges reset to a later date."

#### **G. Hearing:**

Upon completion of the hearing, the Administering Authority will complete the "hearing summary" section of the Statement of Charges (original and one (1) copy) outlining pertinent facts. The Administering Authority will also note his findings and action taken in the appropriate section.

#### **H. Appeal/Grievance:**

##### **1. Non-Civil Service**

At the conclusion of the hearing, the officer must advise the hearing officer whether he/she wishes to appeal or grieve the disciplinary action. If the disciplinary action is 10 days or less, the officer may submit to a grievance procedure or an internal appeal, but not to both. The employee will indicate on the Hearing Summary Form their decision to file an internal appeal or a grievance.

##### **2. Civil Service**

At the conclusion of the hearing, the officer must advise the hearing officer whether they wish to appeal or grieve the disciplinary action. If the disciplinary action is 11 days or more, the officer may submit to a grievance procedure or an appeal to the Civil Service Commission, but not to both. If the officer submits to the grievance procedure, they will sign a written waiver of any right to appeal the matter to the Civil Service Commission, per the Memorandum of Understanding.

If the decision is made to appeal the matter, the hearing officer will prepare the hearing summary and forward the entire file to the requested Appeal Authority.

After the hearing is complete, discipline is ordered, and the officer chooses to have an internal appeal (10 days or less), the disciplinary action will be withheld until the completion of the internal appeal.

If an officer decides to grieve the disciplinary action ordered instead of an internal appeal (10 days or less), the disciplinary action is to be taken as soon as possible. This is due to the

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length of time involved with the grievance process and the possible arbitration action to follow.

If disciplinary action is a suspension for 11 or more days, the disciplinary action will be taken as soon as possible. Again, this is due to the length of time involved in resolving Civil Service appeals.

**If disciplinary action is a suspension for 11 or more days, the disciplinary action will be taken as soon as possible. Again, this is due to the length of time involved in resolving Civil Service appeals.**

#### I. Work Status:

1. Depending on the nature and seriousness of the allegations, an officer under investigation will remain in pay status and may:
  - a. Continue in normal duties; or
  - b. Be placed in non-enforcement duties; or
  - c. Be temporarily relieved of all duties.

When a criminal investigation is in progress, work status shall be the same as defined above until the appropriate bureau completes its investigation with sufficient results to support final administrative disposition with respect to the employee's further employment status.

2. Depending upon the nature of the charge and the outcome of the investigation, an officer who is formally charged or indicted for a criminal offense will be:
  - a. Restricted to non-enforcement duties; or
  - b. Suspended from duty with or without pay; or
  - c. Dismissed.

An officer who becomes a defendant in a criminal trial and has not been dismissed will not be compensated for trial related periods spent away from assigned duties.

#### J. Disciplinary Action: Statement of Charges

The disciplinary matrix below describes punitive discipline resulting from a statement of charges as a component of the disciplinary system that is generally imposed in a progressive manner from minimum to maximum, but when appropriate, may be imposed to the maximum limit without progression. The appropriate level of disciplinary action is determined by the consideration of criteria that includes, but is not limited to the following:

- The seriousness of the incident;
- The circumstances surrounding the incident;
- The employee's disciplinary record;
- The employee's overall work performance;
- The probability that future similar problems will occur.

The 5 forms of discipline resulting from a Statement of Charges are:

- (1) Oral Reprimand; or

An oral reprimand is a verbal warning issued by a supervisor detailing an employee's

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action or lack of action or performance as unacceptable and will result in further disciplinary action if the action is repeated. An oral reprimand is considered to be the minimum level of discipline in the Department's progressive disciplinary system. The oral reprimand will be condensed to writing for filing purposes. (26.1.4.b)

(2) Written reprimand; or

A written reprimand is a written warning from a supervisor detailing an employee's action, or lack of action or performance as unacceptable and will result in further disciplinary action if such action is repeated.

(3) Suspension; or

A suspension is a serious disciplinary action in which the employee is suspended from duty and may forfeit his/her salary for misconduct considered to be serious or part of a continuing pattern of behavior involving repeated instances of misconduct. (26.1.4.c)

(4) Demotion; or

Demotion is the reduction of an employee's rank decreasing responsibility and pay. Demotion is a severe corrective action which may be imposed prior to termination and/or utilized in circumstances wherein an employee exhibits unsatisfactory performance or personal conduct in one position, but past performance in the reduced rank was adequate. (26.1.4.c)

(5) Termination.

Termination is the act of discharge from employment with the permanent loss of all privileges of employment. (26.1.4.c)

In concurrence with a statement of charges a supervisor may require remedial training for an officer. Remedial training may include one or more of the following methods of training:

- Departmental training;
- Re-assignment to an FTO;
- Enrollment in a course of instruction sponsored by another agency

The goal of remedial training is to provide constructive correction in an effort to improve employee productivity, effectiveness and overall safety. Remedial training can be mandated in conjunction with all forms of discipline excluding termination. (26.1.4.a)

For Record Retention including storage and purging guidelines for Statement of Charges see Chapter XI, Section 9: Record Retention.

### **K. Employee Support Unit:**

The Employee Support Unit is an in-house psychological and behavioral health unit established for the purposes of providing support, assessment, training, and interventions. The unit consists of two separate and distinct entities with some shared responsibilities: 1.) Psychological Services and 2.) The Performance Enhancement Program (PEP).

1. Support is offered as free, voluntary, confidential counseling and crisis intervention for police officers and their families. The counseling provided will generally be short term. Long-term problems and potential conflicts of interest will be referred to outside

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resources (i.e. the City's contracted Employee Assistance Program [See PM 42-07 for further information], private hospitals, and other independent private providers). Civilian employees of the Memphis Police Department will be seen on the same basis as time permits.

Consultation is available to the Command Staff and Supervisory Ranks whenever needed regarding employee problems. (22.2.3)

2. Psychological assessment is offered by the Employee Support Unit's Coordinator of Psychological Services. They will provide a psychological evaluation and state certification for all new hires who will ultimately be commissioned or working in a high stress area such as communications. The Employee Support Unit's Coordinator of Psychological Services will make the final determination in all matters involving Commissioned Police Officers, Police Service Technicians and Critical Area Civilian employees' suitability to return to full duty status. The unit will also be responsible for developing the techniques and mechanisms for performance evaluation. Additionally, the Performance Enhancement Program's Manager will maintain an objective computerized monitoring system of performance to assist in identifying patterns of problematic behavior.
3. The Employee Support Unit assists in several aspects of training including: (22.2.6.f)
  - a. In-service and promotional training for supervisory personnel on services available, how to refer to services, the role and responsibility of supervisors, early identification of potential problematic behavior patterns, how to address employees concerns, and problems/issues that could impact job performance.
  - b. In-service training on mental health topics such as, domestic violence, workplace violence, diversity/cultural sensitivity, conflict resolution, and stress management.
  - c. Remedial training in anger management, sensitivity training, and dependability issues.
4. The Employee Support Unit provides interventions with both the support/crisis counseling and the remedial training. Another form of intervention is the Plan to Improve Performance. This intervention is for personnel who have a lengthy and consistent pattern of adverse performance. The intensive training is designed to address the specific problems the officer has in his or her job performance.
5. Formal Management Referral Procedures and Guidelines: (22.2.6.e)
  - a. If fitness-for-duty is needed, the referral should be sent to the Coordinator of Psychological Services.
  - b. In the description narrative, outline the specific behaviors that make the referral necessary. Attach copies of complaints and other documentation about the problem.
  - c. Advise the employee about the referral, and have them call the city's contracted Employee Assistance Program or the Coordinator of Psychological Services to arrange an appointment time.

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- d. If the referral is not mandatory, suggest the officer come voluntarily and document in his/her files that you suggested the officer attend. Attendance will be handled with the greatest level of confidentiality and even the referring supervisor will not know if the officer attends the session.
- e. If the problem persists, the supervisor will use the “Formal Management Referral.” The supervisor will then be notified about the officer’s attendance and compliance with treatment. However, the content of the session will remain confidential.
- f. The Coordinator of Psychological Services or the Manager of the PEP will try to assist whenever possible, but we are not a substitute for fair and consistent discipline.

\* The “Formal Management Referral” forms can be found on the MPD’s KIOSK or on the City’s Intranet.

As the occasion demands, the Employee Support Unit will provide guidance and assistance to the Police Director and Command Staff on special projects, such as special research problems, personnel issues and other related matters. The Employee Support Unit will coordinate all police employee assistance matters that involve the city-wide Employee Support Program.

### **III. Guidelines for Relief of Duty of officers and civilian employees.**

#### **A. DEPARTMENTAL INTENT WHEN RELIEVING AN EMPLOYEE OF DUTY**

It should never be the intent of any investigative bureau to humiliate, embarrass or bring undue attention to any officer or civilian being investigated by the Memphis Police Department. However, we have an obligation to the City of Memphis, its citizens and its employees to investigate and resolve any criminal allegation or act of impropriety by its members. To that end, we are committed to proceed as professionally and discreetly as possible, given the circumstances.

The presence of the principal officer’s Commander or the civilian employee’s Manager will assure fair and professional treatment of the officer or the civilian employee during the relieving of duty process. The Commander or Manager will be responsible for notifying the respective Deputy Chief of the situation. Subsequently, the Commander or Manager will assume the responsibility of making arrangements for the temporary assignment of work status with the respective Deputy Chief.

Additionally, the notification of the Director/Deputy Director is assured via the Deputy Chief or the Inspectional Services Bureau.

#### **B. THE PURPOSES FOR RELIEVING AN OFFICER OF DUTY SHOULD BE TWO-FOLD:**

1. An officer that has been accused of a serious incident, where he/she may have placed a citizen or a citizen’s property at risk and needs to be removed from the area of complaint for the safety of the citizens. This is not to state that the complaint has immediate credibility, but to give the public some sense of safety and trust in the situation until the allegation can be confirmed or dispelled.

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2. The officer's protection (physically and/or emotionally) should be an automatic concern when relieving an officer of duty. Being relieved of duty should not be associated with a negative connotation. Officers that are involved in critical incidents need time to emotionally gain control of themselves. Being away from the workstation should afford some sense of comfort for the officer's state of mind. It should stabilize the officer and the situation, until more information can be obtained. Relieving an officer of duty should be viewed as part of the healing process for officers and a normal investigative process to prove or disprove an allegation. Officers may also be referred to the Employee Support Unit and EAP for counseling assistance.

#### C. THOSE SITUATIONS WHEN AN OFFICER MAY NOT BE RELIEVED OF DUTY ARE OUTLINED AS FOLLOWS:

1. The person making the allegation is visibly intoxicated or under the influence of controlled substances or whose judgement is impaired by the use of alcohol, drugs or prescribed medication.
2. The complainant gives the appearance of being mentally incompetent or unstable or is known to be suffering from a mental condition and is not taking prescribed medications or is not following the recommendations, advice or instructions of their physician or psychiatrist.
3. The complainant has made threats to the officer, which have been documented or recorded over the police radio. (Notification of the Duty Commander and I.S.B. Commander is still recommended.)
4. It is clear to a supervisor/commander that the circumstances do not support the allegation (Commander justification required).
5. Any circumstances that a commanding officer articulates, and can support with facts, which casts doubt upon the allegations.

Notifying the proper authorities of the situation in a timely manner is required in all the above circumstances. Regardless of the fact that a complaint may be negated by one of the above circumstances, the complaint should still be documented to the unit Commanders and bureau personnel in writing during that tour of duty. In instances where there may be doubt, an Inspectional Bureau Commander should be notified from the scene.

#### D. AUTOMATIC/IMMEDIATE RELIEF OF DUTY SITUATIONS

1. When an employee is arrested.
2. When an employee is indicted.
3. When an employee is involved in a shooting incident where a suspect has been shot or shot at. Marksmanship has no bearing on whether an officer should be relieved. All officers that discharge a firearm at a person shall be relieved and a mandatory drug screen performed.
4. Where the action or response to resistance results in **serious bodily injury\***, death, (mandatory drug screen), or as deemed necessary due to particular circumstances where no death or serious bodily injury results.

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5. In vehicular accidents where serious injury has resulted, which could cause death or someone has died as a result of the accident (mandatory drug screen).
6. When an employee is willfully and blatantly insubordinate to the extent his/her performance is affected.
7. When an employee displays conduct that intentionally endangers co-workers, civilians, or compromises the official duties of the Memphis Police Department. These facts must be articulated by the commanding officer and documented to include information concerning the principal officer's and witnesses of the incident.
8. When an employee is tested for drugs under reasonable suspicion testing criteria.

\* **"Serious bodily injury"** means bodily injury that involves:

- a. A substantial risk of death;
- b. Protracted unconsciousness;
- c. Protracted or obvious disfigurement; or
- d. Protracted or substantial impairment of a function of a bodily member, organ or mental faculty.

#### **E. POTENTIAL RELIEF OF DUTY SITUATIONS:**

1. If initial information leads a reasonable person to believe that an allegation of criminal activity has occurred, or if there are inconsistencies in the investigation of potential criminal activity that need to be resolved.
2. When an officer exhibits unstable or irrational behavior.
3. When any other circumstance is judged to lend credence to an allegation of criminal misconduct.

#### **F. PROCEDURES FOR RELIEVING OF DUTY PRINCIPAL OFFICERS "ON DUTY"**

1. Notify the appropriate Deputy Chief for permission to relieve the officer of duty.
2. Contact the appropriate Unit Commander or designee of a time and location to meet the I.S.B. Commander (considering the privacy and discreetness of the area); preferably in the Commander's office.
3. Have the Commander of the officer's work station summon the principal officer to your location.
4. Allow the officer an opportunity to notify a police union representative.
5. Advise the officer of the allegation and retrieve his/her police issued enforcement equipment.
6. Advise the officer that they are being Relieved of Duty with pay pending further investigation and, if the situation so requires at the time, escort the officer home to ensure their safety. (NOTE: A temporary I.D. may be obtained from the MPD Photo Lab.)
7. The officer's equipment will be transported by the I.S.B. investigator to the MPD firing Range for inventory and storage with the exception of the PDA and Redfly. These items will be transported to the IPAQ Support Team office. Any equipment that is

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deemed to be of evidentiary value will be tagged at the MPD Property Room or stored in I.S.B. office.

8. The I.S.B. Commander/ Supervisor or relieving Commander should submit an email or memo to the Director, Deputy Director and principal officer's Commander.
9. The officer's Commanding Officer and respective Deputy Chief have the responsibility of reviewing the case, determining the severity and stability of the situation and arranging the work status of the officer, pending disposal of the investigation.
10. It is the responsibility of the officer's Commander to notify the Critical Incident De-briefing Coordinator and/or Psychological Services of the officer's need for de-briefing and psychological care.
11. Information on all steps in the process from the relieving of duty to the return to work should be confidential and handled discreetly affording the accused all due respect.
12. In situations where Policy and Procedures dictate drug testing, an I.S.B. representative will accompany the officer to the testing site and return the officer to his workstation and/or home with the test receipt.
13. Copies of all documentation should be sent to the Inspectional Services Bureau in the sealed package marked "Confidential/I.S.B. Commander". Originals should be sent to the respective Deputy Chief via the Commanding Officer.

#### **G. PROCEDURES FOR RELIEVING OF DUTY PRINCIPAL OFFICERS WHO ARE "OFF-DUTY"**

The process will be basically the same, except the I.S.B. supervisor and I.S.B. investigators will conduct the relief of duty at the officer's home or at the I.S.B. office.

#### **H. IDENTIFICATION FOR MEMBERS ON NON-ENFORCEMENT:**

Members working in a non-enforcement duty status will be issued a "restricted identification" card for the purpose of accessing police sites. The following procedures are to be followed for the issuance of this identification:

1. The non-enforcement duty member shall notify his immediate Supervisor at the non-enforcement work location of the need for an identification card.
2. The immediate Supervisor shall prepare a memo to the Supervisor of the Photo Lab requesting that a restricted identification card be issued and have it approved by the Station/Bureau Commander.
3. Upon receipt of the approved memo, the Photo Lab will create a "restricted identification" card for issuance to the member.
4. The restricted identification card is to be surrendered to the member's immediate Supervisor upon request, return to full-duty or upon termination of employment. The receiving Supervisor should immediately return the identification card to the Supervisor of the Photo Lab for final disposition.

#### **I. REINSTATEMENT OF NON-ENFORCEMENT OFFICERS:**



## **MEMPHIS POLICE DEPARTMENT POLICY AND PROCEDURES**

### **SECTION: Internal Integrity**

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The Inspectional Services Bureau has the sole responsibility for advising the respective Deputy Chief and the Administrative Deputy Chief in writing when an officer has been cleared to return to full-duty status from non-enforcement status. A Deputy Chief cannot give clearance prior to or in contrast with the recommendation from the Inspectional Services Bureau.