

HARFORD COUNTY SHERIFF'S OFFICE PERSONNEL POLICY



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Sheriff

Emergency Suspension of Correctional Powers

Distribution:	All Employees			Policy Number:	PER 0205
Responsible Unit:	Administrative Services Division			Rescinds:	
Original Issued Date:	07/01/22	Revision #:	2	Latest Revision Date:	10/30/25
Required 3-year review was completed:	04/15/25	Next Required 3-yr Review Due:	06/30/28		

1. Purpose

To describe the procedures to be followed when it becomes necessary to perform an emergency suspension of a deputy's correctional powers.

2. Policy

The Harford County Sheriff's Office (HCSO) may suspend a deputy's correctional powers when deemed to be in the best interest of the public and the HCSO. The process will be in accordance with the Maryland Code Annotated, Correctional Services Article, Title 11, the Correctional Officers' Bill Rights (COBR).

3. Definitions

CHAIRPERSON: means the Chief Deputy or designee for the purpose of the Emergency Suspension Review Hearing (ESRH).

CORRECTIONAL DEPUTY: does not include a deputy who is in probationary status on initial entry into the correctional agency except if an allegation of brutality in the execution of the deputy's duties is made against the deputy.

EMERGENCY SUSPENSION: suspension of the certification of a deputy's correctional powers when deemed to be in the best interest of the inmates, public, and the Harford County Detention Center (HCDC).

MANAGING OFFICIAL: means the Sheriff of Harford County.

PROBATIONARY APPOINTMENT: a probationary appointment as a correctional deputy, correctional supervisor, or correctional administrator may be made for no more than one year for the purpose of enabling the individual seeking permanent appointment to take a training course prescribed by the Commission.

PROBATIONARY PERIOD: means a period of time of up to 365 cumulative days during which a mandated employee with a provisional appointment or an individual promoted to a first-line supervisor, or first-line administrator position is authorized to perform the duties of the mandated position before meeting the training requirements for permanent appointment or certification.

4. References

Maryland Code Annotated, Correctional Services Article, Title 11
Maryland Code Annotated, Correctional Services Article, Title 8-209

HCSO Policy PER 0207 Penalty Assessment Matrix
Maryland Code of Regulations 12.10.01.01

5. Procedures

A. General Provisions

1. An emergency suspension of an eligible deputy's certification of correctional powers may be imposed by a **higher-ranking correctional officer as designated by the Sheriff** and be at least the rank of Sergeant.
2. Notification of the emergency suspension will be immediately made to the **Bureau Chief**.
3. An emergency suspension of a deputy's certification of correctional powers should be imposed when the deputy:
 - a. Is the respondent to a temporary ex parte' or protective order, whether or not the issuing authority prohibits the deputy from possessing a firearm;
 - b. 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;
 - c. Has been charged with a serious traffic offense that calls for a period of incarceration;
 - d. Is accused of a Category "E" offense listed in the PER 0207 Penalty Assessment Matrix which may result in a termination of employment;
 - e. Is presented with an [Administrative Charging Document \(IA-033\)](#) charging them with a violation of a Category "E" offense, and after review by the Chief Deputy, the recommended penalty would be termination of employment;
 - f. Fails to obey a lawful order dealing with submitting to an interrogation, interview, polygraph, medical test, chemical test, blood test, photographs, or line up; or
 - g. In any other instance where the suspension of the deputy's certification of correctional powers would be in the best interest of the HCSO, inmates, the public, or the HCDC.
4. The Commander will ensure a [Notification of Emergency Suspension \(IA-029\)](#) is completed, to include the date of **notification of the Bureau Chief**, and the copies are distributed accordingly.
5. Whenever the deputy's correctional powers are suspended with pay, the Sheriff may reassign the deputy to restrictive duties pending:
 - a. A determination by a court with respect to a criminal violation;
 - b. A final determination by a hearing board with respect to a HCSO violation; or
 - c. A decision by the Sheriff.

6. The Commander of an employee with suspended correctional powers will complete an [Equipment Received \(IA-029C\)](#) and retain at a minimum the custody of the following issued items:
 - a. Firearms, magazines, ammunition, baton, OC spray and taser;
 - i. Exception: if, at the Suspension Review Hearing, the suspension is upheld by the Chief Deputy, and will last longer than five days, all firearms, magazines, and ammunition will be returned to the Range Master for storage.
 - b. Badges, identification card, Maryland Police and Correctional Training Commission (MPCTC) deputy certification card, and any other identification cards;
 - c. Keys and access proximity cards;
 - d. Laptop, cellphone, and any other IT equipment;
 - e. Portable radios;
 - f. Vehicle/keys;
 - g. HCDC access chip (if issued);
 - h. Ballistic/Stab Vest and Carrier; and
 - i. Any other equipment issued by the federal government or other agency.
7. The Commander of an employee with suspended correctional powers will, upon service of the [Notification of Emergency Suspension \(IA-029\)](#), email the "Suspended Employee" email notification group the name, current assignment, and effective date of the suspension of the deputy being suspended.
8. The Commander will also notify any other certifying agency of the suspension of correctional certification so the necessary actions may be taken by that organization.
9. Upon receipt of the "Suspended Employee" email, Information Technology, Human Resources, and respective Division Commanders will deactivate access to the following:
 - a. All Agency computer networks;
 - b. All Agency email;
 - c. All Agency door codes and cards;
 - d. Guardian (change password);
 - e. PowerDMS; and
 - f. Other computer software/networks as deemed necessary.

10. Upon removal of access to the items listed in (A)(9) above, those respective personnel will notify Human Resources by responding with a “reply all” message on the original email thread.
11. Access to all, or some, of the systems contained in (A)(9) may be granted upon a written request from the employee’s commander, through the chain of command, to the Chief Deputy or designee.
12. The request will be made with a “reply all” message on the original email thread.
13. Emergency suspension of correctional powers without pay may be imposed when the deputy has been charged with a felony.
14. The Commander will ensure that the [Conditions for Emergency Suspension \(IA-029A\)](#) is completed and distributed accordingly.
15. A suspended deputy will not exercise his correctional powers until those powers have been restored in writing by the Sheriff or designee.
16. Probationary deputies are not entitled to an emergency suspension review hearing except in the case of brutality.
17. Concerns about a deputy’s ability to perform essential job functions, due to physical or psychological reasons, will be referred immediately to the Human Resources Director, by way of chain of command.
 - a. When a deputy is suspended due to physical or psychological reasons at the advice of a Medical Consultant or the Human Resources Director:
 - i. A [Medical Referral/Suspension Report \(SO-401\)](#) will be completed; and
 - ii. The deputy will be advised there is no entitlement to an emergency suspension review hearing.

B. Process

1. A suspended deputy’s Division Commander will:
 - a. Ensure contact is made with the Office of Professional Standards (OPS);
 - b. Ensure a [Notification of Emergency Suspension \(IA-029\)](#) is completed and promptly emailed to OPS indicating;
 - i. Whether the suspension is with or without pay;
 - ii. Date, time, and location of emergency suspension hearing; and
 - iii. When or if the suspended deputy is to appear for a review hearing.
2. A suspended deputy may waive the review hearing by signing the Waiver of Hearing portion of the [Notification of Emergency Suspension \(IA-029\)](#).

C. Emergency Suspension Review Hearing (ESRH)

1. The Chairperson will promptly conduct an emergency suspension review hearing or may delegate the authority to conduct the hearing to an HCDC Commander.
2. The ESRH will convene on the first working day following the suspension from duty, exclusive of weekends and holidays; unless the time limit is extended by mutual agreement of the ESRH Chairperson and the suspended deputy. The employee may waive the hearing.
3. The ESRH will limit the scope of the review and determine if the continuation of the suspension certification is necessary to protect the public interest or the HCSO; only matters dealing with the disposition of the suspension will be heard.
4. During an ESRH, a suspended deputy may:
 - a. Be accompanied by counsel;
 - b. Rebut the reason(s) for the initial suspension;
 - c. Present mitigating testimony as to the continuation of suspension and
 - d. Suggest alternatives to suspension.
5. The presenter of facts (the Deputy Warden or designee at the rank of Sergeant or above) will:
 - a. Present reason(s) for the initial suspension;
 - b. Make recommendations concerning the deputy's leave status and temporary assignment during the period of suspension; and
 - c. Recommend a final disposition on the suspension.

D. Emergency Suspension Review Hearing Chairperson will:

1. Ensure the hearing is recorded;
2. Ensure the [Conditions for Emergency Suspension \(IA-029A\)](#) have been completed and distributed;
3. Prepare a [Suspension Hearing Report \(IA-023\)](#) noting one of the following actions:
 - a. Discontinue the emergency suspension of correctional powers and return to duty;
 - b. Continue the emergency suspension of correctional powers without pay; or
 - c. Continue the emergency suspension of correctional powers with pay.
 - i. While powers are suspended with pay, they may be assigned to a restricted duty;
4. Notify the suspended deputy of the decision;

5. Instruct a deputy who is suspended with pay and not assigned to restricted duties at an HCSO location to notify their commander or designee, Monday through Friday, excluding holidays, during specified hours and provide a telephone number, personal email; or location where the suspended deputy can be contacted; and
6. Forward the [Suspension Hearing Report \(IA-023\)](#), recordings and any other records to OPS.

E. Office of Professional Standards will:

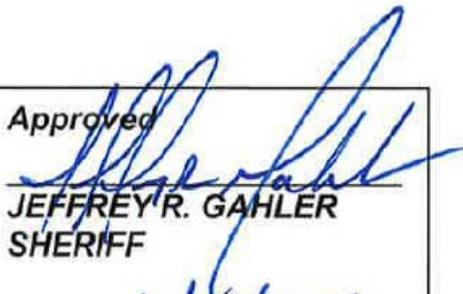
1. Maintain the [Suspension Hearing Report \(IA-023\)](#), recordings and any other records in case file;
2. Forward the original [Suspension Hearing Report \(IA-023\)](#) to Human Resources;
3. Forward a copy of the final report to the suspended deputy; and
4. Forward a copy of the final report to the suspended deputy's Division Commander.

F. Reinstatement/Modification of Correctional Powers

1. When correctional powers have been suspended, with or without pay and the allegations which led to the suspension are, or appear to be, without merit, the deputy's Bureau Chief will consult with the Chief Deputy and the Commander of OPS for input on all relevant case information.
2. When the employee's Bureau Chief determines the deputy's powers should be reinstated or modified, the deputy's Bureau Chief will send a [Modification of Emergency Suspension \(IA-029B\)](#) delineating the reasons for recommendation of modification through the chain of command for approval by the Chief Deputy.
3. The Reinstatement/Modification procedure may be implemented before or after the Emergency Suspension Review Hearing or any time approved by the Chief Deputy.
4. Upon reinstatement of the deputy's correctional powers, the Bureau Chief will make the appropriate notifications.
5. The original [Modification of Emergency Suspension \(IA-029B\)](#) will be forwarded to the Human Resources Director. Copies will be forwarded to the Chief Deputy, Employee's Bureau Chief, Division Commander, OPS, and the employee.
6. Upon reinstatement of correctional powers, the Human Resources Director will notify the "Suspended Employee" email group by sending a "reply all" message on the original email thread of the reinstatement and will indicate what access to networks and Agency facilities the employee will have.
7. Upon reinstatement of the correctional powers, the Commander of the employee will notify any other certifying agency of the reinstatement and ensure the [Equipment Received/Returned \(IA-029C\)](#) is completed and the collected equipment is returned.
8. The Commander will coordinate with the Training Academy to ensure any training requirements are completed before the employee is returned to duty.

6. Summary of Changes

- A. On 04/15/25 a three-year review was conducted, and the following changes were made:
1. Throughout the document the processes for the new forms IA-029A, IA-029B, IA-029C and IA-033 were applied; and
 2. SO-401 was renamed to Medical Referral/Suspension Report.
- B. On 10/15/25 the following revisions were made:
1. Definitions: Added **Managing Official** (Sheriff of Harford County) COBR § 11-1001;
 2. Section 5.A.1. - An emergency suspension of an eligible deputy's certification of correctional powers may be imposed by a **higher-ranking correctional officer as designated by the Sheriff** and be at least the rank of Sergeant. COBR § 11-1013; and
 3. Section 5.A.2.&3. - Notification of the emergency suspension will be immediately made to the **Bureau Chief** and the Commander will ensure a Notification of Emergency Suspension (IA-029) is completed, to include the date of **notification of the Bureau Chief**.

Approved

JEFFREY R. GAHLER
SHERIFF
DATE 10/30/25