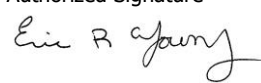


OGDEN CITY POLICE

Office of the Chief

Policy No: 01A

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|---|-----------------------|
| Subject | Effective Date |
| Administrative Leave Protocol | July 14, 2021 |
| Department | Replaces Policy Dated |
| Police | August 2020 |
| Division | Review Date |
| All Police Personnel | July 2023 |
| Authorized Signature  | |

NOTE: This rule or regulation is for internal use only and does not enlarge an officer's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by this agency, and then only in a non-judicial administrative setting.

I. PURPOSE

The purpose of this policy is to establish guidelines for employees and supervisors to follow when an employee is placed on Administrative Leave.

II. POLICY

The policy of Ogden Police Department will be to follow Administrative Leave guidelines as outlined in the Ogden City Employee Policy and Procedures Manual.

III. PROCEDURE

When a complaint of misconduct is received by the Ogden Police Department and an internal investigation is ordered by the Chief of Police, an employee may be placed on a temporary work assignment or on administrative leave, with or without pay, as directed by the Chief of Police.

If the employee is placed on a temporary work assignment, all rules pertaining to employee conduct and actions, such as turning in the department-supplied vehicle, badge, firearm, and relinquishment of arrest authority, will still apply. The employee will be placed in an assignment supporting the Department's needs and will be directly supervised by the appropriate supervisor.

An employee may be placed on administrative leave when an allegation of misconduct is made against an employee requiring additional review or investigation by the department to determine the validity of the allegation and the appropriate course of action. Administrative leave may be paid or unpaid as determined by the Chief of Police in consultation with and advice from the City Attorney and the Human Resources Director, and such status will be clearly communicated to the employee at the time of implementation. An employee's status with respect to pay may change from paid to unpaid while on administrative leave depending on the circumstances and status of the issue being investigated.

Before an employee is placed on administrative leave, the Chief of Police (or Deputy Chief in the Chief's absence) will review and approve the action. Administrative leave does not constitute disciplinary action, nor does it implicate guilt or wrongdoing; it simply allows the Department time to conduct a thorough investigation while maintaining the employee's present status. While removing the employee from the workplace, the process eventually leads to either their return to duty or initiation of a predetermination hearing for termination of employment.

An employee's status as paid or unpaid during the investigation will depend upon the nature of the misconduct and the credibility or evidence of misconduct existing at the time the incident is reported. Other reasons an employee may be placed on administrative leave may include:

- Protecting sensitive resources.
- Questions of fitness for duty.
- Preventing contact with certain employee groups.
- To remove an employee who may be behaving disruptively pending assessment of the situation.

Officers are routinely placed on administrative leave after an Officer-Involved Shooting (OIS) or use of Deadly Force incident while the circumstances of the incident are investigated. Being placed on administrative leave does not imply fault or wrongdoing on the part of the involved officer(s).

When an employee is placed on administrative leave the following protocols will be followed:

- If on paid administrative leave the employee is considered on the clock between 0800 and 1600 hours Monday – Friday, excluding holidays. The employee is expected to be available to respond when called during those hours. If the employee will be unavailable during those times, the employee is expected to notify the appropriate Division Commander of the

reason for the absence and the expected date the employee will once again be available.

- If the employee is the subject of an Internal Affairs Investigation (IA) they will be advised of the reason for and who the department representative is that will be conducting the investigation. The employee is expected to be available to the IA investigator within a reasonable time when requested.
- Department provided equipment such as the identification badge, weapons, MDT, vehicle (with keys), or other equipment will be turned in at the discretion of the Division Commander. This may take place at the onset of administrative leave or at any point during the administrative leave period.
- If an employee's work assignment is normally located off-site (such as a School Resource Officer or the WMNSF) the employee may be asked to refrain from frequenting the off-site location while on administrative leave.
- Off-Duty and/or Extra-Duty employment requiring the use of the department uniform, vehicle, or equipment is prohibited while an employee is on administrative leave.
- If the employee is a police officer, they will be expected to periodically contact the Watch Commander to determine if any subpoenas have been served for their appearance while on leave.
- Employees on administrative leave will discontinue use of the department's records management system (RMS) and/or any local, state, or federal criminal history websites.
- The Chief of Police, in consultation with the City Attorney and the Human Resources Director, may rescind Administrative Leave at any time.