



# OFF-DUTY LAW ENFORCEMENT ACTIONS

**INDEX CODE: 309**  
**EFFECTIVE DATE: 03-22-24**

---

## Contents:

- I. Policy
- II. Decision to Intervene
- III. Intervention Procedure
- IV. Considerations
- V. Incidents of Personnel Interest
- VI. Reporting
- VII. Proponent Unit
- VIII. Cancellation

### I. POLICY

It is the policy of the Anne Arundel County Police Department that officers generally should not initiate law enforcement action while off-duty. **Regarding off-duty enforcement while operating a police vehicle: officers will comply with the provisions in Index Code 1500.** Officers are not expected to place themselves in unreasonable peril and should first consider reporting and monitoring the activity. However, any officer who becomes aware of an incident or circumstance that he/she reasonably believes poses an imminent threat of serious bodily injury or death, or significant property damage or loss may take appropriate action to minimize or eliminate the threat. Sworn members of the department are authorized to exercise peace officer powers pursuant to applicable State law (Md. Code CP § 2-102; Md. Code PS § 2-412).

Off-duty personnel who are in their personal vehicle will **not** attempt to conduct a vehicle stop or address any traffic violation. If they observe a “flagrant” traffic violation for which they believe enforcement action needs to be taken, they will record as much information about the vehicle and operator as they safely can and notify on-duty personnel as soon as practical

### II. DECISION TO INTERVENE

There is no legal requirement for off-duty officers to take law enforcement action. Officers should consider waiting for on-duty officers to arrive and gather as much accurate intelligence as possible, instead of immediately intervening. However, should an officer decide to intervene, he/she must evaluate whether the action is necessary or desirable, and should take into consideration:

- A. The potential to be misidentified by other officers.
- B. The potential to be misidentified by members of the public, who may be armed or who may take action.
- C. The tactical disadvantage of being alone and the possibility of multiple or hidden suspects.
- D. Limited off-duty firearms capabilities and ammunition.
- E. The inability to communicate with responding officers.
- F. The lack of equipment, such as body armor, handcuffs or control devices.
- G. Unfamiliarity with the surroundings, including escape routes.
- H. The potential for increased risk to bystanders by confronting a suspect or taking action.

### III. INTERVENTION PROCEDURE

If involvement is reasonably necessary, the officer should attempt to call or have someone else call 9-1-1 to request immediate assistance. If possible, the officer should provide the dispatcher a description of the off-duty officer, to allow them to broadcast that information to responding officers. Whenever practical, the officer should loudly and

repeatedly identify him/herself as an officer with the Anne Arundel County Police Department. Official identification should also be displayed when possible.

**IV. CONSIDERATIONS**

When encountering a non-uniformed officer in public, uniformed officers should wait for acknowledgement by the non-uniformed officer in case he/she is working in an undercover capacity.

**V. INCIDENTS OF PERSONAL INTEREST**

Off-duty department members should refrain from handling incidents of personal interest (e.g. family or neighbor disputes) and should remain neutral. In such circumstances members should call the responsible agency to handle the matter.

**VI. REPORTING**

If prior notification to the appropriate local law enforcement is not reasonably possible before taking action, the officer shall notify the agency as soon as reasonably practicable. Officers shall cooperate fully with the agency having jurisdiction by providing statements or reports as requested or as appropriate.

Officers will notify an on-duty supervisor/commander regarding any law enforcement action taken while off-duty. If the incident occurs within Anne Arundel County, the off-duty officer will fulfill all reporting requirements as soon as reasonably practicable.

**VII. PROPONENT UNIT:** Office of Professional Standards

**VIII. CANCELLATION:** *This directive cancels Index Code 309, dated 07-01-23.*