



# Colorado Springs Police Department

## General Order

### 407 Off-Duty Enforcement Action

#### Section 400 – Professional Conduct

Effective Date: 8/30/2021

Supersedes Date: 7/29/2012

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### **.01 Purpose**

The purpose of this directive is to set guidelines for taking law enforcement action while off duty.

### **.02 Cross Reference**

[GO 1300 Traffic Law Enforcement](#)

[GO 1530 Firearms Regulations](#)

[DL-1020-23 Response to Civil Matters](#)

[DL-1300-01 Delayed Enforcement Action](#)

### **.03 Discussion**

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### **.04 Policy**

The department recognizes that off-duty officers cannot rely on immediate assistance or application of police resources, in the same capacity as while on duty. Therefore, officers should exercise reasonable judgment before jeopardizing themselves or others by taking police action off-duty.

Officers should, however, act on those situations that has a significant probability of resulting in death, serious bodily injury, bodily injury, or extensive property damage.

When making the decision to engage in off-duty enforcement action, officers consider their access to law enforcement tools/weapons, the tactics required to safely resolve the situation, the offenses involved, or other factors as determined by the involved officer.

Off duty enforcement will be governed by the same policies, procedures, and rules that apply to on-duty personnel in a similar situation.

## **.05 Definitions**

*Off-Duty:* An officer or marshal who is employed by the department and has been entrusted with enforcing laws and ordinances but who is not being compensated by the department at the time a potential violation of the law is observed.

## **.10 Essential Considerations**

### *Jurisdiction*

Before taking off duty enforcement action, officers will give first consideration to personnel from the law enforcement agency in whose jurisdiction the activity occurs. If the violation of the law takes place in the jurisdiction of Colorado Springs, off duty officers should give first consideration to on-duty officers.

### *Identification and Equipment*

An officer's identity as a police officer is more difficult to establish quickly when out of uniform, and private vehicles cannot be used for pursuits or other activities requiring special police equipment. Whenever a police officer is carrying a service, off-duty, or auxiliary firearm off-duty, the officer will also carry both an official police badge and official identification card/concealed weapons permit.

### *Offense Type*

Off-duty officers are discouraged from taking enforcement action involving minor criminal or minor traffic violations. If delayed enforcement is possible, the off-duty officer will convey the information to an on-duty supervisor for review and final decision-making authority.

In exigent circumstances, or if the officer considers immediate action necessary, the officer will take the appropriate action and consult an on-duty supervisor without delay.

## **.20 Enforcement Authority - National Guard/Reserves**

Officers who are a member of the Colorado National Guard or any branch of the United States military reserves, will not exercise their department law enforcement authority to intervene in any situation while on guard or reserve duty assignment, while traveling to or from guard or reserve duty assignment, or while in military uniform.