



GENERAL ORDERS: Chapter 14

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Off-Duty Police Work

I. Policy

The Chief of Police may grant eligible employees of the department the privilege to work off-duty jobs. Those employees working off-duty will conduct themselves in a manner consistent with being on-duty. Non-compliance with this or any policy may result in disciplinary action and include suspension of off-duty privileges. Division commanders may grant temporary exemptions to this policy.

II. Definitions

Off-duty police employment – Any employment that is conditional on the actual or potential use of law enforcement powers by the police officer. The service is rendered during a period of time when the officer is not on duty for the city.

Off-duty secondary employment – Any non-law enforcement related off-duty work for pay that does not require the use of, or potential use of, law enforcement powers during a period of time when the officer is not on duty for the city.

Liquor licensed establishment – For purposes of this chapter, any business that sells liquor for on-premises consumption as their primary business function, including after-hours establishments that allow alcohol consumption.

III. Off-duty police employment

A. General policy

1. Authorization

- a. A [written request](#) to work off-duty shall be submitted and approved by the division commander prior to working a new off-duty job.
 - (1) Short notice requests must be approved by a supervisor for initial approval, followed up by a formal [written request](#).

2. Eligibility

- a. Police officers may work in an off-duty capacity upon successful completion of:
 - (1) The field training officer (FTO) program: Only traffic control posts for city paid off-duty events where there is a supervisor assigned.
 - (2) Probation (nine months after academy completion): All off-duty
- b. Parking meter checkers and police cadets may work only traffic control posts for city paid off-duty events where there is a supervisor assigned.

3. Limitations on scheduled hours

- a. Officers shall not schedule and work any combination of on-duty and off-duty employment in excess of:
 - (1) Daily maximum: 16 hours in any 24 hour period.

- (2) Weekly maximum: 100 hours in any consecutive seven-day period.
- b. Exceptions: Unscheduled or unplanned extensions of an event or shift do not apply to the maximums.
- 4. Equipment and uniforms
 - a. Officers shall wear their uniform and equipment consistent with departmental policy.
 - b. Officers who use a squad car or any departmental equipment that is not personally issued, must have the approval of the division commander. If a squad car is approved for use, the officer shall notify an on-duty patrol supervisor, who will assign a car and document its use.
 - c. Officers shall carry and monitor their portable radios to be alert for activity at or around their location. If it is anticipated that off-duty use will monopolize a communication channel, the Communications Section must be given prior notice.
- 5. Responsibility
 - a. Officers will advise the Communications Section of their location and duration of assignment, preferably by phone, using their identification number. Similarly, they will advise the Communications Section when they have ended their off-duty assignment.
 - b. Officers working off-duty, in uniform or plainclothes, shall not perform any function or duty that is not police related in nature.
 - c. Officers engaged in off-duty employment shall provide or get assistance to a citizen request for aid or service and be responsible for completing reports initiated as a result of their employment (except reportable motor vehicle accidents.)
 - (1) Off-duty tasks that result in the officer working beyond a scheduled shift will be compensated by the private off-duty employer; exceptions shall be approved by the watch commander.
 - (2) For incidents that occur while working off-duty and require that an officer complete a use of force incident, the officer shall notify the district or off-duty event supervisor as soon as practical.
 - (3) Officers, taking police action while working off-duty police employment, shall receive the same benefits and liability protections from the City of Des Moines and the Department, as they are considered to be in the performance of their duties as members of the department when working for the employer/vendor.
 - d. An officer engaged in off-duty employment is subject to recall in case of emergency or a call to return to service and may be expected to leave the off-duty employment in such situations.
 - e. The off-duty employment shall not physically or mentally exhaust the officer to the point that their performance on-duty will be affected.
- 6. Requirements regarding groups of officers
 - a. Whenever three or more officers work an off-duty job, a sergeant or above must be one of the three or more and is subject to the following limitation:
 - (1) The supervisor shall be available to respond to any incident on-site and therefore will not be assigned a stationary post. If the event has multiple supervisors working, the highest-ranking supervisor will be in charge. The off-duty supervisor for an event will be designated prior to the start of the event.
 - b. Off-duty employment managers and special event supervisors: The individuals who manage events requiring five or more officers plus one supervisor, shall provide the Operations Division commander and the off-duty coordinator a list detailing the officers that are scheduled to work, the duration of the work, the location of the event and the name of the supervisor in charge of the event at least seven calendar days prior to the event. If notification cannot be made prior to seven calendar days, the individual shall immediately provide the list to the watch commander affected, in addition to the Operations Division commander and the off-duty coordinator.

7. Restrictions while on paid leave or restricted duty
 - a. Officers may not work off-duty after taking a sick day from their regular duties. Officers must return to work before engaging in off-duty employment. However, if sick leave is taken before scheduled days off, and the officer will be off longer than a period of two days, the officer may work the third and subsequent day.
 - b. Officers, while on family medical leave;
 - (1) Due to extended injury or illness, will not be allowed to work in an off-duty capacity.
 - (2) Not due to their own injury or illness, such as maternity/paternity leave or to care for an eligible family member, will not be allowed to work in an off-duty capacity during the normal shift for which they are being carried on leave.
 - c. Officers may not work off-duty while their job duties are restricted due to an order of a physician or while on:
 - (1) Military, bereavement, or administrative leave
 - (2) Suspension
 - (3) Light duty status
 - (4) Administrative assignment due to a critical or traumatic incident
8. Prohibited off-duty police employment
 - a. Officers may not work off-duty:
 - (1) For a tow company which is under contract with the City of Des Moines, a bail bond agency, a private security guard company, an escort service, or any business that provides entertainment or services of a sexual nature.
 - (2) To serve civil processes, work as a private detective or investigator, or work in any position where the purpose of employment is to gather information for or appear as a witness in a civil action.
 - (3) As a bouncer, doorman, or cashier at a nightclub or liquor license establishment.
 - (4) For any company, business or organization which has employees conducting strike or labor dispute activities against said establishment.
 - (5) For any person who is a known convicted felon to the officer or who is openly associating with individuals the officer knows are convicted felons.
 - (6) At locations where the employer will not hire an adequate number of officers to safely handle the scheduled event.
 - (7) Performing any type of work that might bring discredit to the officer or the department.
 - (8) Outside the City of Des Moines or on a volunteer basis unless approval is granted by the Chief of Police or division commander.
9. Soliciting
 - a. Officers may suggest a vendor or business consider hiring off-duty officers for public safety reasons, but not solely for personal financial gain.
10. City paid off-duty work and special events
 - a. The special events coordinator has the responsibility to maintain an approved set of guidelines related to city paid off-duty work and special events. The guidelines can be found in [General Order 14.1 City Paid Off-Duty Work and Special Events](#).
- B. Off-duty work in liquor licensed establishments
 1. General Procedures:
 - a. Prior to providing off-duty police services, the officer must ensure the liquor license establishment has signed a letter of understanding, which can be obtained [here](#) and returned to the off-duty coordinator. This letter will outline the duties an officer will be permitted to

perform while working in an off-duty capacity at the establishment and identify a contact person to resolve any issues that might occur.

- b. A minimum of two officers working will be maintained. However, the division commander or off-duty coordinator may require additional officers.
- c. Officers will not perform pre-entrance screening of patrons, such as conducting weapon searches or checking identification, unless reasonable suspicion warrants additional investigation. Officers will not enforce dress code standards.
- d. Officers will not perform random checks for underage individuals, intoxicated or the serving of intoxicated individuals unless reasonable suspicion warrants additional investigation. Their primary position is at the entrance of the establishment.
- e. Officers will not interfere with any law enforcement investigation, nor assist the bar owner, manager, or lessee with any activity involving a law enforcement agency.

IV. Off-duty coordinator

- A. An off-duty coordinator will be assigned to serve as a liaison for officers that schedule off-duty work as well as for individuals or companies employing off-duty officers.
- B. The coordinator will review off-duty employment requests, determine if the number of officers assigned is adequate and answer questions from employers.

V. Off-duty secondary employment

- A. Officers may engage in off-duty secondary employment:
 - 1. Resulting primarily from specific training provided to the employee by the department which shall be approved by the division commander. An example of this type of employment would be a defensive tactics instructor teaching a self-defense course.
 - 2. That does not diminish the status or dignity of law enforcement as a profession, such as:
 - a. Establishments that sell pornographic books or magazines, sexual devices, or videos, or that otherwise provide entertainment or services of a sexual nature.
 - b. Any employment involving the sale, manufacture, or transport of alcoholic beverages as the principal business.
 - 3. That presents no potential conflict of interest between their duties as an officer and their duties for the secondary employer, such as:
 - a. Work as a process server, reposessor, bill collector, tow driver, or in any other employment in which police authority may appear to be used to collect money or merchandise for private purposes.
 - b. Work involving investigations which might require the officer to have access to confidential police information, files, records, or services as a condition of employment.
 - c. Employment using the police uniform in the performance of tasks other than those of a police nature.
 - d. Employment that assists (in any manner) the case preparation for the defendant in any criminal action or for either side in any civil action or proceeding.
 - e. Work for a business or group that is involved in a labor dispute.
 - f. Work in occupations that are regulated or licensed by the police department.
 - g. Have any ownership in a business engaged primarily in the sale of alcoholic beverages for on-premises consumption.