

## PARKER POLICE DEPARTMENT POLICY AND PROCEDURE MANUAL

6.3	EFFECTIVE: August 3, 2012	James Tsurapas, Chief of Police
	REVISED:	
SUBJECT: PERFORMANCE OF OFFICIAL DUTIES WHILE OFF DUTY		
CALEA: 22.2.2		PAGE: 1 of 2

### 6.3.1 PURPOSE

The purpose of this policy is to provide guidelines to commissioned officers regarding criteria for effecting an off-duty arrest. Off-duty commissioned officers are often faced with situations involving criminal conduct that they are neither equipped nor prepared to handle in the same manner as if they were on duty. This may lead to injuries of off-duty commissioned officers and confusion for those on-duty officers arriving at the scene trying to correctly assess the facts.

### 6.3.2 POLICY

Commissioned officers of the Department shall adhere to these guidelines when off duty.

### 6.3.3 PROCEDURE

#### A. Performance of Official Duties While Off Duty

Off-duty commissioned officers are not authorized to take official police action, except when such action is necessary to:

1. aid and assist a fellow peace officer;
2. protect life, prevent bodily injury or prevent damage to property;
3. effect an arrest for a felony;
4. detain a suspect until the arrival of an on-duty commissioned officer; or
5. effect an arrest for a misdemeanor except those relating to traffic violations.

#### B. Authorized Off-Duty Police Action

1. When an incident occurs in which an off-duty commissioned officer is authorized to take official police action, the commissioned officer may take all such actions as if they were on duty. The off-duty commissioned officer will be responsible for initiating all required reports and notifying all proper on-duty supervisors.
2. If the incident occurs outside the Town of Parker, the off-duty commissioned officer will notify, as soon as practical, the proper law enforcement agency having jurisdiction and will provide assistance as required by that agency.

#### C. Incidents Not Authorized for Official Police Action by Off-Duty Commissioned Officers

1. Should any incident arise that requires police action, but is not authorized to be handled by an off-duty commissioned officer, the off-duty commissioned officer should immediately notify the law enforcement agency having jurisdiction and stand by and await the arrival of an on-duty commissioned officer.
2. When the off-duty commissioned officer is personally involved in a situation calling for police action, an on-duty commissioned officer will be called to handle the situation.

D. Notification of Off-Duty Action

Off-duty commissioned officers shall notify the Department shift supervisor of any official police action in which they become involved, except that this notification is not required if the commissioned officer is only providing eyewitness information.

**6.3.4 PROHIBITED OFF-DUTY ACTIVITY**

- A. Off-duty commissioned officers will not attempt to effect traffic stops or cite persons for moving traffic violations, except as provided in this policy.
- B. Off-duty commissioned officers will not become involved in police pursuits.

**6.3.5 CIVIL LIABILITY**

If litigation against either the commissioned officer or the Town arises out of an off-duty situation, the Town reserves its rights under C.R.S. §§ 29-5-111 and 24-10-110 to determine whether or not the Town will pay for legal services for a defense and/or provide indemnification for compensatory damages. Commissioned officers confronted with an off-duty situation must use discretion and good judgment in deciding whether direct participation is necessary, as opposed to summoning an on-duty commissioned officer. <22.2.2 d.>