

JACKSONVILLE POLICE DEPARTMENT

Policy: 4-10
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OFF-DUTY POLICE ACTIVITY & PERSONAL DISPUTES

PURPOSE: To give guidance to the actions allowed by an officer while in an off-duty capacity and/or during neighborhood or personal disputes.

POLICY: Off-duty 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 unnecessary injuries to off-duty officers and confusion for those on-duty officers arriving on the scene trying to correctly assess the facts. To promote safety and efficiency, it is the policy of Jacksonville Police Department to determine and regulate those situations and locations within which a sworn officer is permitted to make an arrest while off-duty.

DEFINITIONS:

- I. **OFF-DUTY:** Employees of this Department shall have regular hours assigned to them for active duty and when not so employed shall be considered "off-duty". During "off-duty" time, employees of the Department shall be subject to call-out duty as assigned. Employees shall also be subject to emergency stand-by as deemed necessary by the Chief of Police.
- II. **PERSONALLY INVOLVED:** An officer is deemed personally involved where the off-duty officer, a family member, or a friend becomes engaged in a dispute or incident involving a personal matter with the alleged perpetrator or any other person connected with the incident. This does not apply to situations where the police officer is a witness to a criminal act or the criminal act is deemed to be of a serious/life threatening nature and the arrest of the alleged perpetrator is necessary for the safety of the public.
- III. **LIABILITY PROTECTION:** Officers of this Department have liability protection for the on- and off-duty performance of official duties. This protection does not extend to acts intended to cause injury or damage, or to those actions that the police officer knew, or reasonably should have known, were in conflict with the law or the established policies of this Department.

PROCEDURES:

- I. **LAW ENFORCEMENT ACTION WHILE OFF-DUTY**
 - A. While off-duty, the police officer is responsible for immediately reporting any suspected or observed criminal activities to on-duty authorities.
 - B. When applicable, the police officer should make every effort to allow on-duty personnel to take the appropriate action necessary.
 - C. Except as allowed by this policy, off-duty officers will not enforce minor violations or nuisance offenses. On-duty personnel will be contacted to respond to the situation when an off-duty officer becomes aware of such violations.
 - D. Officers driving a marked police vehicle while off-duty shall carry with them the necessary equipment to take whatever action is needed if a collision or any other incident occurs and law enforcement action is required and stay on scene until they are relieved by an on-duty officer.

- E. When time is of the essence, or if his action will safeguard life, property or prevent the escape of a criminal and an arrest is necessary, the off-duty arresting officer will abide by all departmental policies and procedures.
- F. Officers will not engage in any off-duty arrests (as per this written policy) unless the officer possesses appropriate police identification.
- G. Should the officer be in doubt, contact an on-duty Supervisor.

II. PROHIBITED OFF-DUTY ARRESTS

- A. Whenever the officer is personally involved in the incident underlying the arrest, unless such action is warranted by the immediate threat of serious bodily harm or property damage.
- B. Officers shall not make arrests in their personal quarrels or those of their family or neighbors. These disputes shall be handled by a disinterested person, and the officer assigned to the patrol area shall be called when necessary. If law enforcement is called to respond, whether inside or outside the off-duty officer's jurisdiction, an incident report shall be completed if the quarrel or dispute involves the off-duty officer. This will be done as a means to alleviate any questions if the matter is later brought to light and clarification is needed on the event.
- C. Officers shall not intentionally become involved in neighborhood quarrels or disputes involving their neighbors. These disputes shall be handled by disinterested persons, and the officer assigned to the patrol area shall be called when necessary.
- D. When there is not an immediate need to prevent a crime or apprehend a suspect.
- E. When the arrest is made solely as enforcement of a minor traffic regulation violation which is not life threatening in nature. Despite the fact that a police officer has police powers and responsibilities twenty-four (24) hours a day throughout the jurisdiction, the off-duty officer will not enforce minor traffic regulations/violations and will (as specified under "action while off-duty") contact on-duty personnel to respond to such violations or receive guidance from a supervisor.
- F. When the offense observed is minor in nature and on-duty personnel can be summoned to take appropriate action without placing the public in danger.



Brett C. Hibbs
Chief of Police