

Procedure

1.1

**EFFECTIVE
DATE
12-28-18**

Eugene Police Department



Off-Duty Intervention and Enforcement

1.1.1 PURPOSE AND SCOPE

Off-duty officers are sometimes faced with situations involving criminal conduct which they are neither equipped nor prepared to handle in the same manner as if they were on duty. In order to avoid injury to off-duty officers and confusion for on-duty officers and others, we establish guidelines for off-duty intervention.

1.1.2 GENERALLY

A. Definitions

1. The phrase "as a police officer" means that an off-duty officer:
 - Identifies himself or herself as a police officer, or
 - Acts in a way that would cause a reasonable person to believe they are acting as a police officer, or
 - There is some other basis for a reasonable person to believe the off-duty officer is acting as a police officer. e.g. wearing a T-shirt with EPD or DPSST logo.), or
 - An off-duty officer exercises statutory authority.
2. The phrase "personally involved" means that the off-duty officer or a family member or friend are involved in some type of dispute or incident involving a personal matter with another party. It does not apply to situations where the off-duty officer is a victim of a crime.

B. Procedures

1. While a police officer is sworn to and responsible for the enforcement of the law at all times, an off-duty officer must use the utmost discretion in deciding to effect an arrest or otherwise intervene in an incident while off duty. In some cases, it may be better for the off-duty officer to observe carefully, be a good witness, and report the incident to on-duty personnel.
2. Action may be taken as a police officer while off duty only:
 - a. When a crime is committed in the off-duty officer's presence; or

- b. When the off-duty officer has probable cause to believe that a crime has been committed and human life or safety, or significant property loss, is being threatened; or
 - c. If the situation is of an emergency nature that cannot await the arrival of on-duty officers.
- 3. Off-duty officers should not act in their official capacity in any situation where they are personally involved, except in circumstances described in paragraph B.2.b or B.2.c above.
- 4. Off-duty officers should at a minimum report any suspected or observed criminal activity to the appropriate on-duty authorities. The off-duty officer will not be disciplined if they decide to take no action other than reporting the incident.
- 5. Off-duty officers will only be compensated for off duty incidents where they take action, "As a police officer."

Chris Skinner
Chief of Police