



# SAN ANTONIO POLICE DEPARTMENT GENERAL MANUAL



## Procedure 905 – Off-Duty and Outside Employment

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Office(s) with Secondary Responsibilities:	PSC, PNC, TSC, STC, MCC, SSB	Number of Pages:	13
Forms Referenced in Procedure:	SAPD Form #14-A SAPD Form #93	Related Procedures:	200, 303, 505, 601, 606, 708

### .01 INTRODUCTION

- A. This procedure outlines the Off-Duty Employment in City Facilities Program and is guidelines for officers who choose to work off-duty in city facilities.
- B. This procedure also governs outside employment by officers and ensures the employment complies with departmental procedures, policies, rules and regulations.
- C. Outside employment for non-sworn members is governed by Municipal Civil Service Rules of the City of San Antonio, Rule XXIV, Section 2, *Outside Compensation and Outside Employment*, and City Administrative Directive 4.47, *Outside Employment*.

### .02 POLICY

- A. Officers must remain aware that engaging in off-duty employment in city facilities or outside employment are privileges granted by the Chief of Police. The Department maintains a vested interest in the personal business activities of each officer since an officer's actions, judgment, performance and attitude, regardless of the officer's duty status; reflect not only on the officer, but also on the Department and the City.
- B. Officers are considered career employees and are prohibited from accepting or engaging in outside employment which may conflict or interfere with their responsibilities to the Department or which may be considered detrimental to the professional law enforcement goal of the Department.
- C. Officers are subject to be mobilized or recalled to duty at any time for emergencies or unusual occurrences; therefore, off-duty employment in city facilities or outside employment may not infringe on this obligation to be available to report to duty.
- D. While engaging in off-duty employment in city facilities or outside employment, officers are subject to all applicable procedures, policies, rules, and regulations of the Department and the City.
- E. The Chief of Police is the final approving authority and, with just cause, may deny, suspend, revoke, or restrict an officer's off-duty employment in city facilities or outside employment privileges.
- F. Officers shall have available to them all of the necessary supplies and equipment to handle any situation that may arise while performing their off-duty or outside employment. This equipment should include, but is not limited to:
  - 1. A regulation or authorized uniform in accordance with Section .05.G, authorized weapon(s), radio, and handcuffs.
  - 2. A means of communicating with the dispatcher, such as a department-issued radio or cell phone.
    - a. Officers are highly encouraged to check-in/out via radio with the dispatcher appropriate to their physical location.
    - b. This will ensure proper identification by dispatchers should there be a need for additional police response.



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3. Documents necessary to handle arrests, such as use of force forms, property receipts, and misdemeanor citations.
4. For those cases where an arrest is made while off-duty, the officer(s) shall immediately submit the report(s) to their supervisor.

### **.03 TERMINOLOGY (For specific use within this procedure, see Glossary)**

City Facilities	Off-Duty Employment Coordinator	Off-Duty Employment in City Facilities
Outside Employer	Outside Employment	Private policies or house rules
Referral Job		

### **.04 OFF-DUTY EMPLOYMENT IN CITY FACILITIES**

- A. The Off-Duty Employment in City Facilities Program is administered by the Off-Duty Employment Detail and is designed to provide off-duty work for officers in the designated city facilities on a rotating basis.
- B. Eligibility:
  1. All officers are eligible to participate in the Off-Duty Employment program, except:
    - a. Probationary officers who have not completed the riding phase of their probationary period;
    - b. Officers who are on suspension, sick leave, injured leave, or limited-duty assignments;
    - c. Officers who are on administrative leave or assigned to administrative duty in accordance with GM Proc. 908, *Mandatory Reassignment*; and
    - d. Officers who have separated and are on active military duty.
  2. Officers who are currently on suspension, sick leave, injured leave, limited-duty assignment or have separated and are active military, if offered an assignment, must advise the Off-Duty Employment Coordinator that they are not currently eligible for employment.
- C. Sign-Up:
  1. Officers wishing to work off-duty in city facilities must submit SAPD Form #93, *Request to Work Off-Duty Employment in City Facilities*, to the Off-Duty Employment Detail.
  2. It is the officer's responsibility to keep current information on file with the Off-Duty Employment Detail through the use of SAPD Form #93 (i.e., phone numbers, duty assignment, relief days, etc.).
- D. Personnel:
  1. The personnel assigned to work off-duty in city facilities are drawn from a data base of officers who have submitted SAPD Form #93.
  2. The number of officers assigned to any event at a designated city facility is an exclusive prerogative of the Chief of Police.



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- Supervisors are assigned to events “as needed” taking into consideration span of control and the physical design of the city facility.

### E. Notification:

- An officer of the Off-Duty Employment Detail will make personal contact and ensure confirmation with the officer who is being assigned to an event.
- Officers, who accept an assignment and later must cancel, must personally notify the Off-Duty Employment Detail, no later than 5 days prior to the assignment, unless there is an emergency circumstance.

### F. Restrictions on Off-Duty Employment in City Facilities:

- Officers are not permitted to park vehicles at the designated city facilities unless parking has been opened to the general public. Officers do not get to park for free at City Facilities unless free parking is available to the general public.
- Officers are to remain on post or assignment until properly relieved and/or until the Officer is authorized by the Off-Duty Employment Detail Coordinator to leave their assigned post.
- Officers are not permitted to purchase any item that may be for sale during any event while on assignment.
- Officers are not permitted to accept any form of gratuity while working or as a result of working at city facilities. This includes items that may be given free to the public.
- Officers are not permitted to bring any person to an event where the officer is assigned in order to gain free admission for that person.
- Officers will refrain from utilizing cell phones, laptops, and other electronic devices except for emergency circumstances and/or in accordance with the assignment or event they are assigned.

### G. Off-Duty Employment Detail Coordinators:

- Off-Duty Employment Detail Coordinators schedule officers, ensure officers are aware of the time to report for duty, arrange for replacement officers when necessary, give necessary instructions to officers and monitor the events.
- The Off-Duty Employment Detail Coordinators act as liaisons between officers working off-duty, the clients occupying the city facilities and the City's Event Coordinators (not to be confused with Off-Duty Employment Detail Coordinator). City Event Coordinators are employees of the City and work for the director of the city facility. The City Event Coordinator acts as a liaison between the City and the client and is the final authority on building policy.
- The Off-Duty Employment Detail Coordinators spot check scheduled events to ensure that assigned personnel are within established standards of appearance, the directives of this procedure are complied with and the event is properly supervised.

### H. Supervisory Responsibilities:

- Supervisors working off-duty in city facilities in a supervisory capacity:
  - Shall take and document ~~any~~ corrective action(s), should they find an officer in violation of this procedure;



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- b. Shall submit a report to the Off-Duty Employment Detail should they encounter any personnel issues or if officers under their supervision are absent or tardy for their assignment;
- c. Shall submit written reports in accordance with GM Proc. 303, *Disciplinary Procedures*, with copies to the Off-Duty Employment Detail when an incident occurs which may require disciplinary action.

### I. Compensation:

1. Officers working off-duty employment in city facilities receive compensation in accordance with the Collective Bargaining Agreement.
2. Compensation for work performed through the Off-Duty Employment Detail will appear on the regular payroll check.

### J. Attendance Requirements:

1. Officers committing to an assignment and failing to report for duty are carried as “unauthorized absence from duty.”
2. Officers receiving assignments are responsible for reporting on time in a complete regulation uniform that adheres to the uniform dress code. Utility uniforms are not permitted. Bicycle uniforms are authorized for bike assignments only. Shorts are authorized for outside posts only. Traffic assignments require a traffic vest and if needed, a flashlight with an orange cone.
3. Officers will not arrange for other officers to substitute for them.
4. Officers will remain on post until relieved by the proper authority and/or until the Officer is authorized by the Off-Duty Employment Detail Coordinator to leave their assigned post.
5. Officers not on post by the scheduled starting time are considered tardy.
6. Officers who expect to be tardy will immediately notify the Off-Duty Employment Detail Coordinator or a supervisor assigned to the event. The officer shall be given up to thirty (30) minutes past the scheduled starting time of the assignment to arrive for duty.
7. The Off-Duty Employment Detail Coordinator, or a supervisor assigned to an event, may replace an officer:
  - a. After fifteen (15) minutes if the officer has not made notification to the Off-Duty Employment Coordinator or the supervisor assigned to the event; or
  - b. After thirty (30) minutes if the officer has made notification.
8. Should the tardy officer report for duty after being replaced and an opening still exists, the officer may be permitted to work the event. If permitted to work, the tardy officer’s time starts when the officer reported for duty. The tardy officer will not be permitted to work once the post has been filled and there are no other positions available.

### K. Suspensions From Off-Duty Employment Program:

1. The following violations of Off-Duty Employment Detail procedures or policies are grounds for suspension from the Off-Duty Employment in City Facilities Program:
  - a. Failure to report for an assignment;



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- b. Tardiness - Second offense in a one (1) year period;
  - c. Recurring complaints for failure to remain on a post or for rudeness;
  - d. Failure to obey instruction or leaving a post without being properly relieved;
  - e. Continuous cancellations of assignments; and
  - f. Violation of any other procedure, policy, rule, or regulation while on assignment through the Off-Duty Employment Detail.
2. The Off-Duty Employment Detail shall determine the length of any suspension.
  3. No suspension shall be imposed upon an officer prior to affording the officer an opportunity to refute an allegation that caused the officer's suspension.
  4. Officers suspended from the Off-Duty Employment Program may appeal their suspension to the Chief of Staff. The decision of the Chief of Staff is either approved or disapproved by the Chief of Police and is final.

### **.05 OUTSIDE EMPLOYMENT**

#### **A. Discussion**

1. Officers of the Department are perhaps the most conspicuous representatives of our City government. As a result their conduct is likely to be scrutinized more severely than others. Therefore, when working outside employment, officers shall avoid engaging in conduct which is, or may appear to be, censurable or that may bring reproach or discredit upon the officer or the Department.
2. It is vital that the public never doubt when dealing with an officer, that the officer is performing a service and is not misusing or appearing to misuse their position for private purposes.
3. Officers, while engaged in outside employment, shall conduct themselves as though they were on-duty and are subject to all departmental policies, procedures, rules and regulations. Officers should avoid the appearance of wrong doing or potential conflict of interest.

#### **B. Referrals From Off-Duty Employment Detail**

1. Occasionally organizations, businesses and individuals contact the Off-Duty Employment Detail with a request to employ an off-duty officer to perform a police related function at a location within Bexar County other than the designated city facilities. The Off-Duty Employment Detail facilitates these requests by referring the jobs to officers as a service to assist citizens who may have security needs and to provide officers with outside employment. These hours are not added to the rotation system.
2. The Off-Duty Employment Detail's participation ends when the citizen's information is given to an officer who accepts the job. That officer is responsible for contacting the citizen requesting the service. An Employment Permit is required to work all referrals.

#### **C. Eligibility**

1. All officers are eligible to participate in outside employment, except:
  - a. Officers who have not completed their one (1) year probationary period;



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- b. Officers who are on suspension, sick leave, injury leave or limited-duty assignment;
  - c. Officers who are on administrative leave or assigned to administrative duty in accordance with GM Proc. 908, *Mandatory Reassignment*, will not be authorized to engage in off-duty or outside employment which requires the wearing of a police uniform or an extension of police service.
  - d. Officers who have separated and are on active military duty.
2. Officers having been on suspension, sick leave, injured leave or limited-duty assignment must complete one (1) regular tour of duty before being eligible to participate in outside employment.

### D. Employment Permit

1. Officers who wish to engage in outside employment must first submit an *Employment Permit* in the SAPD Off-Duty Work Permit System. The SAPD Off-Duty Work Permit System may be accessed in SAPDWeb, then choose Databases/Systems, then SAPD. The system may also be accessed through [www.sanantonio.gov](http://www.sanantonio.gov), then Telecommuting (at the bottom of the page), then SAPD Off-Duty Work Permits. Forward all permits through the chain-of-command to the Chief of Staff.
  - a. Each Unit/Division Commander shall determine if the outside employment is permissible prior to approving the permit. Limitations or restrictions to the employment may be imposed by making a notation(s) at the bottom of the permit.
  - b. Permits that have been denied will have notes detailing the reason for the denial at the bottom of the permit. Officers will be notified of the denial via city e-mail.
2. An officer hired to coordinate the activities and duties of other officers for crowd control at events must state on the employment permit that the officer is coordinating the event. The officer may be required to submit a staffing plan for the event to the Off-Duty Employment Detail for approval.
3. Employment permits are kept on file in the SAPD Off-Duty Work Permit System for five (5) years and are accessible by any Supervisory Officer through the search commands in the system. Since an electronic record (to include a time and date stamps) is initiated with the first submission, Officers are no longer required to carry copies of approved permits on their person.
4. When an officer accepts outside employment without adequate time to have an employment permit processed through the chain-of-command, the officer may temporarily work the outside employment provided a Supervisory Officer holding the rank of Lieutenant or above or the Off-Duty Employment Detail Supervisor approves the outside employment in the SAPD Off-Duty Work Permit System. This subsection does not apply to officers requesting to work a bar or club.
  - a. In case the SAPD Off-Duty Work Permit System is not functioning and an Officer needs to work a job right away, Officers may obtain e-mail approval from any Supervisory Officer holding the rank of Lieutenant or above. The Officer must submit all pertinent information about the job to include location, name and type of business, employer information and name of person in charge, extension of police service in uniform or plain clothes, whether alcohol is being served, and type of work to be performed.
  - b. The submitting Officer must receive an approval e-mail from the Unit Commander before work can be performed.
  - c. It is the Officers responsibility to submit the work permit in the SAPD Off-Duty Work Permit System as soon as possible once the system is back on-line; the e-mail approval is only temporary and not a



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substitute for formally submitting a permit in the SAPD Off-Duty Work Permit System. For problems with the SAPD Off-Duty Work Permit System, call (210) 207-8888.

5. When an SAPD Off-Duty employment permit is not approved, the officer may appeal by filing a typewritten statement detailing the reason for appeal through the chain-of-command to the Chief of Staff within seven (7) calendar days from the date of denial.
6. All SAPD Off-Duty employment permits expire on December 31st of each calendar year. Officers must submit new employment permits each year prior to engaging in outside employment. The SAPD Work Permit System will allow Officers to renew permits without having to totally re-enter all of the information. The SAPD Work Permit System will allow Officers to re-new permits already entered into the system on December 1<sup>st</sup> of each year. (Example: The SAPD Work Permit system is new and no permits have yet been entered; therefore, Officers cannot renew permits for 2015 until December 1<sup>st</sup> of 2014)
7. Officers must submit new SAPD Off-Duty employment permits when any of the following occur:
  - a. A change in the officer's outside employment, including, but not limited to, a change in the employer, location, job category, duties, pay, dates, or hours;
  - b. A change in the officer's departmental status, including, but not limited to, a change in position, assignment, division, section, unit, or duty hours; or
  - c. A change which makes the information on the previously approved permit incorrect, misleading or obsolete.
8. All SAPD Off-Duty employment permits marked "Extension of Police Service" are valid within Bexar County only with the exception of the limitation imposed by Section .05.G.1.e.(5) of this procedure in reference to bars/clubs, in most cases. No officer is permitted to engage in employment outside Bexar County with the exception of "Non-Extension of Police Service." Exceptions will be handled on a case-by-case basis through the Office of the Chief of Police.

### E. Acceptable Forms of Outside Employment - Extension of Police Service

1. Crowd control at public events. Depending on the type of event, age group, and number of persons attending the event, a supervisory officer(s) may be required to supervise the activities of other officers.
2. Rendering security for any outside employer; provided,
  - a. An officer takes action only if a violation of the law has been or is about to be committed and the action is consistent with departmental policy;
  - b. The officer does not enforce private policies also known as "house rules." Private policies or "house rules" refer to internal rules and policies that govern consumers and patrons of the business or event as they concern the management and activities of consumers and patrons while at said businesses or event; and
  - c. Officers shall wear a regulation uniform for all outside employment. Officers may be permitted to work in plain or soft/tactical clothes in limited circumstances provided sufficient written justification is provided in the drop-down text box explaining the plain or soft/tactical clothes duties. Exceptions will be handled on a case-by-case basis through the Office of the Chief of Police.
3. Traffic control; provided,



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- a. The officer's actions should enhance motorist's safety and not overly restrict the normal traffic flow;
  - b. The officer wears an issued safety vest or regulation reflective rainwear;
  - c. The officer uses traffic cones and/or flares to properly direct vehicle and pedestrian traffic; and
  - d. The officer, at night, uses a traffic wand or flashlight with wand attachment of sufficient brightness, so as to be highly visible.
4. Motorized Escorts; provided,
- a. The officer possesses a valid Texas driver's license permitting the officer to drive a motorcycle if the escort is performed on a motorcycle;
  - b. The motorcycle/vehicle is properly registered, insured, inspected and in proper condition to allow the officer to perform the escort safely;
  - c. The officer obeys all state traffic laws and all city traffic ordinances;
  - d. The officer's actions should enhance motorist's safety and not overly restrict the normal traffic flow; and
  - e. The escort is confined to the limitations authorized in the SAPD Off-Duty employment permit. Exceptions will be handled on a case-by-case basis through the Office of the Chief of Police.
5. Preventing criminal offenses from occurring at any public or private place; provided,
- a. The employment does not require the officer to perform any function which would not be expected of an on-duty officer.
6. Supplying personal protection for citizens; provided,
- a. The officer's activity is in the best interest of the Department;
  - b. The citizen to whom the service is provided is not suspected of, connected with or involved in any activity that may bring discredit upon the officer or the Department;
  - c. The officer's police powers or official position is not used to advance private interests nor does the officer's involvement suggest departmental endorsement of any activity; and
  - d. An officer takes action only if a violation of the law has been, or is about to be committed, and the action is consistent with departmental policy. Exceptions will be handled on a case-by-case basis through the Office of the Chief of Police.
7. The examples listed in this subsection are not the only acceptable forms of outside employment - extension of police services, but serve only as a guide for officers.
- F. Acceptable Forms of Outside Employment – Non-extension of Police Services
1. Generally, officers are allowed to own, operate, or work in any place of business if the involvement, employment, activity, or enterprise is not in conflict, incompatible, or inconsistent with the policies of the Department or the official police duties of the officer.



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2. An officer, when engaged in outside employment, which is not an extension of police service, does not wear a regulation uniform, use police credentials, or represent himself as an officer of the Department. Exceptions will be handled on a case-by-case basis through the Office of the Chief of Police.

### G. Prohibited Forms of Outside Employment

1. Employment at any location subject to regulation by the Texas Alcoholic Beverage Commission where alcoholic beverages are consumed on the premises is prohibited. However, with the approval of the Chief of Police, the following (a through e) are exceptions to this prohibition:
  - a. Work in any capacity which does not directly or indirectly involve the handling, selling or serving of alcoholic beverages in restaurants, hotels, motels or facilities which are specifically designed for the presentation of participant or spectator sports, concerts, theatrical productions, or similar activities where the sale of alcoholic beverages are incidental to such activities. The Office of the Chief shall be the final authority in determining if the sale of alcoholic beverages is incidental and whether or not it is a substantial part of a business.
  - b. Work in any capacity which does not directly or indirectly involve the handling, selling, or serving of alcoholic beverages in publicly owned facilities.
  - c. Work in any capacity which does not directly or indirectly involve the handling, selling, or serving of alcoholic beverages for which the officer donates their time and services to a bona fide charitable organization.
  - d. Work in any capacity which does not directly or indirectly involve the handling, selling, or serving of alcoholic beverages at an event where, because of its size, location, or other considerations. The Chief of Police determines that the work promotes the Department's interest in public safety, enhances the collective welfare for public order, and the officer's duties are substantially the same as those which would be performed if the officer was assigned on-duty.
  - e. Work in any capacity which does not directly or indirectly involve the handling, selling, or serving of alcoholic beverages at a **privately-owned establishment**, the primary business of which is the sale of alcoholic beverages. Restaurants whose kitchens close prior to their bars are considered such an establishment during the period when only their bars are open.

The following requirements must be adhered to when officers apply for an employment permit involving a privately owned establishment. Examples of privately owned establishments include, but are not limited to bars and clubs.

- (1) Employment is limited to security functions outside the establishment (example, in parking lots and at entrances). Officers are authorized to provide a legitimate police function only and are not authorized to work the door of any establishment for the purpose of checking identification or enforcing house rules of any kind. Officer(s) will not enter the establishment, except for emergency purposes.
- (2) Officer(s) will take action only if a violation of the law has been or is about to be committed and the action is consistent with departmental policy.
- (3) Officer(s) must provide written proof that the employer is insuring the officer against liability for their actions in furtherance of their employment at the establishment. Officers must submit proof of insurance to the Office of the Chief in conjunction with their employment permit along with contact information for the insurer. Officers must resubmit current proof of insurance prior to the expiration of the policy. Officers are not permitted to work the establishment until the Office of the Chief has verified that the officer is insured and the permit has been approved by the Chief of Staff in the SAPD



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Off-Duty Work Permit System. Section .05.D4 of this procedure does not apply to this section involving privately owned establishments. “Proof of insurance” for this purpose means a Certificate of Insurance evidencing Commercial General Liability coverage, extending to actions of Independent Contractors, with a minimum limit of \$1,000,000 per occurrence and \$2,000,000 aggregate and a copy of an endorsement to the policy listing “The City of San Antonio” as an additional insured.

- (4) An officer may not work at the establishment unless at least one other authorized officer is also working at the establishment.
  - (5) Officers electing to work a privately owned establishment (bar/club) are limited to working within the corporate limits of the City of San Antonio. No officer will be permitted to work a bar/club outside the City limits.
2. Employment by credit agencies for the purpose of investigating or collecting accounts or by a repossession agency, including repossession of automobiles and collection of bad debts;
  3. Employment which requires, as a criterion for employment, the officer to have access to police information files or records, facilities, equipment, or information systems and requires furnishing any of this information as a condition of employment, without specific authorization from the Chief of Police;
  4. Employment with or by a bondsman or bonding company;
  5. Employment which assists, in any manner, the case preparation for the defense in any criminal action or proceeding;
  6. Employment with or by any agency or in any business enterprise which investigates the domestic affairs of citizens for purposes of a civil nature or which may be controversial in nature;
  7. Employment with or by any enterprise, the subject of which is illegal or under investigation by any law enforcement agency;
  8. Employment in any job category, the subject of which the Chief of Police or the officer’s Division Commander determines, constitutes a conflict of interest;
  9. Employment in any job category under conditions where an officer confers a special advantage to a private interest at the expense of a public interest;
  10. Employment which may expose an officer of the Department to a substantial and unnecessary risk of injury as determined by the Chief of Police;
  11. Employment in any category of job or job location which requires an officer to wear a regulation uniform or represent themselves as an officer of the Department outside of Bexar County. Exceptions will be handled on a case-by-case basis through the Office of the Chief of Police;
  12. Employment that appears to physically or mentally exhaust the officer to the point that on-duty performance appears to be impaired;
  13. Employment that would require any special consideration is given to the scheduling of the officer’s regular duty hours;
  14. Employment in any other category of job or job location which may bring the Department or the officer into disrepute or for any event of a potentially compromising nature that could bring discredit upon the officer or Department, or impair the operation or efficiency of the Department; and



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15. Employment of any kind at an establishment that may be construed as sexually oriented/human display in nature or one that may bring reproach upon or impair the reputation of the Department or officer, as determined by the Chief of Police.

### H. Restrictions on Outside Employment

1. The following restrictions limit the number of hours an officer may work outside employment, but does not apply to City overtime; exceptions will be handled on a case-by-case basis through the Office of the Chief of Police.:
  - a. In any seven (7) day period in which the officer performs forty (40) hours of regular duty, outside employment does not exceed twenty-four (24) hours;
  - b. In any seven (7) day period in which the officer does not perform any tour of regular duty, outside employment does not exceed sixty-four (64) hours;
  - c. In any twenty-four (24) hour period in which the officer works a regular tour of duty, outside employment does not exceed eight (8) hours; and
  - d. In any twenty-four (24) hour period in which the officer does not work a regular tour of duty, outside employment does not exceed fifteen (15) hours.
2. An officer engaged in outside employment, in uniform, does not perform any function which is not police related and not expected or required of an on-duty officer.
3. An officer engaged in outside employment does not perform any act which may bring the Department or officer into disrepute or impair the operation of the Department.
4. An officer engaged in outside employment with a company or organization that appears likely to be involved in a labor dispute such as a strike, picket or lockout, does not perform any act which infringes upon or interferes with the Department's role of neutrality. The officer notifies the Office of the Chief in writing, through the chain of command, of any labor dispute.
5. An officer who enters into contract with an attorney or any person for the use of a department learned skill, such as expert testimony, does not use knowledge of police incident files or knowledge of a police incident gained from police employment in areas of civil litigation, nor suggest by their presence or otherwise that the officer, the Department or the City are party to or may appear to support one litigant over another in any civil proceedings.

### I. Responsibilities

1. Supervisory Officers
  - a. Supervisors are responsible for reporting incidents of an officer's impaired performance when the supervisor believes there is a correlation between the impairment and outside employment.
  - b. A supervisory officer engaged in outside employment maintains responsibility for the subordinate officers engaged in outside employment and on-duty subordinates under their immediate supervision until relieved by an on-duty supervisor.



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### 2. Officers

- a. Officers engaged in outside employment wear a regulation uniform if expected to exercise police authority unless prior written approval to work in plain clothes is received through the Office of the Chief.
- b. An officer immediately reports in writing to the Chief of Police, through the chain-of-command any incident arising from or connected with, their outside employment which might adversely affect the Department or City.
- c. If an officer engaged in outside employment has a matter come to their attention that does not require a response from an on-duty officer or officers, the off-duty officer:
  - (1) Turns-in any reports and citations that they generate within 72 hours of the incident or when they return to their regular duty assignment, whichever occurs first. The report shall be prepared in the AFR system. Officers can either request the case number through information or create one using the CAD Mobile on site activity feature. Once complete the Officer will submit the report through the AFR process so that it may be reviewed by their supervisor.
  - (2) Issues a Misdemeanor Citation in compliance with GM Proc. 505, *Misdemeanor Citation Release*, unless the officer is working outside of the San Antonio city limits.
- d. If an officer engaged in outside employment has a matter come to their attention that requires a response from an on-duty officer or officers, the officer engaged in outside employment handles the situation according to departmental rules, regulations, policies and procedures until relieved by an on-duty officer.
- e. If an officer engaged in outside employment makes a custodial arrest for an offense higher than a Class C misdemeanor, or a Class C misdemeanor that cannot be handled with a Misdemeanor Citation, and the arrest is made within the San Antonio city limits, the officer:
  - (1) Contacts the Communications Unit and requests the appropriate on-duty response.
  - (2) Completes the appropriate report(s), and form(s), as required, and any other necessary documentation. The report(s) shall be prepared in the AFR system by utilizing the computer of the on-duty officer. The officer can either request the case number through the Information Channel or create one using the CAD Mobile On-Site activity feature. Once the report is complete, the officer will submit the report to their assigned queue for approval by a supervisor, which will automatically occur based on their sign on.
  - (3) Should the AFR system not be working at the time of the arrest, the on-duty officer will hand write an offense or supplement report using an x-ray number; a CFS number, and an offense case number. The CFS number and the offense case number will be created when the on-duty officer presses the On-Site activity feature on the CAD. The CFS and offense number need to be placed above the x-ray number on the report.
  - (4) In all reports, the officer describes the actions they took and completes the ID verification form along with the arrest booking sheet. He also describes in their report the elements of the crime and the actions they took. The officer will then email a copy of their report, and any other electronic documents, to the on-duty officer so that they have them for any processing at the City Detention Center or County Jail. It is recommended that the officer also email a copy of the report to themselves so that it can later be saved to this thumb drive or network folder.



# SAN ANTONIO POLICE DEPARTMENT GENERAL MANUAL



## *Procedure 905 – Off-Duty and Outside Employment*

- (5) The officer engaged in outside employment turns over any evidence or property seized to the on-duty officer, who places the evidence or property into the Property Room pursuant to GM Proc. 606, *Impounding Property*.
  - (6) The officer engaged in outside employment is responsible for notifying the appropriate follow-up unit pursuant to GM Proc. 708, *Follow-Up Units*.
- f. If an officer makes an arrest outside of the San Antonio city limits, but within Bexar County, the officer:
- (1) Contacts the Bexar County Sheriff's Department or the municipal agency that has original jurisdiction, pursuant to Texas Code of Criminal Procedure section 14.03.
  - (2) Requests that the Bexar County Sheriff's Department or the municipal agency that has original jurisdiction take custody of the prisoner, pursuant to Texas Code of Criminal Procedure section 14.03.
  - (3) In situations dealing with the arrest and transportation of prisoners and/or the handling of physical evidence, the officer will complete all appropriate reports and forms. An On-Duty officer will be requested to transport any prisoner(s) and/or evidence, in accordance with GM Proc. 601, *Prisoners*.
  - (4) Cooperates with any procedures and answers any questions that the Bexar County Sheriff's Department or the municipal agency that has original jurisdiction may require in order to complete their investigation.
  - (5) Utilizing the AFR system, the officer will complete the appropriate report(s) and submit it when they return to their regular duty assignment, or within 24 hours (whichever occurs first), for review by their supervisor. Officers can either request the case number through the Information channel or create one using the CAD Mobile On-Site activity feature.
- g. If the Bexar County Sheriff's Department or the municipal agency that has original jurisdiction is unable or unwilling to transport the prisoner, the officer documents their attempt to obtain transportation from the Bexar County Sheriff's Department or the municipal agency that has original jurisdiction and he requests an on-duty San Antonio Police officer to transport the prisoner. The prisoner is then processed pursuant to Subsection .05.I.2.e. of this section.
- h. The officer engaged in outside employment submits any reports and citations generated within 72 hours of the incident (or within 24 hours if an arrest is made) or when they return to their regular duty assignment, whichever occurs first.
- i. Supervisors will review all off-duty reports submitted for Report Reconciliation Accountability and for prosecution by the appropriate court.
- j. If the officer engaged in outside employment believes that any compensation is necessary as a result of any action taken or losses suffered pursuant to their responsibilities under this procedure, they must only seek any compensation from their off-duty employer.
- k. If statute requires a license(s), certificate(s), and/or permit(s) in order to engage in an occupation, business, or profession, the officer is required to obtain and maintain the necessary license(s), certificate(s) or permit(s) prior to engaging in the occupation, business, or profession.