
Off-Duty Law Enforcement Actions

330.1 PURPOSE AND SCOPE

This policy is intended to provide guidelines for public safety officers of the Kalamazoo Department of Public Safety with respect to taking law enforcement action while off-duty.

330.2 POLICY

It is the policy of the Kalamazoo Department of Public Safety that public safety officers generally should not initiate law enforcement action while off-duty. Public Safety Officers are not expected to place themselves in unreasonable peril and should first consider reporting and monitoring the activity. However, any public safety officer who becomes aware of an incident or circumstance that he/she reasonably believes poses an imminent threat of serious bodily injury or death, or significant property damage or loss, may take reasonable action to minimize or eliminate the threat.

EXCEPTION: Off-duty Public Safety Officers who are within the jurisdictional boundaries of the City of Kalamazoo shall take appropriate action to enforce all felony violations (such action may only be a telephone call to Dispatch). The reporting officer shall stand-by until an on-duty officer responds.

330.3 DECISION TO INTERVENE

There is no legal requirement for off-duty public safety officers to take law enforcement action. Public Safety Officers should consider waiting for on-duty uniformed law enforcement personnel to arrive instead of immediately intervening and, while waiting, gather as much accurate intelligence as possible. However, if a public safety officer decides to intervene, he/she must evaluate whether the action is necessary or desirable, and should take into consideration:

- (a) The potential to be misidentified by other law enforcement personnel.
- (b) The potential to be misidentified by members of the public, who may be armed or who may take action.
- (c) The tactical disadvantage of being alone and the possibility of multiple or hidden suspects.
- (d) Limited off-duty firearms capabilities and ammunition.
- (e) The inability to communicate with responding law enforcement personnel.
- (f) The lack of equipment, such as body armor, handcuffs or control devices.
- (g) Unfamiliarity with the surroundings, including escape routes.
- (h) The potential for increased risk to bystanders by confronting a suspect or taking action.

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330.3.1 INTERVENTION PROCEDURE

If involvement is reasonably necessary, the public safety officer should attempt to call or have someone else call 9-1-1 to request immediate assistance. If possible, the dispatcher receiving the call should obtain a description of the off-duty public safety officer from the caller and broadcast that information to responding public safety officers.

Whenever practicable, the public safety officer should loudly and repeatedly identify him/herself as a public safety officer with the Kalamazoo Department of Public Safety until acknowledged. Official identification should also be displayed when possible.

330.4 CONSIDERATIONS

When encountering a non-uniformed public safety officer in public, uniformed public safety officers should wait for acknowledgement by the non-uniformed public safety officer in case he/she is working in an undercover capacity.

330.4.1 CIVILIAN RESPONSIBILITIES

Civilian members should not become involved in any law enforcement action while off-duty except to notify the local law enforcement authority and remain at the scene, if safe and practicable.

330.4.2 INCIDENTS OF PERSONAL INTEREST

Department members should refrain from handling incidents of personal interest (e.g., family or neighbor disputes) and should remain neutral. In such circumstances members should call the responsible agency to handle the matter.

330.5 REPORTING

If prior notification to the appropriate local law enforcement agency is not reasonably possible before taking action, the public safety officer shall notify the agency as soon as reasonably practicable. Public Safety Officers shall cooperate fully with the agency having jurisdiction by providing statements or reports as requested or as appropriate.

Public Safety Officers shall notify the Shift Commander regarding any law enforcement action taken while off-duty. The Shift Commander may send a supervisor to the location. The supervisor may request assistance from the Office of Professional Standards, if deemed appropriate.

The Shift Commander shall determine whether a crime report or an administrative report should be completed by the involved public safety officer.