

JULY ROLL CALL TRAINING

High-Risk Critical Task/ Off Duty Actions

The purpose of this bulletin is to provide officers with guidelines for carrying firearms and taking action in response to criminal activity while in an off-duty status. Officers of this Agency who become aware of an incident that poses a threat of serious bodily harm or death shall take “action” to minimize the risk of such threat. “Action” under this provision is fulfilled by reporting the incident and shall not require the officer to place him or herself in a position of peril. An officer who is faced with such a circumstance should act in accordance with the guidelines as spelled out in Agency policy.

A number of circumstances may impact your decision to get involved in any situation. You may be alone or with family members or other non-law enforcement personnel. Furthermore, it is unlikely that you will have all of the necessary law enforcement service equipment while off-duty, such as pepper spray, a weapon retention holster, baton, handcuffs, or a radio. These factors can increase the level of threat posed by subjects while limiting an officer’s options in responding to such threats. You may be faced with multiple suspects or unaware of additional suspects in the vicinity. There may also be environmental factors working against you such as lack of cover, crowds of civilians, darkness, etc. Lastly, your intervention may actually spark an escalation of violence.

Scenario: You are off-duty, in civilian clothes, carrying a concealed firearm. You are not carrying your radio or handcuffs. As you are walking into your favorite store to shop, you observe a man running from the store being pursued by a store employee. The store employee is yelling that the man is a shoplifter as they quickly run past you.

Question: What should you do as an off-duty officer in this situation?

- A. Yell “Police! Stop!” and engage in foot pursuit, while drawing your weapon because it is not secure in the concealed-carry holster for running.
- B. Call 911 and, if possible, provide accurate updates so on-duty responding units have good information.
- C. Do not engage in foot pursuit.

Answer: B and C. You should not engage in the foot pursuit in this situation for several reasons. For example, you don’t have handcuffs to secure the person if you catch him, your firearm is not secure for running or physically confronting a suspect, responding officers could mistake you for an armed suspect with tragic results, and you don’t have a radio to let back-up know your direction of travel and location.

If an off-duty officer is in a situation where he or she witnesses a crime involving the threat of serious bodily harm, such as an armed robbery, the officer shall take action. However, action in such circumstances could be seeking cover, calling 911, and being a good witness. Each situation is different, and the extent of the action taken by an off-duty officer should be a personal decision made by the officer on a case-by-case basis. There is no requirement that an off-duty officer place himself or herself in peril since he or she is not properly equipped to intervene in this type of situation when off-duty.

Question: If you determine that you must intervene in a crime while off-duty, what are some recommended safety procedures?

Answer:

1. Call 911 to report the incident, identify yourself as an armed off-duty officer, and provide your description to the operator. If necessary, have a bystander make the call to 911 and notify the operator that an armed off-duty officer is involved, including your description.
2. When on-duty officers arrive, have your badge visible.
3. Immediately identify yourself as a police officer by shouting, "POLICE! DON'T SHOOT! OFF-DUTY POLICE OFFICER!"
4. Follow all commands of responding officers. Expect to be treated like a suspect by responding officers until they verify your law enforcement status. The most important rule to follow is, if you have a gun in your hand, NEVER turn toward an on-duty officer.