



## CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



### Off-Duty Officer Responsibilities

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Eff. Date 11/02/2016

#### **Purpose**

This procedure outlines off-duty expectations for Madison Police Department (MPD) personnel.

#### **Procedure**

Off-duty officers, while within the city of Madison, have the same peace officer authority under Wisconsin Statute 62.09(13) as they have when on duty. Off-duty officers should first consider notifying on-duty local police and avoid, when possible, inserting themselves into situations and remain good witnesses. However, when encountering a situation in which a crime has been committed, or where there is probable cause to believe a crime has been committed, or where there is an immediate danger to person or property and the perpetrator of such offense is likely to escape, off-duty officers may take action.

However, off-duty officers should:

1. Not take advantage of their police authority in circumstances arising from their own quarrels, those of their families, or those of their neighbors, unless serious circumstances exist.
2. Be aware of provisions for properly identifying themselves prior to taking any enforcement or corrective action.
3. Not arrest traffic violators on sight, except when the violation is especially flagrant or involves an accident or driving under the influence of intoxicants.
4. Be aware that when an officer elects to take action pursuant to those circumstances enumerated in this procedure the officer is actively engaged in the performance of his/her duties, and conduct is governed by MPD's Code of Conduct and Standard Operating Procedures.
5. Comply with MPD procedures on off-duty weaponry.

#### **Enforcement Action out of Jurisdiction**

Off duty officers outside of the City of Madison, pursuant to section 175.40 of the Wisconsin Statutes, may make an arrest or provide aid/assistance anywhere in the state of Wisconsin if:

1. The officer is taking action that he/she would be authorized to do within the city of Madison and under MPD procedures.
2. The officer is responding to an emergency situation that poses a significant threat to life or bodily harm, or to acts that the officer reasonably believes constitute a felony.

Officers should only take action if the situation is urgent and immediate action is needed, and if notifying the law enforcement agency of the jurisdiction where they are located would constitute an insufficient response.

Otherwise, off-duty officers, or persons with them, should make a reasonable attempt to notify the 911-Center for the area covered as soon as possible and advise them of the emergency, location and that the off-duty officer will be taking action. Officers should consider whether they have the appropriate capabilities (identification, equipment, communication, etc.) to intervene and/or make an arrest.

Off-duty officers are expected to fully cooperate with any investigation into the incident, and when possible notify the MPD OIC of their off-duty involvement in enforcement activities out of jurisdiction.

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