

**Lower Providence Township Police Department  
Eagleville, Pennsylvania**

General Order ☒  
Special Order ☐  
Personnel Order ☐

**ORDER NUMBER**

**802**

**Subject**

**Off Duty Employment / Off Duty Powers of Arrest**

**Date of Issue**

**January 16, 2020**

**Effective Date**

**January 16, 2020**

**Expiration Date**

**Until Amended or  
Rescinded**

**Issued by:**

**Michael Jackson, Chief of Police**

**Amends**

**Rescinds**

**All Previous Orders**

**Standard Number:**

**1.7.1**

**Distribution**

- 1. General Order Manuals**
- 2. Records Manual**
- 3. Reading Verification to all Personnel**

**I PURPOSE**

The purpose of this policy is to set forth guidelines to govern off duty employment and provide acceptable criteria for effecting an off-duty arrest by members of the Lower Providence Township Police Department.

**II POLICY**

The policy of this department is to provide guidelines to police employees to inform them of the types of secondary employment which are appropriate; and to determine and regulate those situations and locations within which a sworn member is permitted to make an arrest while off-duty.

**III DEFINITIONS**

A. Off-Duty/ Secondary Employment: Any employment or self-employment performed by members of this department, other than off-duty details assigned through the Chief of Police.

B. Personally Involved: Where an off-duty officer, a family member, or a friend becomes engaged in a dispute or incident with the person to be arrested or any other person connected with the incident. This does not apply to situations where the police officer himself is a victim of crime.

**IV PROCEDURES**

A. Off-Duty Employment:

1. It is the duty of every officer to report any outside employment immediately to the Township Manager via the Chief of Police stating location, time involved and nature of work. A report should be filed for each and every outside employment status. The Chief of Police and/or his designee shall be responsible for monitoring compliance with all of the provisions of this policy.
2. Any officer injured while in the employ of someone other than Lower Providence Township will not receive salary from the Township for time lost due to injuries received while so employed.
3. A police officer engaged in any off-duty employment is subject to call-out in case of an emergency, and may be expected to leave his off-duty or extra-duty employment in such situations.
4. Permission for a police employee to engage in outside employment may be revoked where it is determined pursuant to departmental procedure that such outside employment is not in the best interest of the department.
5. A police officer who carries a firearm while engaged in any off-duty employment shall be certified under Act 235 and must possess a valid permit to carry a concealed weapon.
6. Considerations:
  - a. No regular full-time employee in the classified service of the township shall accept outside employment whether it is part time, temporary or permanent without township approval.
  - b. Each change in outside employment shall require separate approval.
  - c. The test in all cases whether approval shall or shall not be given for outside employment is whether or not such outside employment conflicts or interferes with or is likely to conflict or interfere with the employee's usefulness to the township.
  - d. It shall be unlawful for any township employee to charge or accept any fee or other compensation, in addition to his salary, for any services rendered or performed by him of any kind or nature whatsoever pertaining to his office and duties as a township employee, except public rewards and the expenses incurred in the discharge of his duties.

**B. Off-Duty Powers of Arrest**

1. Liability protection: The police officers of this police department have liability protection for the on- and off-duty performance of official duties. This protection does not extend to willful acts to cause injury or damage, or to those actions the police officer knew, or reasonably should have known, were in conflict with the law, or the established policies or customs of this department.
2. Permitted off-duty arrests: When off-duty and within the legal jurisdiction of this police department, a police officer may make an arrest only when:
  - a. The arresting officer is not personally involved in the incident underlying the arrest;  
and
  - b. There is an immediate need for the prevention of a crime or apprehension of a suspect;  
and
  - c. The crime would be charged as a jailable offense requiring a full custodial arrest; and
  - d. The arresting officer is in possession of appropriate police identification
3. Off-Duty Responsibilities
  - a. While off-duty, it is the responsibility of the police officer to immediately report any suspected or observed criminal activities to on-duty authorities.
  - b. Except as allowed by this policy, off-duty officers should not enforce summary offenses or minor violations such as harassment, disorderly conduct or other quality-of-life offenses. On-duty personnel shall be contacted to respond to the situation where an off-duty officer becomes aware of such violations.
  - c. Where an arrest is necessary, the off-duty arresting officer shall abide by all departmental policies and procedures.
4. Prohibited off-duty Arrests: Police officers of this department may not make an arrest off-duty:

- a. When the arresting officer is personally involved in the incident leading to the arrest;  
or
- b. When engaged in off-duty employment of a non-police nature, and the officer's actions are only the furtherance of the interests of the employer; or
- c. When the arrest is made solely as enforcement of a minor traffic regulation. Despite the fact that a police officer has police powers 24 hours a day throughout the jurisdiction, the off-duty officer should not enforce minor traffic regulations.

*Michael Jackson*

Michael Jackson  
Chief of Police

