

LA MESA POLICE DEPARTMENT RULES AND REGULATIONS

MANUAL OF RULES AND REGULATIONS SECTION 3.0 GENERAL RULES FOR ALL PERSONNEL

Revised July 2008 / Revised September, 2014

Ray Sweeney, Chief of Police

3.00 DEFINITIONS

As used in these rules, references to sworn and non-sworn personnel shall be as follows:

Employee includes all employees of the Police Department, male, female, sworn and non-sworn.

Officer includes regular sworn personnel, probationary, permanent and reserve officers. However, when apparent from the language used, reference may be regular sworn personnel only.

Member same as "employee."

3.01 GENERAL DUTIES

Sworn members of the Department shall, at all times, act or aid in reasonable efforts to preserve the public peace, prevent crime, detect and arrest violators of the law, protect life and property and enforce all criminal laws of the State of California and the ordinances of the City of La Mesa. The application of this rule to off-duty sworn personnel is intended to be consistent with the "Off-Duty Intervention Protocol" of the San Diego County Police Chiefs' & Sheriff's Association, identified as "Registry #21" and attached to Chapter 3.0 of the Department Rules & Regulations.

Officers of this Department when outside the City of La Mesa are hereby directed to aid any law enforcement officer who may need, or who may appear to need immediate assistance in overcoming resistance to legal process; in the apprehension of a fleeing felon; and/or in any situation wherein the safety of the law enforcement officer is involved.

Officers are likewise directed to take appropriate action where there appears to exist a serious threat to life or property, or to prevent the commission of a felony.

3.02 CONFORMITY TO THE RULES AND REGULATIONS

It is the duty of every member to learn the Rules and Regulations; members shall abide by them as well as all laws and ordinances. They should render their services to the City with courage, discretion, enthusiasm and fidelity. Members

shall direct and coordinate their efforts in such manner as will tend to establish and maintain the highest standard of efficiency.

3.03 SPECIFIC DUTIES

Notwithstanding the assignment of specific duties and responsibilities to members of the Department, all members shall perform all such duties as may be required of them by competent authority.

3.04 EFFICIENCY

In carrying out the functions of the Department, members shall direct and coordinate their efforts in such a manner as will tend to establish and maintain the highest standard of efficiency.

3.05 SUGGESTIONS FOR IMPROVEMENT OF THE SERVICE

Any member of the Department wishing to call attention to any matter of police business or neglect of duty, or to make suggestions for the improvement of the service, shall communicate directly with their immediate supervisor who shall in turn communicate such information to the Chief of Police through their Division Commander.

3.06 HOURS OF DUTY

Members of the Department shall have regular hours assigned to them for active duty each day, and when not so employed, they shall be considered "off-duty". They shall, however, be subject to duty as needed.

The fact that they may technically be off-duty shall not relieve members from the responsibility of taking appropriate action on any matter coming to their attention at any time.

3.07 PUNCTUALITY

Members of the Department shall be punctual in reporting for duty at the time and place designated and ready for lineup at the beginning of their assigned shift.

3.08 SICKNESS

Any member of the Department, when off-duty from illness or other reason, shall report the fact immediately to their supervisor or the on-duty Watch Commander if it will effect their upcoming shift.

Commanding officers receiving such reports may, at their discretion, send a

representative of their Division to personally contact the member in order to confirm the member is not feigning illness or injury.

Any member feigning sickness or injury or otherwise deceiving a representative of the Department as to their real condition, or any member sick, injured or disabled through improper, illegal or vicious conduct, drug addiction, or alcoholism will be subject to discipline and/or criminal charges.

Members having any air borne or casually contracted disease themselves or in their families/significant others, will immediately notify their commanding officer and will not report to work until released to do so by proper authority.

Any member on vacation, holiday leave, or *compensatory time off* who becomes ill or injured will be permitted to use sick leave during such period provided the member furnishes a written report from a licensed and practicing medical physician upon request. This report shall be requested by the Department as soon as practical after the injury or illness occurs. Failure to provide a written report will be grounds for denial of any sick leave request while on vacation, holiday leave, or compensatory time off.

3.09 DAYS OFF AND VACATIONS

All members of the Department are entitled to days off for which a schedule will be arranged by their respective commanding officers, with the approval of the Chief of Police, with due regard to the requirements in the particular division to which they are assigned.

3.10 ABSENCE WITHOUT LEAVE

Absence from duty without leave of any member of the Department will be followed by forfeiture of pay for time absent, and discipline may be brought against them. An unexplained absence without leave of any member for three days or more will be deemed a resignation.

3.11 EMPLOYMENT OF POLICE DEPARTMENT MEMBERS IN OTHER BUSINESSES

Purpose: The role of a peace officer is a unique one in society and, as such, some limitations and restrictions regarding off-duty activities apply to those in that position. Because peace officers are required to be objective and impartial when carrying out the responsibilities of their position, and rely exclusively upon facts and information provided to them, it is imperative that there does not even appear to be a conflict of interest on the part of those officers. Recognizing the fact that some peace officers engage in outside employment to augment their income, the legislature has empowered chief executives of law enforcement

agencies to declare certain types of outside employment as inconsistent with and/or in conflict with the fundamental responsibilities of a peace officer.

Since respect for peace officers is paramount to their ability to perform their job, engaging in outside employment which would bring discredit, disrespect or embarrassment to that officer and/or his employing agency would be considered incompatible and in conflict with the officer's role as a peace officer. Government Code section 1126 sets forth factors, which, in and of themselves, create conflicts of interest. The Attorney General of California has agreed that these are examples and are not to be construed as a complete list. The legislature has required all agencies to articulate in their outside employment policy those positions deemed to be incompatible and therefore, not permitted.

Outside, or off-duty employment is considered to be in conflict if it brings discredit or disrepute upon this agency and/or:

1. Involves the use of officer's local agency time, facilities, equipment and supplies, badge, uniform, prestige, or influence of his or her local agency for the purpose of private gain.
2. Involves the acceptance by the officer or employee of any money or other consideration from other than the City of La Mesa for the performance of an act which the officer or employee would be expected to render in the regular course of their duties with the City of La Mesa.
3. Involves the performance of an act in other than his or her capacity as a local agency officer or employee and which act may later be subject directly or indirectly to the control, inspection, review, audit, or enforcement of any other officer or employee or the agency by which he or she is employed.
4. Involves such time demands as would render performance of his or her duties as a local agency officer or employee less efficient.

Examples of outside or off-duty employment which are in conflict with agency interest, include, but are not limited to:

1. Security guard
2. Private investigator, within this or adjacent counties of San Diego
3. Bartender
4. Bouncer
5. Sales clerk position in a liquor store or gun dealership
6. Process server
7. Repossessor
8. Debt/loan collector
9. Legal practice of criminal defense

10. Card dealer, handicapper, change maker, caller, machine repair person, keno runner, pit boss, table waiter/waitress, or employment in any gaming establishment where the employment is directly related to gambling.
11. Bodyguard
12. Funeral Escort where traffic control or the wearing of a uniform which resembles that of a peace officer is required

Officers or employees of the La Mesa Police Department are restricted from engaging in outside employment where the hours of such employment exceed 24 hours during any week or any consecutive seven day period.

Officers or employees of the La Mesa Police Department are required to renew their requests for outside employment through the office of the Chief of Police annually at the time of their performance review. Said requests shall include the name, address, type of work of the requested employment, the type of duties performed, the estimated number of weekly hours to be worked, and the reason for requesting outside employment.

Employees who do not receive prior approval to engage in outside or off-duty employment, or accept employment prior to receiving permission to do so, or who engage in any outside employment listed herein, or determined to be a conflict of interest under this policy, may be subjected to disciplinary action.

Appeal Process: Any employee who has been denied the right to engage in outside or off-duty employment based on the determination that his or her secondary employment falls within the prohibitions outlined in this policy may, within five (5) days from the date of notification of the denial to engage in outside employment, file a written appeal to the Chief of Police. If the employee is dissatisfied with the findings of the Chief of Police, they may then file a written appeal to the City Manager.

3.12 SUSPENDING PATROL FOR LUNCH

A Police Officer and Dispatcher on duty will be permitted to suspend their duty, subject to immediate call at all times, for the purpose of having one meal period during their watch. Maximum time to eat will be (30) thirty minutes for an (8) hour shift, and 45 minutes for a (10) and (12) hour shift. They shall arrange to suspend their duty only at such times as will cause the least interference with their regular duties.

3.13 ABSENCE FROM THE CITY OF LA MESA

Police Officers shall not leave the City of La Mesa except for police business or proper necessity, as approved by the Field Supervisor.

3.14 COLLEGE ENROLLMENT

Members attending any college or university shall not enroll for more than six units per semester unless authorized by the Chief of Police.

3.15 GENERAL CONDUCT

- (a) No member of this Department shall act in an official capacity in such a manner as to reflect discredit on themselves or on the Department.
- (b) It shall be the duty of every member of the Department, individually and collectively, to secure the support and good will of all law-abiding citizens by exemplary conduct in the discharge of their duties and behavior and by maintaining a respectful bearing with all people.
- (c) Members are required to discharge their duties with calmness and firmness. They shall act together and assist and protect each other in the maintenance of peace and order.
- (d) All personnel should become familiar with the City and be prepared to answer inquiries about locations of prominent places. They should be able to direct citizens clearly, concisely and graciously. If asked about criminal activity in specific neighborhoods or businesses they are to provide general official information and shall avoid expressing personal judgments or commentary.
- (e) An officer assigned to a beat should become acquainted with all of the conditions and police hazards on that beat.
- (f) Officers who have inquiries as to their duties, concerning any matters whatsoever, shall seek such information from their immediate superior officers and follow the chain of command.

3.16 MEMBERS NOT RELIEVED OF RESPONSIBILITY OF ENFORCING LAWS BECAUSE OF SPECIAL ASSIGNMENT

The special delegation in the enforcement of certain laws to particular divisions or units does not relieve members of those or other divisions from responsibility of taking prompt and proper police action relative to violations of any laws observed by them or coming to their attention.

3.17 COURTESY AND CIVILITY

Courtesy and civility toward the public and each other is demanded, and deportment of members shall be civil and orderly. Employees shall at all times be attentive and zealous in the discharge of their duties, controlling their tempers

and exercising the utmost patience and discretion. They must at all times refrain from using coarse, violent, profane, or insolent language. They shall be civil and respectful toward each other.

Employees are required to be courteous in their contact with the public. Attitudes of affrontery, egotism and superiority by officers in such contacts will not be tolerated.

A member of the Department shall give all proper information to persons requesting the same carefully, courteously, and accurately, avoiding all unnecessary conversation or controversy. They shall give their name, ~~and~~ identification number, and other official information in a respectful manner to any person who may request it.

Employees should remember that tact and consideration will be of great value in any work that is to be done and they should cultivate the ability to meet and speak with people easily.

A perceived lack of interest in what is being said to you can be a breach of courtesy. When on duty and another person is speaking to you, do not allow your attention to wander and employ active listening skills.

When writing a traffic citation every attempt must be made to show consideration for the person being cited and to be courteous and civil at all times.

All employees should refrain from making wisecracks and sharp retorts in a public setting and/or when carrying on any important or necessary conversation. They should avoid jokes about race, sexual orientation, religion or other topics that threaten a harmonious work environment.

Employees shall conduct themselves in a manner that will foster the greatest harmony and cooperation between each other and the various Divisions or details of the Department. Gossiping about another employee or supervisor to their discredit does not foster a harmonious work environment and will not be tolerated. In their demeanor toward, other employees they shall be courteous and considerate, guarding themselves against unfriendly feelings and refraining from all derogatory communications about others, except when it is their duty to report a neglect or disobedience of orders to their superior officers.

3.18 OBEDIENCE

Members of the Department shall obey promptly any lawful order or direction emanating from any ranking officers who are their seniors.

The term "Lawful Order" shall be construed as any order in keeping with the performance of any duty prescribed by local, state, or federal law; or any order in

keeping with the Department Instructions and Department Rules/Regulations, or any order given for the preservation of good order, efficiency, and proper discipline which is not in conflict with the aforementioned authority ~~of~~ jurisdictions.

3.19 ADDRESSING RANKING OFFICERS

When in public, employees will address ranking officers by their titles.

3.20 DEROGATORY REMARKS DIRECTED AGAINST ORDERS

Employees shall not speak critically or derogatorily to other employees or to any person outside the Department regarding the orders or instructions issued by any supervisor. However, in any case where there is sound reason to believe that such orders or instructions are inconsistent or unjust; it is the right of any employee receiving the same to respectfully call it to the attention of the supervisor issuing the order.

3.21 RELEASE OF POLICE INFORMATION

Reports of possible claims against the City, cases involving liability of the City to civil damages, and all information contained in such reports, memos, or emails shall not be released except to the interested department of the City, the City Attorney, the City's insurance broker of record, and the current insurance carrier.

Employees are cautioned that information and photographs coming into their possession in their official capacity are the property of the La Mesa Police Department, as are all copies of such information. To sell or give such property or information to anyone outside the Department without authority is a serious breach of trust and will be subject to discipline. Information concerning Department policies or administration will be furnished by the Chief of Police or his designee. Employees who furnish information to the news concerning police incidents are expected to furnish accurate information concerning the case. Employees will not use the news as a means of publicity for personal reasons. The identity of officers who participate/participated in arrests or investigations shall be released only after the officer(s) is notified. An officer's identity, or any other information, relating to a sensitive case or investigation may be withheld at the discretion of the Chief of Police.

3.22 CONFIDENTIAL INFORMATION

Employees shall treat the official business of the Department as confidential. They shall not impart the same to anyone except those for whom it is intended or as directed by their commanding officer, or under due process of law. Employees shall not make known to any person any special order which they may receive, unless so required by the nature of the order. Contents of any

criminal record filed in the Police Department shall not be exhibited or divulged to any person other than a duly authorized police officer, except on approval of the Chief of Police, or under due process of law.

3.23 OFFICIAL CORRESPONDENCE OR COMMUNICATION

The approval of the Chief of Police is necessary before a Departmental order is issued.

A copy of every document recording an evaluation of operations or management functions shall be sent to the Chief of Police.

All personnel records regarding individual employees shall be filed in the office of the Chief of Police and maintained by the personnel of that office.

All records necessary to controlling the assignment of personnel between divisions and of the major operating units of the Department shall be kept in the office of the Chief of Police.

3.24 STATEMENTS CONCERNING ADMINISTRATION AND PUBLIC ADDRESS

Employees shall not deliver addresses at public gatherings concerning the work of the Department, nor shall they make a statement for publication concerning the plans, policies or affairs of the administration of the Department unless duly authorized to do so by the Chief of Police.

3.25 SPECIAL ORDERS

Any special order issued by the Department shall be construed as a part of the Rules and Regulations or Department Instructions.

3.26 FALSE INFORMATION

No employee shall make false verbal or written statements or false official reports. No employee shall knowingly enter or cause to be entered in any department books, records, or reports, any inaccurate, false, or improper information.

3.27 MAKING REPORTS AND WITHHOLDING INFORMATION

Employees, except as otherwise provided for investigating officers, shall promptly report all crimes, suicides, attempted suicides, fires, accidents, complaints, information, and important events which may come to their attention.

Employees shall not withhold information for personal gain or for any other

unauthorized reason.

3.28 CARE OF PROPERTY AND EQUIPMENT

Employees shall be responsible for the proper care of any Department property and will report promptly to their supervisor the loss of, damage to, or unserviceable condition of such property. Roughness or carelessness in handling of such property will not be tolerated.

Damage caused by an employee to any privately owned property shall be promptly reported to their supervisor and/or the Watch Commander. An "Officer's Report" or other appropriate crime or collision report shall be completed by the employee indicating the nature of the damage, the actions resulting in the damage, and name, address and phone number of the property owner, responsible party and witnesses, as applicable. The supervisor or Watch Commander shall notify the perspective Division Commander and the City Risk Manager, in a time and manner appropriate to the severity of the damage of any such incident.

3.29 USE OF DEPARTMENT VEHICLES

No Department automobile will be used by any member of the Department without the permission of their supervisor, either express or implied as part of their normal duties.

3.30 UNAUTHORIZED PERSONS RIDING IN DEPARTMENT VEHICLES - RIDE-ALONGS

Members of the Department and persons in police custody are authorized to ride in Department vehicles. Members of the Department shall not permit unauthorized persons to ride in Department vehicles, except as approved by their supervisor or a ranking officer.

Citizens requesting a police ride-along must complete an approved application form and waiver which will be forwarded to a supervisor for review and approval/rejection. Juveniles wishing to participate in a police ride-along must have the written approval of a parent/guardian on an approved application form. The Watch Commander and Field Supervisor concerned should be advised of approved requests as scheduled.

Friends and relatives of Department members may participate in a police ride-along with the approval of the Watch Commander after completing an approved waiver form.

Approved application/waiver forms for ride-alongs should be forwarded to the supervisor managing the ride-along program following notification of personnel

concerned.

3.31 OPERATION OF VEHICLES

- (a) All employees shall adhere to the responsibilities and requirements of the California Vehicle Code while operating Police Department or City vehicles, police emergency vehicles, their personal vehicle during authorized police business, or any vehicle during the course of their official business on or off streets, highways or freeways.
- (b) All employees, when responding to an emergency call, shall exercise judgment and care with due regard to the safety of life and property. They shall slow down at all street intersections to such degree that when crossing same they will have safe control of their vehicle; especially when crossing street intersections where the traffic signal lights are against them, where there are arterial stop signs and/or the line of sight for cross traffic is restricted preventing a reasonably safe crossing under emergency conditions.
- (c) No employee shall use the red light, emergency lights or siren on a police vehicle except in accordance with Department Policy. Momentary use is permitted for citizen demonstrations and vehicle safety inspections.
- (d) No employee shall fail to inspect their assigned vehicle for unsafe conditions, damage, neglect of cleanliness or lack of equipment prior to service, or fail to report such immediately to their supervisor. An exception can be made when a Police Officer, Traffic Officer, or CSO needs to immediately respond to a high priority call and inspecting the vehicle before responding would jeopardize the safety of officers or the public, or an unreasonably prolonged response to a crime in progress. Employees should not enter service with an ill-equipped vehicle or end their service leaving their vehicle in an unsafe condition, damaged, in neglect of cleanliness or lacking of proper equipment without just cause.
- (e) No employee shall fail to properly use, deploy, display, secure or report malfunctions of shotguns from their assigned vehicles.
- (f) No employee is authorized to operate Department vehicles in contradiction to the driver's licensing requirements of the State of California.
- (g) La Mesa Police Department personnel operating marked vehicles, to include police, CSO, RSVP, PCO, and ACO vehicles, are not required to pay parking meter fees in the City of La Mesa. This provision insures that vehicles are readily available for priority

responses, helps promote police presence and visibility in the downtown area, and eliminates unnecessary work associated with the documentation of costs incurred by City personnel, to be paid to the City and subsequently reimbursed by the City.

3.32 USE OF SEAT BELTS

Although Section 27315(g) of the California Vehicle Code specifically exempts police officers from the requirement to wear seat belts while operating authorized emergency vehicles, all Departmental personnel are required to use seatbelts before moving a vehicle, except motorcycles, while on duty, absent the below listed circumstances:

1. Police personnel may remove or remain unrestrained by their seatbelts when arriving at or leaving a location or traffic stop. This action should be done within a reasonable and safe distance from the location (i.e. 500 feet or less) and while at low speeds (i.e. less than ten miles per hour). Additionally, personnel may elect to not wear their seatbelts while conducting slow speed (under 10 miles per hour) surveillance for criminal activity in parking lots, alleys, etc. These exceptions to the normal use of the seatbelt are for purpose of a potentially quick vehicle exit and to prevent becoming entangled in the seatbelt.

Department personnel shall insure all occupants in Departmental vehicles, including prisoners, are wearing seatbelts before moving the vehicle.

3.33 ACCIDENTS INVOLVING DEPARTMENT PERSONNEL OR VEHICLES

Any member of the Department involved in a traffic accident resulting in any damage or injury while operating a Department vehicle is required to notify the Field Supervisor and/or Watch Commander immediately.

The member involved in such accident shall, if able, make a detailed report in writing concerning such accident as soon as possible.

3.34 DEPARTMENT PROPERTY IN POSSESSION OF MEMBERS

Whenever any employee resigns or is discharged or in any way vacates their office, they shall surrender to their Division Commander or designee, all of the property in their possession belonging to the Department.

3.35 FIREARMS

All non-duty firearms, except officer's off-duty/ backup firearms, brought into the Department will be immediately unloaded unless the firearm is evidence and it needs to remain loaded.

3.36 DISPLAYING FIREARMS

Officers shall not discharge their firearms except as authorized by law. Officers shall not display or draw their firearms in any public place except as necessary. Except on a shooting range, officers discharging their firearms intentionally or accidentally will complete a written report detailing the event.

3.37 COURT ATTENDANCE

All employees appearing in court are to be punctual and dressed in full uniform or business attire that is neat and clean. The wearing of part uniform and part civilian clothes is not permitted.

Employees shall be prepared for court testimony, and are responsible for the transportation and presentation of evidence.

Employees shall pay attention and give respect to magistrates at all times.

When giving testimony, employees shall speak calmly and clearly, in a distinct and audible tone so as to be easily heard. They shall not smoke or chew gum while court is in session.

Employees shall testify with the strictest accuracy, confining themselves to the case before the court, and shall neither suppress nor overstate the slightest circumstances with a view of favoring or discrediting any person.

When cross-examined, employees shall answer with the same readiness and civility as when testifying in support of the charge, remembering that the ends of justice will be observed by showing a desire to tell the whole truth, whether it be in favor of or against the defendant.

3.38 COURT CASES

It is the policy of this Department to actively assist the District Attorney's Office with the prosecution of criminal cases.

Once a case has been issued by the District Attorney's Office, an officer will not request dismissal of any case with the view of permitting such criminal or other person to escape prosecution. If the officer feels that in the furtherance of justice a case should be dismissed, the officer must first review the case with his Division Commander. Upon the approval of the Division Commander, the officer may then make the request for dismissal to the prosecuting attorney.

Employees of the Department shall not take part in or be concerned, either directly or indirectly, in negotiating any compromise or arrangement for any criminal or any person, with a view of permitting such criminal or other person to

escape the penalty of law; nor shall they seek to obtain any continuance of any trial in court out of friendship for the defendant, or otherwise interfere with the courts of justice.

This section shall not be construed as preventing a member of the Department from cooperating with the prosecuting attorney in the altering of any charge or other action in any case they may be concerned with as the arresting officer, in the furtherance of justice.

3.39 CIVIL CASES AND PROCESSES

Employees shall not serve civil process nor shall they render assistance in civil cases except as may be necessary in the course of their duties.

They shall prevent breaches of the peace and quell disturbances growing out of such matters, and advise parties concerned why police action may not be possible, keeping foremost in mind good public relations.

3.40 RECOMMENDING LAWYERS OR BAIL BOND AGENCIES TO PRISONERS OR OTHERS

Employees shall not recommend to any prisoner or any other person the employment of any person as his attorney or counsel, or suggest the name of any bail bond agency, either directly or indirectly.

3.41 PROBATIONARY POLICE OFFICERS

All original appointments of Police Officers to the Police Department shall be for a probationary period, as prescribed in Chapter 3.14 of the La Mesa Municipal Code. Continuance in the service is dependent upon the quality of their work and by reports and recommendations of their senior officers. If during the specified probationary period the appointee proves unfit, they will be dismissed from service by the Chief of Police, and are entitled to appeal their dismissal.

A probationary Police Officer shall attend the Police Academy unless otherwise directed.

3.42 RESIDENCE AND TELEPHONE

Employees are not restricted in any manner as to their place of residency, but they shall be required to maintain at least one telephone number and provide that number to the Department.

They shall keep the Department informed of their correct residence address and telephone number(s) and shall report any changes within twenty-four (24) hours after making such changes to the Office of the Chief of Police.

3.43 PERSONAL TELEPHONE CALLS

Employees should refrain from having personal telephone calls directed to the Department except when reasonably necessary.

An employee who receives an emergency/important telephone call will immediately attempt to contact the affected employee. This may be accomplished by contacting the employee in person by telephone or text. If the attempt to contact the employee is futile, a message will be left on the affected employee's listed telephone.

The on-duty Watch Commander will be advised of the nature of the telephone call and what efforts have been made to contact the employee. The Watch Commander may decide what further measures may be taken to notify the affected employee.

3.44 MAIL OR AUTO REGISTRATIONS ADDRESSED TO STATION

No employee shall use the Department's address as their personal address. Private correspondence and registration of private automobiles shall be addressed to each person's home or an address other than the Department.

3.45 NEIGHBORHOOD DISPUTES

Officers shall not intentionally become involved in neighborhood quarrels or disputes when off-duty. These disputes should be handled by disinterested persons and the agency having police jurisdiction should be called when necessary.

3.46 PERSONAL BUSINESS

Officers should refrain from conducting personal business while on-duty except as may be reasonably necessary due to the officers hours of duty and the hours of the business concerned.

3.47 INTERFERENCE WITH PRIVATE BUSINESS

Officers shall be particularly careful not to interfere officiously or unnecessarily in the private business or affairs of any person, except when required to act in the discharge of their duty.

3.48 POLITICAL AND RELIGIOUS ACTIVITIES

On duty Employees shall not solicit contributions directly or indirectly, on any pretext, from any person, committee or association, for political purposes. Nor shall they interfere or use influence or their office for political reasons.

No on-duty member may take part in political management or affairs, or in political campaigns.

Officers shall not engage in political or religious discussions to the detriment of good discipline, and will not speak disparagingly of the nationality, color, creed, sexual orientation, or belief of any person.

REGISTRY #21 IS ATTACHED ON THE FOLLOWING PAGE

San Diego County Police Chief's & Sheriff's Association

“OFF DUTY INTERVENTION POLICY” – Registry #21

Law enforcement officers, whose on duty employment involves performing police functions, retain full power and authority to act as peace officers when off duty. Prior to taking law enforcement action, off duty peace officers who observe or who are told of criminal activity shall first consider contacting the appropriate law enforcement agency and have on duty officer/deputies respond. Off duty peace officers should, if possible, make mental notes of the criminal incident and attempt to be a good witness to the event.

In determining whether or not to intervene, the off duty peace officer should consider the totality of the situation. In a case where action is considered necessary, to prevent death, the possibility of death or serious bodily injury, significant property damage or loss, the off duty peace officer should consider the offense involved, the difficulty that being off duty tactically and operationally presents, and/or other factors as articulated and observed by the duty peace officer.

If an off duty peace officer intervenes in the criminal conduct, he/she must, if reasonably possible, identify themselves, their agency and their intent to stop the criminal conduct. Any law enforcement action taken by the peace officer will be governed by the policies and procedures, rules and regulations that apply to on duty personnel.

When outside the limits of their jurisdiction, but within the State of California, off duty peace officers may assist any law enforcement officer who appears to be in need of immediate assistance and may assist in the prevention of the commission of any crime involving the immediate danger to persons or property, or of the escape of the perpetrator of the offense.

Off duty peace officers outside the State of California do not have police officer powers/status and therefore have only the rights and obligations of private citizens of that state.