
LAURENS COUNTY LAW ENFORCEMENT CENTER

STANDARD OPERATING PROCEDURES

SOP # A-241

PAGE # 1

SUBJECT: OFF-DUTY CONDUCT: POWERS OF ARREST

INDEX AS: OFF-DUTY CONDUCT: POWERS OF ARREST

EFFECTIVE DATE: 6/24/2005

REVISED DATE:

I. PURPOSE:

The purpose of this policy is to provide guidelines to law enforcement officers regarding acceptable criteria for effecting an off-duty arrest.

II. POLICY:

Off duty officers are often faced with situations involving criminal conduct that they are not equipped to handle or not prepared to handle in the same manner as if they were on duty. This may lead to unnecessary injuries to off-duty officers, and confusion for those on-duty officers arriving at the scene trying to correctly assess the facts. In order to promote safety and efficiency, it is the policy of this department to determine and regulate those situations and locations within which a sworn member is permitted to make an arrest while off-duty.

III DEFINITIONS:

Personally involved: An officer is deemed personally involved where the off-duty officer, a family member, or a friend becomes engaged in a dispute or incident involving a personal matter with the person to be arrested or any other person connected with the incident. This does not apply to situations where the police officer is a victim of a crime.

IV PROCEDURES

A. Liability protection

Officers of this agency have liability protection for the on and off-duty performance of duties. This protection does not extend to acts intended to cause injury or damage, or to those actions that the law enforcement officer knew, or reasonably should have known, were in conflict with the law or the established policies of this department.

B. Permitted off-duty arrests

When off duty and within the legal jurisdiction of this department, an officer may make an arrest only when:

1. The arresting officer is not personally involved in the incident underlying the arrest; and
2. There is an immediate need to prevent a crime or apprehend a suspect and;
3. The crime would require a full custodial arrest; and

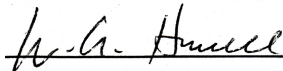
LAURENS COUNTY LAW ENFORCEMENT CENTER

STANDARD OPERATING PROCEDURES

SOP # A -241

PAGE # 2

4. The arresting officer possesses appropriate police identification.
- C. Off-duty responsibilities
1. While off duty, the police officer is responsible for immediately reporting any suspected or observed criminal activities to on-duty authorities.
 2. Except as allowed by this policy, off-duty officers should not enforce minor violations such as harassment, disorderly conduct, or other nuisance offenses. On-duty personnel shall be contacted to respond to the situation where an off-duty officer becomes aware of such violations.
 3. Where an arrest is necessary, the off-duty arresting officer shall abide by all departmental policies and procedures.
- D. Prohibited off-duty arrests
1. When the arresting officer is personally involved in the incident underlying the arrest; or
 2. When engaged in off-duty employment of a non-law enforcement nature, and the officer's actions are only in furtherance of the interests of the private employer; or
 3. When the arrest is made solely as enforcement of a minor traffic regulation, however, the law enforcement officer has arrest powers 24 hours a day and should enforce minor traffic violations when off-duty if the violation is a threat to the safety of the violator or any other persons or property.


W. A. HARRELL
SHERIFF

6/24/2005

DATE