

MAUI COUNTY POLICE DEPARTMENT

GENERAL ORDERS
CHAPTER 202
PERSONNEL

Effective date: 11/19/19

Revision date: 10/17/19

Rescinds: GO 202.2 (8/30/19)

New materials underscored

Accreditation Standards:

SPECIAL OFF-DUTY ASSIGNMENT
G.O. 202.4

I. PURPOSE

To identify rules, regulations and procedures for sworn police personnel engaged in special off-duty assignment.

II. POLICY

To inform police officer of the types of special off-duty assignment which are appropriate and prohibited, and to establish procedures to maintain accountability for the welfare of the Department.

III. DEFINITIONS

SPECIAL OFF-DUTY ASSIGNMENT: Any assignment that is conditioned on the actual or potential use of law enforcement powers by the police officer employee, such as, traffic control assignments and special security assignments. Special Off-Duty Assignments shall not be confused with Outside Employment as defined in General Order No. 202.5.

OFFICER: All sworn police personnel of the Maui Police Department

EMPLOYER: Any person, firm, business, agency or corporation other than the Maui Police Department who desires to employ off-duty officers.

HE/HIS: Unless otherwise clearly indicated by context, the use of masculine pronouns shall be deemed to refer to both male and female employees.

IV. COORDINATION OF SPECIAL OFF-DUTY ASSIGNMENT

A. Maintenance of records and overseeing adherence to the policies and procedures described in this directive, shall be the responsibility of the Patrol District Commanders.

1. The District Commander or his designated representative shall be responsible for approving, reviewing and revoking MPD Form 112, "Request for Special Police

Service,” in accordance with the rules and regulations of this directive, except for Security Assignments that are approved by the Chief of Police.

2. The District Commander or his designated representative shall meet with all the parties involved (i.e.: contractor, state or county public works personnel, inspectors, etc.) to ensure that:
 - a. The proposed site is safe for officers to work;
 - b. To review any and all Traffic Control Plans that has been submitted for traffic mitigation and to ensure that these places can be safely administered at the job site;
 - c. To ensure that a responsible person from the contractor is identified and can be contacted during working and non-working hours, when necessary;
 - d. To inform the contractor that any police officer assigned to work at the construction site shall begin his shift at the start of the Safety briefing held every day prior to actual work being conducted on the roadway and be compensated from that time forward.
- B. Records Maintained
1. The District Commander, or his designated representative, shall keep a record of all assignments, which consists of the officer’s name and date of special off-duty assignment.
 - a. Officers may accept or refuse special off-duty assignments in Districts other than the District the officer is assigned to.
 - b. Officers shall be allowed one telephone call per day, per District.
 - c. The District I and District IV Commanders shall ensure someone is available to answer or record incoming calls from officers requesting to sign up for special off-duty assignments between the hours specified by this directive.
 2. Officers in District II, III, and VI shall sign-up for desired special off-duty assignments on the posted off-duty form.
 3. District Commanders or their designated representative shall post special off-duty requests on the tenth workday preceding the assignment date in ascending order according to the date and time the special off-duty request was received.
 - a. A request that is received with at least three (3) working days advance notice shall be considered a “normal” special off-duty request for purposes

of this directive.

- b. “Normal” special off-duty request(s) that are not sign up for on the third workday preceding the assignment date shall be considered a “carry over” for purposes of this directive.
4. All special off-duty requests shall be categorized primarily by date and time, then by type, i.e., “normal” or “carry over.” Officers shall be permitted to sign-up for one (1) “normal” special off-duty assignment and any amount of “carry over” special off-duty assignments, providing no other provision of this directive is violated.

Example: According to the specific day requested, off-duty requests shall be made available to sign-ups as follows:

CALL IN/SIGN-UP DAY	“NORMAL”	“CARRY OVER”
Wednesday	Monday	Thursday Friday
Thursday	Tuesday	Friday Monday
Friday	Wednesday	Monday Tuesday
Monday	Thursday	Tuesday Wednesday
Tuesday	Friday	Wednesday Thursday
Wednesday	Saturday	Thursday Friday
Thursday	Sunday	Friday Saturday

- a. Holidays shall not be considered a work day; consequently, the above sign- up schedule will be modified accordingly whenever a Holiday occurs on a normal work day
5. District Commanders or their designated representatives shall provide relevant information regarding only the special off-duty assignment(s) the officer is entitled to sign up for.

6. The District Commander or his designated representative shall inform the requestor of any special off-duty assignment that is not filled within one (1) normal workday of the assignment date.

V. ELIGIBILITY REQUIREMENTS

- A. Full-time sworn police officers who have attained a minimum rank of Police Officer II status are eligible to engage in special off-duty assignment.
- B. Reserve police officers are eligible to work special off-duty assignments six months after successful completion of their probationary status.
- C. Officers on temporary assignment to Police Officer II are not allowed to work special off-duty assignments.
- D. Officers shall not accept or work a special off-duty assignment while on sick leave, injured leave, military leave, family leave, light or limited duty status or while on suspension from duty. Upon returning to regular employment, the employee shall be allowed to continue special off-duty assignments.

VI. RECEIVING REQUEST FOR SPECIAL OFF-DUTY ASSIGNMENT

- A. Request for special off-duty assignment shall immediately be recorded on the "Request for Special Police Service" Form No. 112.
 1. An original of this request shall be prepared. The copy retained in the respective district and original forwarded to Administrative Services Section upon completion of the assignment or on a weekly basis if the assignment exceeds a period of a week.
 2. All requests shall be referred to the District Commander for proper assignment and disposition.
 - a. All requests for "Special Security Assignments" shall immediately be forwarded to the Chief of Police for approval two (2) weeks prior to the date of assignment.

VII. TYPES OF SPECIAL OFF-DUTY ASSIGNMENT

- A. Traffic Control Assignments
 1. Any event occurring on public roadways, which requires traffic safety and control, i.e., highway construction, marathons, etc.
- B. Security Assignments

1. Any special off-duty assignment, which involves security, shall be approved by the Chief of Police.

VIII. RULES AND REGULATIONS

- A. Officers are prohibited and restricted to perform any type of Special Off-Duty Assignment, which is inconsistent, incompatible, or interferes with the proper discharge of their duties.
- B. Special Off-Duty Assignment shall not relieve an officer from the responsibility of responding to an emergency call for police service.
 1. If immediate action is not required, an officer on a special off-duty assignment may refer such calls to on-duty officers. In any event, the officer shall take command of the situation until being properly relieved by the on-duty officer.
 2. In addition, the officer on special off-duty assignment shall submit all necessary reports pertaining to such incidents.
- C. An officer who becomes incapacitated or unable to fulfill the assigned special off-duty assignment shall be responsible for immediately notifying the District Commander or his designated representative. In addition, the officer shall find a replacement. If the officer is unable to find a replacement, the District Commander or his designated representative shall be informed and will make efforts to schedule another officer for such duty as soon as practicable.
- D. Officers engaged in special off-duty assignments shall conduct themselves in a manner so as not to embarrass or bring discredit upon the department.
- E. Officers shall report in writing to the District Commander or his designated representative any incident arising from or connected with their special off-duty assignment, which may conflict with departmental policies or adversely affect the department.
- F. Officers engaged in special off-duty assignment shall be subject to departmental rules and regulations to the same extent as on-duty officers.
- G. Any violation of these rules or regulations shall be cause for disciplinary action under General Order No. 103.1, Code of Conduct.
- H. Officers shall not call in for a special off-duty assignment for another officer.
- I. Officers shall not accept or perform and special off-duty assignment which is not in accordance with this directive.
- J. Request for a particular officer shall not be honored.

- K. A police officer shall not work more than two (2) “normal” special off-duty assignments per calendar week unless the officer is on vacation for the entire calendar week and approval is granted by the District Commander or his designated representative. Officers shall not work more than one (1) special off-duty assignment per calendar day and the assignment shall not exceed 12 hours.
- L. Reporting for Duty
1. Any officer accepting special off-duty assignment shall sign on with Central Dispatch for District I or the respective District Station in all other Districts in which the assignment is performed.
 - a. The officer’s name shall be placed on the Supplemental Daily Work Status Report (MPD Form No. 199) along with details of the officers’ assignments, i.e., “traffic control Wells Street.”
 - b. An officer may sign on by phone or in person depending on whichever is more convenient.
 - c. The officer shall attend any pre-shift safety briefing conducted by the contractor prior to actual work being conducted on the roadway and shall be compensated for attending such a meeting.
 - d. Upon completion of the assignment, the officer shall sign off with Central Dispatch or the respective District Station. This can be done either by phone or in person.
 - e. The Watch Commander/Officer-in-charge or his designated representative shall inquire with Dispatch on all special off-duty assignments occurring during his tour of duty.
- M. Supervisor Checks
1. The District Commander or his designated representative shall send a copy of all “Requests for Special Police Service” forms once assignment has been made to the Watch Commander/Officer-in-charge.
 2. Watch Commander/Officer-in-charge or designee shall make a check of all special off-duty assignments occurring during his/her tour of duty to ensure compliance of this directive.
 - a. Checks shall be called into Dispatch and noted on the Supplemental Daily Work Status Report (MPD Form no. 199) with the time of said check.
 3. Watch Commander or Officer-in-charge or designee shall report any

discrepancies to the District Commander via written report.

N. Completion of Assignment

Upon completion of the assignment, the officer (if two or more officers are assigned, the highest ranking or senior officer) shall prepare a “To-From” report to the District Commander on the results of the assignment if there are any unusual occurrences.

O. Billing Procedure

1. Officers will be paid directly by the hiring party.
2. All officers shall be responsible for any and all taxes due as a result of compensation received.

P. Uniform

1. Officers engaged in special off-duty assignment shall wear the official police uniform to include the official police hat and have the proper equipment at all times.
 - a. Exception will be allowed only with approval of the District Commander.
 - b. The Watch Commander/Officer-in-charge or designee shall be responsible in checking that officers engaged in special off-duty assignment are properly attired and equipped.

Q. Safety Equipment

1. In addition to the proper attire worn during special off-duty assignments, officers are required to utilize proper safety equipment (reflective vest, white gloves, flashlight with amber cone, etc.)
2. An officer required to work in a designated “Hard Hat Required” area shall obtain a hard hat or any other additional safety equipment required to work in that area from the contractor employing the officer.

R. Officers working traffic control assignments may check out one marked patrol vehicle for each roadway post if available.

IX. VOLUNTARY SERVICES

A. Officers wishing to donate their services will be permitted to do so under the following conditions:

1. Prior to the date of the activity, they shall submit a “To-From” report to the

District Commander stating the name of the organization they will be serving, the location, date and time of the activity and the nature of the activity.

- a. The District Commander shall approve or revoke the officers' request based on the rules and regulations described in this directive.
- b. Voluntary services shall be in accordance with the General Order 202.10, Working Beyond Normal Working Hours.

X. COMPENSATION RATES

A. Traffic Control Assignments

The following rates of fees shall be assessed:

1. Police Officer II

\$45.00 per hour
\$22.50 for each additional one-half hour or fraction thereof

Police Sergeants/Detectives

\$50.00 per hour
\$25.00 for each additional one-half hour or fraction thereof

Police Lieutenants/Captains

\$50.00 per hour
\$25.00 for each additional one-half hour or fraction thereof.

2. Officers shall receive a minimum of two (2) hours compensation at their respective rates.

- B. Officers required by the private employer to use his vehicle for escort or other duties shall be reimbursed at a rate of \$.37 per mile or \$10.00 per hour, whichever is greater. Mileage computation shall include the return trip to the starting point of assignment.

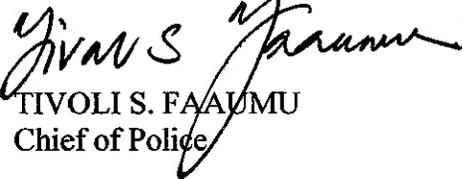
XI. EMPLOYMENT WITHIN GRADES

- A. Senior officers may be assigned when no subordinate is available or to head a detail of police officers.
- B. No officer shall accept any special off-duty employment at a rate of pay lower than that established for officers of his or her rank.

XII. WHEN SUPERVISION NECESSARY

G.O. 202.4
SPECIAL OFF-DUTY ASSIGNMENT

As a general rule, one supervisor should be scheduled to supervise five (5) to seven (7) officers, however, the District Commander has the discretion to dictate the ratio of supervisor to officers required in requests for special off-duty assignment.


TIVOLI S. FAALUMU
Chief of Police