



MILWAUKEE POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE

400 – OFF-DUTY, EXTRA-DUTY AND SPECIAL EVENT EMPLOYMENT

GENERAL ORDER: 2023-60
ISSUED: October 30, 2023

EFFECTIVE: October 30, 2023

REVIEWED/APPROVED BY:
Assistant Chief Steven Johnson
DATE: September 19, 2023

ACTION: Amends General Order 2021-31 (November 23, 2021)

WILEAG STANDARD(S): 1.8.1, 2.4.7

ROLL CALL VERSION

**Contains only changes to current policy.
For complete version of SOP, see SharePoint.**

400.15 RESTRICTIONS - OFF-DUTY, EXTRA-DUTY & SPECIAL EVENT EMPLOYMENT ELIGIBILITY (WILEAG 2.4.7)

A. ELIGIBILITY

In order to be eligible for off-duty, extra-duty or special event employment, a department member must be in good standing with the agency. Continued agency approval of a department member's off-duty or extra-duty employment is contingent on good standing. Department members shall not be eligible to work extra-duty or special event employment during a pay-period they are serving one or more days of suspension. (WILEAG 2.4.7.3)

1. Commanding officers will provide written notice to the Chief of Police when any member under their command is no longer a member in good standing (e.g., has an unsatisfactory disciplinary record, poor work performance, or poor attendance record including if the member is placed on sick leave substantiation in accordance with SOP 010.45(I)). The member's commanding officer shall also notify Tactical Planning and Logistics.
2. The Internal Affairs Division will provide written notice to the Chief of Police when a member becomes the subject of an open internal investigation involving integrity or if the member is the subject of a pending criminal and/or personnel investigation for an egregious allegation of misconduct. ~~The Internal Affairs Division shall also notify Tactical Planning and Logistics.~~
 - a. The Chief of Police will review these incidents on a case by case basis to determine if the member is considered in good standing to work extra-duty or special event employment during the pending investigation and will notify Planning and Logistics if the member is not considered in good standing.
 - b. The Chief of Police shall determine on a case by case basis if the member is considered in good standing to work off-duty employment during the pending investigation.

4. Department members are also prohibited from working any off-duty, extra-duty or special event employment under the following conditions:

- a. Members that are on medical or other leave due to sickness, limited duty, old duty injury, or an on-duty injury.
- b. Members that are on a leave of absence (e.g., education leave, military leave, FMLA). Such members must return to regular full-duty status and work their next scheduled regular duty shift prior to working any special duty assignment.
- c. If a member is not in a full-duty status at the time they sign up for an event;
- d. If the member is using a compensatory off day;

Note: If a member is called by a supervisor asking if they can work on the day of an extra duty or special event as a replacement call up, the member may work at the event if they are able and willing to change the compensatory off day to a holiday, vacation, or sick leave incentive day.

- e. If the member is using a furlough day (with the exception only of American Family Field and Fiserv Forum reimbursable overtime).

~~C. Members that are on medical or other leave due to sickness, limited duty, or an on-duty injury are not eligible to engage in off-duty, extra-duty or special event employment.~~

CD. Prior to obtaining off-duty, extra-duty or special event employment, a department member shall comply with agency procedures for granting approval of such employment or registration for extra-duty or special event employment.

DE. Work hours for all off-duty, extra-duty or special event employment must be scheduled in a manner that does not conflict or interfere with the member's regularly assigned shift or performance of their duties.

EF. Police members shall be permitted to work up to thirty-two (32) hours bi-weekly (but not more than twenty (20) hours in any one (1) calendar week) on a non-cumulative basis for another business or occupation provided that such employment is approved by the Chief of Police. Such employment may not occur while the member is on sick leave, duty incurred injury leave or during a period of an existing emergency. Such employment may not interfere with the rights of the Chief of Police to schedule or assign overtime.

FG. During non-segmented vacation periods, police members shall be permitted to work a maximum of forty (40) hours per week in another business or occupation, subject to the provisions of this standard operating procedure.

GH. Department members shall comply with the requirements set forth in the respective labor contracts, if applicable, with regard to off-duty employment.

- Hf. Any off-duty employment that would create a conflict of interest with the duties, responsibilities, and professionalism of the Milwaukee Police Department, or any employment that would reflect unfavorably upon the department or the member is strictly prohibited. Accordingly, the Chief of Police has the right to deny any off-duty employment request that he/she believes is not in the best interest of the MPD.
- Hg. Members are prohibited from engaging in off-duty employment, which includes, but is not limited to:
1. Engagement, acquisition or retention of a financial interest in any business or employment involving investigatory functions, which includes, but is not limited to, private detectives, insurance company investigations or as an investigator for any attorney.
 2. Employment that presents a real, potential, or apparent conflict of interest between the member and the interest of the department.
 3. Employment in any capacity in which a police member serves or sells beer, wine, or liquor. Civilian members may request such employment provided they are in compliance with other conditions of this policy.
 4. Employment at establishments that provide adult entertainment in the form of nude, semi-nude, or topless exhibitions, etc.
 5. Employment at establishments that sell merchandise of a sexual or pornographic nature as their primary source of revenue, such as an X-rated video store or bookstore.
 6. Any employment that reflects poorly on the department, as determined by the Chief of Police.
 7. Working as a security guard, "bouncer," or employment by a private security company, or any business that provides private investigations or background checks.
 8. Employment involving any criminal defense work.
 9. Employment as a process server, bail bondsman, repossessing property, bill collector, towing vehicles, or any other employment in which police authority might be used to collect money or merchandise for private or commercial purposes.
 10. Employment that involves the wearing of a police uniform;
 11. Employment involving any civil action or proceeding where the city of Milwaukee or the Milwaukee Police Department is a party;
 12. Employment at any establishment where the member is, or should be, aware that the establishment is engaged in or permits criminal activity, or has a history of criminal activities in or directly outside the establishment;

13. Any other law enforcement/corrections agency or contractor of law enforcement/corrections services;
 14. Transporting, securing, or protecting money or other valuables (e.g., armored car driver, Automated Teller Machine (ATM) drivers/technicians).
- JK.** A police member engaged in any off-duty, extra-duty or special employment is subject to call-out in case of emergency and may be expected to leave off-duty, extra-duty or special event employment in such situations.
(WILEAG 2.4.7.3)

A handwritten signature in black ink, appearing to read 'J.B.N.' with a long horizontal stroke extending to the right.

JEFFREY B. NORMAN
CHIEF OF POLICE

JBN:mfk