Purpose
To provide guidance to Indiana University Police Department (IUPD) sworn officers regarding the procedures required to engage in law enforcement related off-duty employment using law enforcement powers granted by Indiana University. This general order does not apply to civilian employees wishing to engage in other employment or sworn employees wishing to work in other jobs not law enforcement in nature. Those types of off-duty employment will be governed by any applicable Indiana University policies.

General Order
Sworn officers wishing to engage in off-duty employment using the law enforcement authority granted by Indiana University are prohibited from working in jobs or areas that would constitute a conflict of interest or would tend to bring discredit to the Indiana University Police Department.

Definitions
Off-Duty Employment – Any work performed for the benefit of a private employer, including self-employment, in a law enforcement capacity using law enforcement authority granted by Indiana University, or which may require use of law enforcement authority granted by Indiana University.

Officer – For the purposes of this general order, this term applies to full-time sworn employees who intend to engage or are engaging in law enforcement related off-duty employment using law enforcement powers granted by Indiana University.

Permission to Engage in Off-Duty Employment (3.2.3 a)
Prior to submitting a request to engage in off-duty employment, officers must complete the IUPD training course on Off-Duty Employment. This training course will be approved by the director for public safety education.

Requests for an IUPD officer to work off-duty employment should be routed via the proper chain of command up to the division chief of police. The division chief of police will have final approval of all off-duty employment requests. (3.2.3a). Permission is also contingent on the requirements identified in 3.2.3d below.

Officers wishing to work off-duty employment for monetary or non-monetary compensation must submit F3.2.3-1 Off-Duty Work Agreement and F3.2.3-2 Employer Liability Statement forms. This agreement is to be submitted through the employee’s chain of command.

- Upon approval or disapproval from the division chief of police, one (1) copy of the forms are to be sent to the officer and (1) copy is to be placed in the officer’s personnel file.
  - It is the responsibility of the officer to renew the F3.2.3-1 Off-Duty Work Agreement and F3.2.3 Employer Liability Statement each January. Any changes in information must be
3.2.3 Off-Duty Employment

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reported immediately. Failure to do so may result in denial or revocation of the officer’s approval for off-duty employment.

- In the event an officer’s request for off-duty employment is denied, a written response citing the reason(s) for the denial must be given to the officer. The officer has the option of filing a written appeal with the division chief of police.
- All approved and denied F3.2.3-1 Off-Duty Work Agreement forms will be on file at the division level in the officer’s personnel file for a period of three years.

**Employment Types Employee May Not Work (3.2.3 b)**

Off-duty employment, which reflects, or may reflect, negatively on Indiana University or the department; contradicts policies, procedures, or objectives; represents a conflict of interest; or compromises the performance, integrity, or judgment of an officer, is prohibited and will not be approved.

Officers working off-duty employment may only act within the scope of their police authority granted by Indiana University and the IUPD.

Off-duty employment or volunteer work in the law enforcement field using the law enforcement authority granted by Indiana University is prohibited for:

- Employees who have not completed the field training officer program.
- Part-Time officer class IIs.

Off-duty employment is prohibited at the following (3.2.3b):

- Establishments serving alcohol as a primary business.
- Establishments involving any illegal activity, as defined by law, or where the proceeds of any illegal activity are kept.
- Businesses involved in a labor dispute.
- Check cashing businesses or pay day loan establishments.
- Employment in which police authority might be used for private purposes of a civil nature, such as repossessing or towing vehicles, or acting as a process server or bill collector.
- Employment which requires access to police files, records, or services as a condition of employment. This includes running VIN checks for private employers for the purpose of a “physical inspection of a vehicle or watercraft” pursuant to Indiana state BMV form 39530 (or its successor).
- Employment by or on behalf of a nightclub or an establishment licensed for or providing adult entertainment.
- Employment involving any form of gambling, to include licensed charity events.
- Any job site or area(s) that would constitute a conflict of interest or would tend to bring discredit to Indiana University or the department.
Officers may not use a privately owned vehicle for off-duty employment that has been altered to create the appearance of an emergency police vehicle. The use of a privately owned vehicle for off-duty employment may not display police markings, or red and blue lights that are visible from any direction, regardless of whether the vehicle is in motion or stationery.

**Expected Behaviors for Employees Working Off-Duty (3.2.3 c)**
Officers must give priority to the performance of their full-time job responsibilities with IUPD. Officers must comply with all IUPD general orders when working off-duty employment. (3.2.3c)

**Expectations Regarding Work Considerations (3.2.3 d)**
The private employer must acknowledge and accept all liability and costs that may arise from employing an officer and must sign the F3.2.3-2 Employer Liability Statement to this effect. Officers will not be permitted to engage in work for the private employer until this Statement has been signed and submitted to IUPD. Officers may engage in off-duty employment subject to the following restrictions:

- Officers will mark “on-duty” with the IUPD Dispatch and provide the business name, address, and telephone number of the establishment where they are working at the beginning of their off-duty employment shift.
- Officers will mark “off-duty” with the IUPD Dispatch upon completion of their off-duty employment shift.

Officers may not work any off-duty employment while on duty with IUPD. This includes but is not limited to, arrestee processing, report writing, or legal proceedings such as depositions, or court trials arising from an arrest made while working off duty. If an arrest is made while working off-duty employment, all associated arrestee processing, report writing, or legal proceedings shall not be completed while the officer is being compensated by IUPD.

Off-duty employment is restricted to the following Indiana counties where an IU campus is primarily located:

- Floyd
- Howard
- Lake
- Marion
- Monroe
- St. Joseph
- Wayne

An officer on off-duty employment may be called back to IUPD to address a public safety emergency at any time at the discretion of supervision and agrees to return to IUPD without delay in any such instance.
Eligibility for Off-Duty Employment:

- Officers on suspension are not permitted to work off-duty employment in a law enforcement capacity while suspended by IUPD.
- Officers on sick leave or restricted duty are not permitted to engage in any type of off-duty employment unless approved in advance and in writing by the division chief of police.
- Officers calling in unable to report for their scheduled tour of duty with IUPD are not permitted to work in any type of off-duty employment until 24-hours after the scheduled tour of duty.
- The division chief of police and/or off-duty employment coordinator may periodically review the number of off-duty hours worked by each of the officers and impose hour restrictions if the off-duty hours worked are impacting IUPD operations. The division chief of police will discuss any concerns with the superintendent for public safety, or his or her designee.

Use of Equipment While Working Off-Duty (3.2.3 e)

All applicable uniform and equipment requirements must be adhered to by officers working off-duty employment in uniform. Officers working as plain-clothes officers during off-duty employment must carry the equipment required of on-duty administrative police personnel. Officers are to refrain from performing menial tasks while in uniform. (3.2.3e)

The use of the departmental radio is permitted for routine communications with dispatch and supervision. Officers working off-duty employment for approved runs and marathons are prohibited from using IUPD talk groups unless approved by the division chief of police in coordination with the public safety dispatch manager.

Use of all other departmental resources (i.e. data terminals, phones, case files, criminal records, IDACS/NCIC to include Indiana BMV records, uniform/investigation personnel, etc.) for the benefit of an off-duty employer is prohibited. Officers are permitted to use IUPD computers to complete any required paperwork for an incident occurring while working off duty but will not be compensated by IUPD to complete the paperwork.

Officers working as a sworn officer for another law enforcement agency are prohibited from using any equipment issued by IUPD.

Revoke Permission to Work Off-Duty Employment (3.2.3 f)

The division chief of police may revoke an Off-Duty Work Agreement for any reason that negatively affects the department or the university.

The division chief of police may also revoke an Off-Duty Work Agreement request for reasons including, but not limited to the following: disciplinary action (whether pending or final); violation of this general order or any other IUPD general order; violation of Indiana University policy; excessive sick leave; conflict of interest; or where the ability to perform IUPD responsibilities has been compromised. These revocations shall be determined by the division chief of police in consultation with the superintendent for public safety, or his or her designee.
Off-Duty Employment; Oversight Responsibility (3.2.3 g)
Each division chief of police will identify an off-duty employment coordinator who will be responsible for overseeing off-duty employment (3.2.3g).

The off-duty employment coordinator and/or on-duty supervisors will:

- Periodically inspect off-duty employment locations and approval paperwork on file for assignments that are active during their shift command.
- Work to correct any policy violation they discover and may relieve an officer from the off-duty employment, if appropriate.
- Document any issues and actions taken to correct the problem via the chain of command to the division chief of police. The division chief of police will review the policy violation or other documented issue(s) and determine whether to take additional action, which may include revocation of the officer’s Off-Duty Work Agreement approval.

Related Information
Indiana University
- PS-PD-01 Exercise of Extended Jurisdiction by Officers of the Indiana University Police Department

Indiana University Police Department:
- F3.2.3-1 Off-Duty Work Agreement
- F3.2.3-2 Employer Liability Statement

Benjamin Hunter (5/17/2022)
Superintendent for Public Safety