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Special Duty		



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Rule of Conduct 1.42

I. Definitions

A. Special Duty

Uniformed or plain-clothed employment evolving directly from the authority granted to an individual by virtue of being a sworn law enforcement officer with the Division of Police, which may include City overtime.

B. *Special Duty Coordinator*

Sworn personnel who schedule special duty for an organization or company.

C. City Overtime

Uniformed or plain-clothed employment by the Division of Police or other City entity that is outside the sworn employee's assigned duty hours.

D. Liquor Establishment

1. An establishment whose primary business is the sale of alcoholic beverages for on-premises consumption.
 - a. Allocation may qualify as a liquor establishment at times and not at others (for example, a restaurant/bar operation that primarily serves alcoholic beverages after a particular time, or a mall or shopping center when the only business operating is a bar). When applicable, personnel working special duty at such a location shall abide by the policies concerning liquor establishments.
 - b. The holder of a liquor permit obtained for a special function qualifies as a liquor establishment when the above conditions are met.

E. Show Bar

1. An establishment where nude, semi-nude, or erotic dancing or other lewd or lascivious activity has occurred during the past **six** months.
 - a. The dancing or other activity was sanctioned, endorsed, or otherwise provided by the establishment.
 - b. This activity includes amateur contests and short-term or one-time appearances.
 - c. For purposes of this directive, semi-nude refers to the exposure of the female breast or male or female genitalia or buttocks.

F. Special Duty Residence

A residence in which sworn personnel agree to live and provide police services in exchange for reduced or free rent, homeowner association fees, or similar compensation.

II. Policy Statements

A. General

1. Sworn personnel shall be permitted to engage in special duty, **during off-duty hours**, as long as no conflict exists between that employment and the individual's employment with the Division, unless prohibited by law, Division Rules, Policies, Directives, orders **or collective bargaining agreement**.
- a. Sworn personnel shall regularly review the conditions of their special duty to ensure that no conflict exists between that employment and their position with the Division of Police. When in doubt as to whether the activity is creating a conflict of interest, the employee shall request clarification by submitting a letter through the chain of command to his or her deputy chief.
2. Sworn personnel shall not solicit special duty work for themselves or others.
3. Special duty shall not be performed by sworn personnel who have not successfully completed the FTO training period.
4. Sworn personnel shall obtain permission and approval prior to engaging in special duty. Permission to engage in special duty may be revoked at the discretion of the Chief of Police.
5. Sworn personnel shall request approval for special duty of a more permanent nature annually during the month of January and anytime an individual assumes a covert assignment. This includes all sensitive assignments within the Division of Police, for example, **Drug Crimes Bureau**.
6. Sworn personnel shall complete a Special Duty Request, form S-30.101, prior to working a special duty assignment or cause it to be completed. Telephone requests from sworn personnel for form completion by the Special Duty Office shall not be accepted. This form shall only be completed by Special Duty Office personnel when requests are made from a special duty employer.
7. The Special Duty Office shall monitor and maintain documentation of all special duty and ensure establishments and/or events requiring a City permit are current on City fees.
8. All requests for special duty shall be coordinated directly through the Special Duty Office or by an approved special duty coordinator.
9. The Patrol **Operations or Special Operations** Subdivision Deputy Chief may approve special duty when it would otherwise not be approved for events where there is a general public safety benefit, for example, a large concert at a bar not on the approved list.

10. The Special Duty Office shall fill special duty assignments on a first-come, first-serve basis. Personnel may **view and apply for available special duty jobs via the special duty electronic management system from a Division-issued device.**
 11. Sworn personnel shall not accept City overtime directly from an outside City agency.
 - a. City overtime shall be assigned by the Special Duty Office or other Division designee.
 - b. The Special Duty Office shall distribute City overtime fairly and equitably among **sworn personnel.**
 - c. **Sworn personnel may view and apply for available City overtime jobs via the special duty electronic management system from a Division issued device.**
 12. Sworn personnel shall wear the standard police uniform for all special duty jobs unless prior written approval has been obtained from their deputy chief.
 13. Sworn personnel shall not engage in special duty to the extent that it impairs performance in their regularly assigned duties. Supervisors shall monitor subordinates' on-duty performance to determine whether it is affected by special duty employment and shall take appropriate corrective action as needed.
 14. Sworn personnel shall not engage in special duty when relieved of assignment, on restricted duty, or when marked off regular duty due to personal illness or injury without obtaining prior written permission from their deputy chief.
- Note: Sworn personnel marked off on FMLA for a covered family member shall contact the HR **Bureau** Manager.
15. Sworn personnel engaged in special duty shall follow all Division Rules, Policies, Directives, and lawful orders.
 16. Sworn personnel shall engage in special duty work only within the jurisdiction of the Columbus Division of Police unless prior written approval of the Chief of Police is obtained.
- Note: If outside Columbus Division of Police jurisdiction, the mutual aid requirements shall be met.
17. Sworn personnel shall not request, review, search, copy, remove, share, or forward any information from a law enforcement database in connection with any special duty work, except as provided by that database's specific administrative rules.
 18. Sworn personnel shall not perform special duty work for any organization involved in strike situations or other labor-management disputes.

19. Sworn personnel shall give preference to traffic on a public right-of-way over traffic from private property. When working construction sites, sworn personnel shall ensure that traffic is maintained and shall assist contractors with the ingress and egress of construction equipment and vehicles as necessary. Sworn personnel should be mindful to the traffic plan as established by the City of Columbus, Division of Traffic Management.
 20. Sworn personnel injured while engaging in special duty and not performing a police-related duty may file a worker's compensation claim through that employer and shall not file the claim through the Division of Police. Personnel injured while performing a police-related duty shall file the claim through the City of Columbus. Personnel should make their special duty employer aware of this rule.
 21. Sworn personnel shall not purchase, consume, possess, or be involved in the sale of alcoholic beverages while working special duty.
 22. Sworn personnel shall not be under the influence of drugs or alcohol while working special duty.
 23. Sworn personnel shall not work special duty at or for the following:
 - a. A show bar
 - b. A rave
 - c. Any location operating in violation of federal, state, or local laws
 - d. Any entity that has had a sustained liquor violation during the past six months
 24. Sworn personnel shall not engage in special duty at an establishment whose primary business is the sale of sexually-oriented material or the presentation of nude performances.
 25. Personnel shall not engage in **or receive income from** a private business or off-duty employment whose primary purpose is the coordination of procuring or providing staffing and/or equipment for special duty assignments.
- B. Personnel Responsibilities
1. Sworn personnel accepting a special duty job shall promptly notify the contact person of acceptance of the job.
 2. Sworn personnel accepting a special duty job shall report to the job site and perform the required duties. Personnel who initially accept a special duty job and do not, or cannot, work are responsible for providing a replacement.
- C. Liquor Establishments
1. Sworn personnel may engage in special duty employment at liquor establishments only when the following conditions are met:
 - a. The location has been approved by the appropriate Patrol **Operations** Subdivision Deputy Chief.

Note: **The Patrol Operations Subdivision** Deputy Chief shall periodically review approved locations and may suspend, revoke, or modify special duty upon becoming aware of a prohibited condition. After a minimum of 30 days, personnel desiring to work a disallowed location may resubmit a request.

- b. Sworn personnel shall work in uniform.
- c. Sworn personnel shall only work the parking lot or outside areas.

Note: This does not include patio areas where alcohol is consumed.

- d. A minimum of two personnel are required.
 - e. Sworn personnel shall enter the establishment when assistance is requested and normal police response is appropriate.
 - f. Sworn personnel shall not perform duties such as an ID checker/bouncer or work at a liquor establishment that employs armed, private security.
 - g. Sworn personnel shall immediately notify Communications Bureau personnel of any action taken as a result of an incident occurring inside or around the establishment so the information can be entered into the computer for documentation purposes.
2. Sworn personnel shall be visible in the outside area of the establishment to act as a deterrent.
 3. The Special Duty Office shall maintain a list of approved liquor establishments.

D. Personnel Staffing

1. One sergeant shall be hired for each three to six officers, and one lieutenant shall be hired for three or more sergeants. The Traffic Bureau Commander may deviate from this requirement if it is appropriate for the event. No other deviation shall be permitted without the approval of the Patrol **Operations** Subdivision Deputy Chief.
2. The Traffic Bureau Commander, **and** the incident commander at the direction of the Chief of Police, shall determine staffing levels, including supervisory levels, for events that require a City permit. Staffing shall be administered by the Special Events **Office** in conjunction with the Special Duty Office, if necessary.
3. Sworn personnel may work special duty at **events** in conjunction with private security guards provided the employer is informed that the decisions of Division personnel have precedence over those of the private security personnel. The number of personnel needed shall be determined by the appropriate zone commander in conjunction with the Special Duty Office.

E. Compensation

1. Sworn personnel arriving at a special duty job are entitled to receive a minimum three-hour show-up fee, paid by the special duty employer, whether services are provided or cancelled at the time of arrival. The employer should be informed of this provision at the time the request for special duty personnel is received.

Note: This does not apply if personnel fail to complete three hours of work and the employer is not at fault, for example, **due to** illness or court attendance.

2. Personnel are prohibited from receiving compensation, fees, commissions, rebates, kickbacks, or other consideration from Division personnel for providing, coordinating, locating, or procuring special duty work.
3. Whenever sworn personnel engage in special duty work for more than the established rate of pay for their rank they shall email the Special Duty Office and report that amount.
4. Sworn personnel shall not engage in special duty work for less than the pay established for their rank, with the following exceptions:
 - a. Sworn personnel may volunteer police services to charitable causes during off-duty hours with prior approval from their deputy chief.
 - b. If there are an insufficient number of police officers willing to work a particular job, sergeants and lieutenants may be offered special duty work in non-supervisory positions at the prevailing rate of pay for police officers. This does not relieve the sergeant or lieutenant of the responsibility for taking appropriate supervisory action should the need arise.

F. Special Duty Residence

1. Sworn personnel shall not work or live at a special duty residence until approval has been obtained from their deputy chief.
2. Sworn personnel shall not work or live at more than one special duty residence, nor shall they have another residence.
3. Sworn personnel on restricted duty shall not work at a special duty residence and shall notify and make arrangements with the special duty employer until able to return to regular duty.
4. Sworn personnel shall request approval for a special duty residence annually during the month of January, or anytime a special duty residence is sought or changed, by completing the Special Duty Request and forwarding it with a letter of information through the chain of command to the deputy chief.

G. Supervisory Responsibilities

1. Sworn supervisors who are working special duty shall be responsible for all matters regarding police supervision at the job.
2. Patrol and traffic sergeants shall monitor all special duty work on their precinct or assigned areas and shall be responsible for appropriate supervision on jobs where a supervisor is not employed.
3. Patrol and traffic sergeants shall make recommendations and give direction to special duty personnel regarding adjustments or alterations of traffic patterns or other identified hazards to ensure the safe and efficient flow of vehicular and pedestrian traffic.

H. Cruiser and Equipment Use

1. Sworn personnel should check the availability of X-cars before using another police vehicle. A limited number of police vehicles are available for special duty use through Fleet Management.
2. Other police vehicles shall be used only with the express authorization of the on-duty zone lieutenant to whom the equipment is assigned.
3. Sworn personnel shall ensure a Cruiser Rental Agreement, form S-30.100, is completed and submitted to the Special Duty Office ***within 14 days after working the assignment. The Special Duty Coordinator for a larger organization that rents cruisers more than three times per week shall ensure the form is completed and submitted within 30 days.***
4. A list of available equipment and fees is maintained by the Special Duty Office.
5. ***Sworn personnel shall not accept cash payments for Division cruisers or equipment use.***

III. Procedures

A. Special Duty Employment

1. All Special Duty
 - a. Sworn Personnel
 - (1) Complete a Special Duty Request form, and forward it to the Special Duty Office.
 - (a) Email the Special Duty Office at SpecialDuty@columbuspolice.org if there is a change of personnel, hours, days, location, or pay rate from the form ***previously*** completed.
 - (2) When using a police vehicle for special duty, complete a Rental Agreement between the Division and the employer, and forward the contract to the Special Duty Office. Vehicles used for special events coordinated by the Traffic Bureau's Special Events Section shall have the police Rental Agreement forms and payments handled by the Special Events Section.
 - (3) Notify Communications Bureau personnel of your location, radio call number, and work hours prior to starting the job.
 - (4) Units or personnel requiring a dedicated radio channel for special duty shall contact a Communications Bureau supervisor three weeks or as soon as possible prior to the event to be assigned a radio talkgroup.
 - (5) Return Division equipment immediately after completion of the special duty job.
 - (6) When working special duty at locations where a City or State permit is required (for example, bingo, dance clubs, and construction sites), ensure that the proper permit has been obtained and is valid.

Note: Upon reporting to a construction site involving street, sidewalk, intersection, or lane closures, review the permit and ensure that **the** provisions specified in the permit have been fulfilled. Do not allow or authorize contractors to work without a permit or to exceed the scope of the permit without **the** permission of the issuing authority. An exception to requiring a permit would be those times when a public agency or private utility is involved in emergency repairs. An emergency repair is defined as a repair requiring immediate action **and** involves the health, safety, or well-being of the public.

(7) When working a construction site, maintain a safe and efficient flow of vehicular and pedestrian traffic. Maintenance of traffic flow may include an adjacent intersection not directly in a construction location, but affected by the construction or lane closures. If the maintenance of traffic requires additional personnel, notify the precinct sergeant or a Traffic Bureau sergeant.

b. Sworn Supervisors

- (1) Take necessary on-site corrective action involving special duty officers.
 - (a) When practical, notify the precinct sergeant of the action taken.
 - (b) Report misconduct or improprieties through the involved officer's chain of command.

c. Request Takers

- (1) Refer persons requesting sworn personnel for special duty employment to the Special Duty Office. If the office is closed, refer them to the **Headquarters Operations Unit** Sergeant.
 - (a) Special duty work can be accepted upon initial contact with a prospective employer provided **that** the proper forms are completed and submitted for approval as soon as practical.

d. Special Duty Office

- (1) Enter a special duty request into the special duty electronic management system, as appropriate.**
- (2) Review special duty requests and approve or deny them as appropriate.
 - (a) Forward requests of a questionable nature to the **Special Operations** Subdivision Deputy Chief for approval **or** disapproval.
 - (b) Forward requests for a special duty residence to the involved personnel's deputy chief for approval **or** disapproval if needed.
 - (c) Advise the involved sworn personnel whether the request is approved.
- (3) Notify sworn personnel when a special duty job is open.
 - (a) Maintain all requests, approvals, and equipment rentals in the Special Duty Office file.
- (4) Maintain accurate records on all personnel engaged in special duty.**
- (5) Maintain a list of Special Duty Coordinators.**

e. **Headquarters Operations Unit** Sergeant

- (1) If the Special Duty Office is closed and a request needs immediate attention, attempt to locate personnel to fill the request. In addition, ensure that the necessary forms are completed and forwarded to the Special Duty Office.

Note: If there is a question whether the special duty presents a real or apparent conflict of interest, deny the request and refer the requesting party to the Special Duty Office.

f. Deputy Chief

- (1) Approve/disapprove the special duty residence request.
- (2) Forward the final determination to the Special Duty Office and a copy to the requestor.

2. Special Duty at Liquor Establishments or Locations Where Alcohol will be Served

a. **Special Duty** Coordinator/Contact or Special Duty Office

- (1) Forward the Special Duty Request through the chain of command to your bureau commander. List all sworn personnel requesting approval to work the job.
- (2) Once a location has been approved, additional sworn personnel may be added without resubmitting the request.

b. Commander

- (1) If the request is for an area under your command, forward it to the zone lieutenant(s) on the affected shift(s).
- (2) If the request is for an area not under your command, forward it to the appropriate zone commander who will forward it to the appropriate zone lieutenant.

c. Zone Lieutenant

- (1) Physically inspect the location to ensure compliance with Division policy and ensure the location is current on liquor, dance hall, alarm user, and/or arcade permits.
- (2) Complete the Liquor Establishment **Form**, U-10.192.
- (3) Contact the special duty employer and the owner or manager of the liquor establishment or other location and explain the applicable Division policy relating to special duty.
- (4) Contact the **PACT Unit Sergeant** to determine whether there have been any sustained liquor violations, show bar type activity, or other vice activity during the past six months.
- (5) Prepare a letter detailing your findings, attach it to the Special Duty Request along with the Liquor Establishment **Form**, and forward **the documents** through the chain of command to your deputy chief.

d. Deputy Chief

- (1) Approve/disapprove the special duty.
- (2) Forward the final determination to the Special Duty Office and a copy to the requestor.

e. Special Duty Office

- (1) File approved/disapproved requests.
- (2) Attempt to fill approved unfilled requests.
- (3) Maintain a list of approved/disapproved locations.
- (4) Maintain a list of approved special duty coordinators.