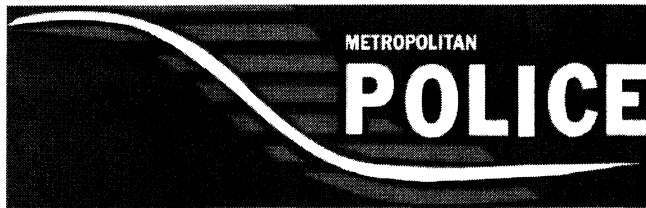


GENERAL ORDER



Subject
Outside Employment

Topic / Number
GO-PER-201.17

Effective Date
April 16, 2004

Distribution
A

Related to:
GO-PER-201.21 (Limitations on Work Hours), Effective Date January 6, 2005

DISTRICT OF COLUMBIA

I. Background.....	Page 1	V. Regulations.....	Page 2
II. Policy.....	Page 1	VI. Procedural Guidelines.....	Page 10
III. Definitions.....	Page 1	VII. Cross-References.....	Page 19
IV. Rule	Page 2		

I. BACKGROUND

The Metropolitan Police Department recognizes the benefits of outside employment, both to its members and to the community. This General Order will help direct and guide members considering or involved in outside employment, to ensure the reputation of the MPD is not compromised, while providing a legitimate service to the community. The provisions of the "Police Officers Outside Employment Amendment Act of 2000" regarding outside employment have been incorporated into this order.

II. POLICY

The policy of the Metropolitan Police Department is that members of the Department may engage in outside employment, when the employment conforms with existing laws and regulations, does not conflict or interfere with the mission of the Department, present the perception of impropriety, or undermine the integrity or efficiency of the Department.

Each employee of the Department must, at all times, maintain a high level of ethical conduct, to include, the avoidance of misconduct and conflicts of interests with the District government created by outside employment activities.

III. DEFINITIONS

When used in this directive, the following terms shall have the meanings designated:

- A. Outside employment – the engagement in any line of business or the performance at any type of any work or service for any person, firm or corporation, other than that required by one's official position in the Metropolitan Police Department, for the purpose of obtaining wages, salary, fee, gift, or other compensation. (§ 2.5:1(f) of the Police Manual)

- B. Police-related outside employment – any outside employment which is conditioned upon membership in the Metropolitan Police Department or possession and potential use of a member's service weapon or police powers. (§ 2.5:1(h) of the Police Manual)
- C. In the course of outside employment – any act performed at the place of outside employment, performed for the outside employer, or arising by virtue of the outside employment. Outside employment cannot be determined exclusively by the job description or task list; rather, it must be considered within the context of existing circumstances on a case-by-case basis. In administrative determinations concerning whether an act, injury, damage to uniform or equipment, incident, or other matter is to be considered as "in the course of outside employment," the burden of proof to demonstrate that it should not be so considered shall rest with the member engaged in outside employment who is affected by the determination. (6A DCMR § 399.1)
- D. Brokering outside employment – any practice whereby one member of the Metropolitan Police Department acts as an intermediary, liaison, referral agent, consultant, or third-party provider of police-related outside employment between a current or potential outside employer and any other member of the Metropolitan Police Department for the purpose of scheduling, coordinating, or any other similar activity. (§ 2.5:1(e) of the Police Manual)
- E. ABC establishment – any business licensed or required to be licensed by the District of Columbia Department of Consumer and Regulatory Affairs Alcoholic Beverage Control Division and which sells alcoholic beverages for consumption on the premises. (§ 2.5:1(d) of the Police Manual)
- F. Sexually Oriented Business – an establishment having as a substantial or significant portion of its stock in trade, books, magazines, and other periodicals, films, materials, and articles or an establishment that presents as a substantial or significant portion of its activity, live performances, films, or other material which are distinguished or characterized by their emphasis on matters depicting, describing, or related to specific sexual activities and specified anatomical areas. (11 DCMR §119)

IV. RULE

Members shall not engage in outside employment without proper authorization from their Assistant Chief/Senior Executive Director. (CALEA 22.3.4-a, b)

V. REGULATIONS

- A. No member of the Metropolitan Police Department shall be disciplined for having engaged in conduct in violation of this section prior to the effective date of the Police Officers Outside Employment Amendment Act of 2000

where the conduct was in conformity with the then-existing rules and regulations of the Metropolitan Police Department. (§ 2.5:3(c) of the Police Manual)

- B. A member engaged in outside employment may be granted authorization for an indefinite period of time. Termination of outside employment shall occur if a member makes such a request, changes employment without authorization, or violates any provisions of this title. The Assistant Chief, OPR shall state the reasons and make notification of revocation of outside employment authorization, in writing, to the member pursuant to 6A DCMR § 303.9. (CALEA 22.3.4-a)
- C. The DC Office of Personnel, which governs an employee's entitlement to pay from more than one position with the government of the District of Columbia, has determined that certain general exceptions are warranted, if the required services cannot be otherwise obtained. These exceptions apply to:
 - 1. Pay for part-time or intermittent employment in positions for which the Federal Office of Personnel Management has established special minimum pay rates.
 - 2. Pay for part-time or intermittent employment as a foreign language instructor, translator, or in any other capacity which requires knowledge and use in one or more foreign languages in the position to which appointed.
 - 3. Pay for part-time or intermittent employment as a counselor in connection with summer youth opportunity programs in the Washington DC Metropolitan area.
 - 4. Pay for services as a member of the District of Columbia Council or the Board of Education of the District of Columbia.
 - 5. Pay for part-time or intermittent employment as a teacher in the public schools of the District of Columbia.
 - 6. Pay for part-time or intermittent employment for the District of Columbia Armory board, in connection with specific events held at Robert F. Kennedy Stadium.
 - 7. Pay for part-time or intermittent employment as teachers, custodians, and other employees needed to operate the recreation program in the District of Columbia.
- D. The following types of outside employment are prohibited in any jurisdiction: (CALEA 22.3.3)

1. Employment for any business or in any capacity over which the Metropolitan Police Department exercises a special supervisory, regulatory, or enforcement function. (6A DCMR § 301.2(a)).
2. Employment as a private investigator or private detective, civil process server, unarmed guard or to enforce “house rules” of establishments which sell alcoholic beverages by the drink. [6A DCMR § 301.2(b)]
3. Employment for any person, firm, or corporation that conducts business in any commercial establishment, the primary purpose of which is the sale of alcoholic beverages, including taverns, nightclubs and brew pubs, as these items are defined in section 3 of the District of Columbia Alcoholic Beverage Control Act, approved January 24, 1934, [48 Stat. 319; D.C. Official Code § 25-101(2001)] (§2.5:2(o) of the Police Manual) (CALEA 22.3.3)

Note: Outside employment is allowable in commercial establishments where the sale of alcoholic beverages is present but it is not the primary purpose of the business. Examples include hotels, restaurants and sporting arenas.

4. Employment for any person, firm or corporation whose business establishment is a sexually oriented business establishment as that term is defined in 11 DCMR §199. (§ 2.5:2(o) of the Police Manual)
5. No member of the MPD shall engage in outside employment or off-duty activity which will create a conflict of interest, and would constitute a violation of Section 1802 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code 1-618.02), or regulations issued pursuant to that section. [§ 2.5:2(h) of the Police Manual and 6A DCMR § 301.2(c)]
6. Employment in a position which would require access to confidential police records, files, correspondence, or other information not otherwise available to the general public. [(§ 2.5:2(i) of the Police Manual and 6A DCMR § 301.2(d)].
7. Employment in a capacity, which would directly or indirectly interfere with the proper and efficient performance of police duties, or as otherwise prohibited by the MPD manual. [6A DCMR § 301.2(e)]
8. Employment by an agency of the District of Columbia Government, unless that agency first requests and receives permission from the District of Columbia Office of Personnel. Members shall be prepared to indicate that this requirement has been met when submitting their

requests for outside employment by an agency of the District of Columbia. [6A DCMR § 301.2(f)]

9. Employment by an agency of the United States Government, or an agency of any foreign government, or employment in or for any embassy, chancellery or foreign delegation. [6A DCMR § 301.2(g)]
10. A member shall not accept police-related outside employment in other jurisdictions. (6A DCMR § 301.3)

E. The following types of employment are prohibited inside the jurisdictional boundaries of the District of Columbia. [6A DCMR § 301.1(a) & (b)], but may be authorized in other jurisdictions: (CALEA 22.3.3)

1. Employment as sightseeing guides or in pawnshops; and
2. Employment as a bill collector, reposessor, or collection agent of any kind.

F. General Prohibitions (CALEA 22.3.3 and 22.3.4)

1. No member shall engage in brokering outside employment. Any member of the Metropolitan Police Department who engages in brokering outside employment may be subject to Metropolitan Police Department discipline at the discretion of the Chief of Police, including adverse action. Any member of the Metropolitan Police Department the rank of Captain or above who engages in brokering outside employment may be subject to adverse action. (§ 2.5:3(a) & (b) of the Police Manual)
2. No member shall accept any employment with any person, corporation, or firm whose primary business is providing private security guards (officers) or special police officers to commercial establishments or other individuals. (6A DCMR § 301.5)
3. No member shall engage in the business of providing private guards (officers) or special police officers to commercial establishments or other individuals within the District of Columbia, nor shall members directly or indirectly engage in the business of providing off-duty services of other members of the Department for police-related activities to those individuals or commercial establishments (6A DCMR § 301.6)
4. A non-supervisory member (officer, detective, technician, and for purposes of these rules, desk sergeant) shall not accept police-related outside employment when such employment places him or her in a

supervisory role in relation to other members of the Department engaged in police-related outside employment. No member shall be permitted to engage in police-related outside employment in his or her regularly assigned patrol beat area. (6A DCMR § 301.10)

5. No officer, sergeant, or lieutenant shall be permitted to engage in police-related outside employment in his or her regular assigned Patrol Service Area (PSA). No captain shall be permitted to engage in police-related outside employment in his or her regular assigned police district.
6. A member the rank of inspector and above shall not accept police-related outside employment or outside employment which consists of supervising other members of the Department in such outside employment. (6A DCMR § 301.7)
7. A member the rank of lieutenant or captain shall only accept police-related outside employment when such employment is in a supervisory capacity which reflects his or her Department rank. (6A DCMR § 301.8)
8. A member shall not engage in any employment other than that of the Department while on sick leave, nor shall a member engage in any outside employment until he or she has returned from sick leave to full police duties and has performed at least one full tour of duty. This prohibition shall not apply to members who, while in a full-duty status, use sick leave for dental or medical appointments. (6A DCMR § 303.4) (CALEA 22.3.4-b)
9. A member shall engage in police related outside employment only when the member's police powers are in effect and in compliance with all applicable provisions of the D.C. Code and 6A DCMR pertaining to the performance of duties, the law of arrest, and the use of firearms and other weapons. (6A DCMR § 303.5)
10. Members in a non-full duty status shall be barred from outside employment.
11. Probationary members shall be barred from outside employment.
12. Members shall not accept police-related outside employment which is conditioned upon any requirement which would in any way interfere with the proper use and/or wearing of issued uniforms and equipment. (6A DCMR 301.11)

13. Permission will not be granted for members to wear uniforms other than Department issued.
14. Every member of the force shall be subject to call by the Metropolitan Police Department and is required to respond to felonies in progress when employed in outside employment, and agree to those conditions in writing by the outside employer shall be a condition for employment. (6A DCMR § 300.13)

G. Conditions for Outside Employment

1. No member shall engage in outside employment for more than 32 hours per calendar week, unless otherwise approved by the Chief of Police. (§ 2.5:2(j) of the Police Manual) (CALEA 22.3.4-b)
2. No member shall engage in outside employment (non-government) if the "second job" (a) would present a conflict with interests of the District Government or (b) would interfere with the member's scheduled tour of duty on the Department. (Mayor's Memorandum 2003-6)
3. No member is prohibited to take a second job while on approved annual leave solely because the hours of employment on the second job coincide with those during which the member works at the Department. (Mayor's Memorandum 2003-6)

For example, a member invited to participate in a one-time-only, paid two-day seminar, the subject of which does not conflict with the interest of the District government, would not be prohibited from using annual leave for those two days, solely because the hours of seminar happen to coincide with those of the member's tour of duty. However, a second job that requires the member to take annual leave every Friday afternoon for two hours probably would be prohibited because such frequent absences are likely to interfere with the member's performance of his/her governmental duties. (Mayor's Memorandum 2003-6)

4. Members shall not accept any compensation for services rendered while on duty. (6A DCMR § 303.6)
5. A specific waiver shall be obtained to work in plainclothes. Those waivers shall be at the discretion of the Chief of Police. (6A DCMR §301.12)

6. Members, who have received previous authorization to work, shall not change the type of employment or employer without first obtaining authorization. (6A DCMR § 303.7)
7. A member's authorized outside employment activity may be terminated by his/her Assistant Chief/Senior Executive Director, if it is determined that it interferes with the requirements of his or her official duties. (6A DCMR § 303.8) Documentation shall accompany such termination, outlining the apparent conflicts. (CALEA 22.3.4-c) All appeals of such termination shall be made by the effected member to the Chief of Police.
8. If a member discontinues authorized outside employment, he/she shall immediately notify the Department on a PD Form 180-A (Quarterly Report of Outside Employment), reflecting the last period of his/her outside employment. The member is not authorized to be re-employed unless he/she submits an additional PD Form 180 (Request for Approval to Engage in Outside Employment) and 180-B (Employer's Agreement to Conditions of Employment), as set forth in this order. (6A DCMR § 303.10)
9. A member authorized to perform outside employment shall ensure that his or her outside employer is familiar with the contents of PD Form 180-B. A member authorized to perform outside employment shall inform his or her outside employer that:
 - a. The member's working conditions and working hours are subject to review by officials of the Department; and
 - b. The member is subject to call by the Department, and, when in the District of Columbia, required to respond to felonies in progress and crimes against persons. Other crimes and incidents shall be reported immediately to the Public Safety Communications Center. (6A DCMR § 303.11 (a) & (b)).
10. When authorization is granted for outside employment, the member shall furnish his or her Commanding Officer with the telephone number and address of the outside employer. (6A DCMR § 303.12) (CALEA 22.3.4-e)
11. Any injury sustained by a member of the force in the course of outside employment shall not under any circumstances be considered an injury in the performance of duty pursuant to section 12(g) of the Policeman and Firemen's Retirement and Disability Act, approved September 1, 1916 (71 Stat. 391; D.C. Official Code, § 5-710). (6A DCMR § 300.6, 6A DCMR § 303.13, & § 2.5:2(m) of the Police Manual)

12. Damage to uniforms or equipment in the course of outside employment shall be considered not in the performance of duty, and either the member or the outside employer shall compensate the Department for such loss as delineated in PD form 180-B. If the damage was caused when the member was performing his/her official duty, the Department will cover the cost of the damage. (6A DCMR § 303.14)
13. A member of the force must wear the Class "B" service uniform [as stated in GO-PER-110.11 (Uniforms and Equipment)], and equipment, including any hand-held radio, OC Spray, ASP, and any firearm or ammunition issued or approved by the Metropolitan Police Department, when engaged in police-related outside employment, unless otherwise approved by the Chief of Police. (6A DCMR § 300.12)
14. Every member of the MPD shall be responsible for his or her MPD uniform and equipment while engaging in police-related outside employment, as when on duty with the MPD. (§ 2.5:2(p) of the Police Manual)
15. Members shall pay a twenty-dollar (\$20.00) uniform fee quarterly to cover all outside employment sites.
16. The check or money order shall be attached to the PD Form 180-A (Quarterly Report of Outside Employment) and shall be given to the member's Administrative Section.
17. Members shall ensure that they keep a copy of the check or money order when they make their twenty-dollar (\$20.00) payment to their Administrative Section.
18. The Administrative Section shall prepare transmittals and hand-carry all checks and money orders and PD Forms to the Office of Professional Responsibility (OPR).
19. OPR shall deliver the checks and money orders to Accounts Payable.
20. In the event the employment is short term (less than two weeks duration), the uniform allowance may be satisfied by the submission of one check for all officers engaged in such short term employment. The check amount will be determined by multiplying the aggregate of all hours of duty performed by (ten).10 cents, but shall in no event be for less than \$5.00 (five dollars).
21. Members working outside employment shall be required to certify each year by submitting a PD Form 180C (Annual Outside Employment

Certification), at the beginning of the calendar year to the Office of Professional Responsibility.

VI. PROCEDURAL GUIDELINES

- A. The application of any member below the rank of Inspector who wishes to participate in outside employment, outside the District of Columbia, in a position in which police powers or equipment are not utilized, will be considered. (CALEA 22.3.4-a)
- B. Members of the rank of Sergeant may accept police-related outside employment in a non-supervisory role, unless such employment is in conjunction with the police-related outside employment of other non-supervisory members. In the latter instance, Sergeants may only accept supervisory police-related outside employment. (6A DCMR § 301.9)
- C. Police-related outside employment sites, which employ five or more members working at any one time, shall employ a Sergeant or above whom is authorized to work that site as a supervisor to monitor officer activities.
- D. Members shall not accept police-related outside employment, which is conditional upon any requirement that would interfere with the proper use and/or wearing of issued uniforms of the day and equipment. Permission shall not be granted to wear uniforms other than standard Department issue. Utility uniforms shall not be worn while the member is engaged in outside employment. A special waiver must be obtained from the Executive Assistant Chief of Police to wear plain clothes. (6A DCMR § 301.11)(CALEA 22.3.4-b)
- E. Any dispute as to whether a particular outside employment or gift situation creates a conflict of interest shall be determined by means of whatever negotiated grievance procedures, ending in binding arbitration, may be provided for by the operative contract between the Metropolitan Police Department and the duly recognized employee organization or, if no such procedures are provided for, by the Chief of Police. (6A DCMR § 300.7)
- F. Members in receipt of information concerning violations by any other member of the Department, or any other person, of these rules, the "Police Officers Outside Employment Act of 1982," or any other Department directive or law arising from outside employment shall promptly report that information to an official assigned to the district in which the violation occurred. (6A DCMR § 304.17)
- G. Existing procedures for documenting injuries, incidents, and damage to equipment shall apply to outside employment, and existing administrative review boards (such as the Use of Service Weapon Review Board, the Uniform and Equipment Board, the Civilian Complaint Review Board) shall

retain jurisdiction over matters arising out of outside employment. (6A DCMR § 304.14) (CALEA 22.3.4-b)

- H. Any member desiring to engage in outside employment shall notify the Department of such intention by submitting the following documents, an original and three copies, to the member's Commanding Officer prior to accepting such employment: (6A DCMR § 302.1) (CALEA 22.3.4-d)
 - 1. PD Form 180 (Request to Engage in Outside Employment).
 - 2. PD Form 180-B (Employer's Agreement to Conditions of Employment).
 - 3. It shall be a condition of employment for employers to obtain and keep in effect liability insurance in a minimum amount of no less than \$100,000 for outside employers hiring members in police-related outside employment. The purpose of such insurance is to protect the District of Columbia government against liability to third parties arising from the conduct of the member while so employed. The District of Columbia government shall be named as an additional insured on such liability policy, and proof of insurance in a form acceptable to the District of Columbia government shall be furnished to the Chief of Police as a condition of employment. The insurance requirement contained herein may be satisfied by amending the employer's Comprehensive General Liability policy to provide the requisite coverage. (§ 2.5:2(n) of the Police Manual and 6A DCMR §§ 300.15-300.17)
- I. Sworn members of the Department, working outside employment during any quarter, must submit an outside employment certification form using PD Form 180-C to the Assistant Chief, OPR through their chain of command. Members who fail to submit a form during the quarter they are working shall not be allowed to work outside employment during that quarter.
- J. A member shall submit, in duplicate to his or her Commanding Officer, PD Form 180-A each calendar year quarter (no later than two (2) weeks after the last day of March, June, September, and December) regardless of whether outside employment was performed during that period. There shall be submissions for each outside employment, properly noting which outside employment is reflected. If the authorized outside employment is police-related, the member shall submit appropriate documentation as required by the Chief of Police. (6A DCMR § 303.3)
- K. Reporting and Arrest Procedures (CALEA 22.3.4-d)
 - 1. All members, including those engaged in police-related outside employment, shall first notify the **Office of Unified Communications**

(OUC) by telephone or police radio, when available and where practical to do so without jeopardizing the safety of a threatened individual, prior to responding to or initiating any direct police action, when alerted to a felony in progress or a crime against a person. (6A DCMR § 304.3)

2. All members shall immediately report all crimes, including felonies in progress and crimes against persons, to the **OUC** by telephone or by police radio when available. No member who is engaged in outside employment shall take direct police action as a Metropolitan Police Officer, unless escape is imminent due to failure of a timely response by on-duty officers. Members engaged in any type of outside employment, particularly police-related outside employment, shall inform the **OUC** prior to engaging in any direct police action where it is practical to do so. (6A DCMR § 304.4)
3. **"Each member engaged in police-related outside employment shall, at the beginning of each outside employment tour of duty, contact, by police radio, a communications officer at the OUC, and also the Command Information Center (CIC), to provide the following information:"**
 - a. The member's name;
 - b. The location where the member is working;
 - c. The name of the employer or supervisor; and
 - d. The hours of employment for that day. [6A DCMR § 304.2 (a)-(d)]
4. A member engaged in police-related outside employment shall prepare reports of all incidents and offenses which fall within the scope of outside employment and occur on the employing premises, while he/she is actually on duty. A member shall be responsible for all such reports and appropriate notifications; however, he or she shall generally be guided by the provisions of GO-SPT-401.01 (Field Reporting System) when preparing those reports. (6A DCMR § 304.5)
5. When a member engaged in police-related outside employment makes an arrest in the course of outside employment, the following procedures shall be adhered to:
 - a. The member shall be responsible for preparing all appropriate reports and making all required notifications. The words "OUTSIDE EMPLOYMENT" shall be clearly printed at the top of

the PD Form 251, PD Form 163, and all other required reporting forms. (6A DCMR § 304.7)

- b. An official from a district where the incident occurred shall review the reports. (6A DCMR § 304.8)
 - c. Prisoners shall be processed in the district where the arrest occurred. (6A DCMR § 304.8)
 - d. A member shall be responsible for all court appearances required in conjunction with the arrest, and shall be responsible for complying with the provisions of GO-SPT-701.01 (Courts and Hearings). (6A DCMR § 304.9)
 - e. When checking into court, a member shall report to the Court Liaison Branch and prepare a PD Form 140 (Court Attendance Form). When completing the block which reflects duty status, item #10, the member shall check the block "other," and hand-print "outside employment" in item #10. Additionally, the member shall write "OUTSIDE EMPLOYMENT" at the top of the PD Form 140. (6A DCMR § 304.9)
- 6. The Department shall not reimburse members for court appearances and other activities required for arrests in the course of outside employment. [6A DCMR § 303.11 (c)]
 - 7. Members working police-related outside employment who respond to a felony in progress or a crime against a person in progress may, if directed by the Watch Commander, be removed from the outside employment until the arrest and related duties are completed. The Watch Commander will not remove members from outside employment duty unless it is necessary.
 - 8. Supervisors on duty shall monitor outside employment in their district or PSA and ensure that the provisions of all applicable Department orders are adhered to. Any violations noted should be documented and forwarded to the Office of Professional Responsibility and the Watch Commander.

L. District/Division Commander Responsibilities

- 1. Upon receiving a member's request for authorization to perform outside employment, his/her District/Division Commander shall review and evaluate the member's work performance for a period of not less than one year. This measure is to ensure that a member's participation in the outside employment does not change his or her

working habits and affect the work performance. The evaluation should consist of, at a minimum, the following: (CALEA 22.3.4-a) (6A DCMR § 305.1)

- a. Sick leave (after an evaluation has been done as to the reason a member was on sick leave, such as family leave, POD, etc.,
 - b. Punctuality,
 - c. Performance rating,
 - d. Number of court appearances (when appropriate),
 - e. Previous complaints or other problems arising from outside employment, and
 - f. Medical problems or disciplinary problems that may be complicated, or aggravated by outside employment. [6A DCMR § 305.1(a)-(f)]
2. The District/Division Commander shall evaluate the information on the PD Form 180-B (Employer's Agreement to Conditions of Employment), with specific attention to: (6A DCMR § 305.2)
 - a. Although the Department has not assumed the responsibility for conducting a management security audit for each potential employer, the information concerning the tasks the employer is asking the prospective MPD employee to perform shall be evaluated to determine whether they are appropriate and compatible with the police function specified. In situations where it is obvious that the tasks to be performed are clearly unreasonable, disapproval shall be recommended and the specific reasons for this action outlined in a separate memorandum. (CALEA 22.3.4-e) (6A DCMR § 305.3)
 - b. Available information concerning the potential employer and the potential work site shall be reviewed, in order to assess the suitability of the employer or work site, as they relate to a potential conflict of interest with the member's responsibilities to this Department. This issue shall be specifically addressed in the required endorsement by the District/Division Commander for all requests to perform police-related outside employment. (6A DCMR § 305.5)
3. Commanders/directors shall process the requests for outside employment in the following manner: (6A DCMR § 305.6)

- a. Review the PD Form 180 for completeness and compliance with applicable rules and regulations. [6A DCMR § 305.6(a)]
 - b. Order a site survey of the business.
 - c. Upon receiving the results of the site survey and reviewing all of the necessary documentation, make a final recommendation to the Assistant Chief/Senior Executive Director, with respect to the member's application for outside employment.
 - d. Ensure that for police-related outside employment, the member has submitted an insurance binder in the amount of \$100,000 from the retail establishment that names the Department as a beneficiary.
 - e. Upon approving or disapproving, forward the original and 2 copies of the PD Form 180, the PD Form 180-B and attachments through the chain of command to the following:
 - (1) Office of Professional Responsibility, Outside Employment Program, (original for filing and entry into a database system) and (copy to be sent to Medical Services for placement in member's medical folder).
 - (2) Requesting member's unit (copy)
4. Commanders/Directors shall maintain an alphabetical file of PD Form 180-A, to ensure compliance with the reporting requirements of this order. (CALEA 22.3.4-d) (6A DCMR § 305.8)
5. Impairment of the effectiveness or efficiency of a member to perform MPD duties, by reason of his or her outside employment shall be cause for an immediate recommendation to the Assistant Chief/Senior Executive Director, by the member's District/Division Commander, that authorization to perform outside employment be terminated. (CALEA 22.3.4-c) (6A DCMR § 305.9)
6. Commanders/Directors through the chain of command can recommend a member's outside employment privileges be revoked by the Assistant Chief/Senior Executive Director.
7. The Security Officers Management Branch (SOMB) shall have no supervisory responsibility for those members engaged in police-related outside employment. (6A DCMR § 305.10)

8. Commanders/Directors are responsible for directing the investigation of all allegations of violations of applicable laws or rules, as well as injuries, incidents or damage to Department property arising out of outside employment. (6A DCMR § 305.11)
 9. Commanders/Directors shall ensure that members of their command who are in receipt of information containing alleged violations relating to outside employment, appropriately report such violations, and that reports received by officials within his or her command are properly investigated. (6A DCMR § 305.12)
 10. Complaints or alleged violations of law or Department procedure which involve members of more than one command, shall be investigated by the Commanding Officer or unit designated by the Executive Assistant Chief of Police or, in his/her absence, the Night Supervisor. (6A DCMR § 305.13)
- M. The Assistant Chief/Senior Executive Director shall be responsible for:
1. Making a final determination with respect to the member's application for outside employment.
 2. Reviewing quarterly reports submitted by the District Commander/Division Director of members employed through the outside employment program.
 3. Reviewing annually, already approved outside employment businesses that have ABC licenses, to ensure that the officers approved are still within the guidelines.
 4. Monitoring the outside employment participation list.
 5. Making a specific recommendation to the Executive Assistant Chief of Police concerning whether an act, injury, damage to Department property or other matters are to be considered "in the course of outside employment". (6A DCMR § 305.15)
- N. The Office of Professional Responsibility shall be responsible for:
1. Accepting uniform fees and requisite forms and delivering checks to Accounts Payable. Members failing to pay the fee will be revoked.
 2. Tracking the number of employees actually engaged in outside employment.

3. Generating a list of members currently engaged in outside employment.
 4. Providing quarterly reports to Assistant Chiefs and Senior Executive Directors that list their members working outside employment and by name and unit the members that are approved, disapproved and revoked during the quarter.
 5. Transmitting the names on this list to accounts payable.
 6. Ensuring that employees engaged in outside employment are in compliance with the record keeping requirements.
 7. Revoking outside employment privileges when the member fails to meet the following conditions:
 - a. Submitting the required quarterly reports (PD 180-A).
 - b. Maintaining insurance policy coverage for approved sites.
 - c. Working at an approved site.
 - d. Working within the 32-hour requirement.
 8. Revoking outside employment privileges when the member engages in misconduct while working outside employment.
 9. Forwarding one copy of approval/disapproval to Medical Services to be filed in member's official medical folder.
- O. Accounts Payable shall be responsible for:
1. Collecting the uniform fee from the Office of Professional Responsibility.
 2. Providing a receipt when the uniform fee payment is made.
- P. Disciplinary Action
1. No member shall engage in brokering outside employment. Any member of the Metropolitan Police Department (MPD) who engages in brokering outside employment may be subject to Metropolitan Police Department discipline, at the discretion of the Chief of Police, including adverse action. Any member of the Metropolitan Police Department, at the rank of Captain or above, who engages in brokering outside

employment may be subject to adverse action. (§§ 2.5:3(a) & (b) of the Police Manual)

2. The Assistant Chief, OPR shall revoke approval previously given to a member for engaging in outside employment for any sexually oriented business, any member engaged in outside employment for any person, firm, or corporation that conducts business in any commercial establishment where the primary purpose is the sale of alcoholic beverages, or for any violation stated in section VI.J.7. of this order. Violation of this prohibition may subject the member to adverse action at the discretion of the Chief of Police.
(§ 2.5:3(o) of the Police Manual)
3. Any violation(s) of the provisions of these rules may serve as the basis for a temporary or indefinite suspension, or total termination, of the offending member's privilege to participate in outside employment. (6A DCMR §§ 302.5 & 303.15)
4. No member shall be disciplined for having engaged in conduct in violation of this order, prior to the effective date of the Police Officers Outside Employment Amendment Act of 2000, where the conduct was in conformity with the then-existing rules and regulations of MPD.
(§ 2.5.3 (c) of the Police Manual)

VI. CROSS-REFERENCES

- A. GO-PER-110.11 (Uniforms and Equipment)
- B. GO-PER-206.01 (Time and Attendance)
- C. GO-SPT-701.01 (Courts and Hearings)
- D. GO-SPT-401.01 (Field Reporting System)
- E. D.C. Municipal Regulations Title 6A (Police Personnel)
- F. Police Manual
- G. D.C. Municipal Regulations Title 11 (Zoning)

// SIGNED //
Charles H. Ramsey
Chief of Police