





POLICIES AND PROCEDURES MANUAL

	OFF-DUTY POWERS AND CONDUCT	
	POLICY NUMBER: 1-11	ISSUING AUTHORITY 
	EFFECTIVE DATE: June 12, 2025	Christine A. Elow Police Commissioner

I. GENERAL CONSIDERATIONS AND GUIDELINES

Off-duty police officers are occasionally faced with situations involving criminal conduct or other circumstances requiring police intervention they are neither equipped nor adequately prepared to handle in the same manner as if they were on duty. These situations may expose off duty officers to potential hazards and unnecessary risk of injuries, and could present confusion for those on-duty officers arriving at the scene.

The Cambridge Police Department is a signatory to the Middlesex County Mutual Aid Agreement, which governs Cambridge Police Officers when they exercise sworn police powers outside of Cambridge city limits. The purpose of this policy is to provide guidelines to police officers regarding acceptable criteria for exercising their police powers while off duty, including making an off-duty arrest, as well as when officers should be reporting their off-duty conduct or involvement to the department.

II. POLICY

It is the policy of the Cambridge Police Department to:

- A. clarify and regulate those situations and locations under which a sworn member is authorized to make an arrest while off duty;
- B. describe the parameters when off-duty officers are authorized to *self-activate* in limited circumstances, subject to the Middlesex County Mutual Aid Agreement and other restrictions set forth in this policy; and
- C. identify those situations in which off-duty officers are expected to report off-duty activities, conduct, or situations to the department.

III. DEFINITIONS

- A. *Liability Protection*: Chapter 258 of the Massachusetts General Laws specifies requirements and limitations for civil liability protection for police officers. Officers of this department have liability protection for the on duty and off duty performance of official duties. This protection does not extend to those actions that the police officer knew, or reasonably should have known, were in conflict with the law or the established rules and policies of this department.
- B. *Off-Duty Status*: Refers to the status of a sworn member of this department when that individual is free from the performance of specified police duties, such as regularly scheduled shifts, overtime assignments, private paid details, or times when an officer may be called back into service. This normally covers those periods of time when an officer is not scheduled to work, also referred to as time off, annual leave, or other forms of leave.
- C. *Personally Involved*: An officer is deemed personally involved when the off-duty officer, a family member, or a friend becomes engaged in a dispute or incident involving a personal matter with the person to be arrested or any other person connected with the incident. This does not apply to situations where the police officer is a victim of crime.
- D. *Self-Activation*: For purposes of this policy, the terms *self-activation* or *self-activate* refer to those situations when a sworn member of this department while in an off-duty capacity, asserts themselves as a police officer into a situation when legally authorized to do so.

IV. PROCEDURES

- A. Limitations on off-duty police powers
 - 1. Statutory Limitations: Unless an officer is acting under the provisions of Chapter 41, § 99 or Chapter 40, § 8G of the Massachusetts General Laws, or the Middlesex County Mutual Aid Agreement, a sworn officer's authority to act as a police officer while off duty is limited to the jurisdictional boundaries of the City.
 - a. There may be instances in which the Middlesex County Mutual Aid Agreement provides sworn officers with broader authority than department policy permits. If there is a conflict between the Middlesex County Mutual Aid Agreement and department policy, officers shall adhere to department policy.
 - 2. Off-Duty Conduct While in the City: Given the fact that police officers retain their police powers regardless of their duty status while in the City, officers should make every effort to avoid the potential of compromising their integrity, reputation, and the reputation of the police department and its members.
- B. Off-duty arrests
 - 1. When Off-Duty Arrests are Authorized: Off-duty arrests will be permitted when a department member is within the legal jurisdiction of this police department or the jurisdiction of the

Middlesex County Mutual Aid Agreement, and when all of the following three circumstances are present:

- a. there is an immediate need for the prevention of a crime or apprehension of a subject;
 - b. the arresting officer is in possession of appropriate police identification; and
 - c. there is a likelihood that the delay posed by the calling and arriving of on-duty personnel would:
 - (1) allow the subject to escape or remain unknown;
 - (2) permit furtherance of criminal activity; or
 - (3) potentially escalate the situation to a more serious degree without such intervention.
2. **Refraining from Enforcing Minor Violations:** Off-duty officers should refrain from enforcing minor violations, such as parking or minor motor vehicle offenses, unless the officer has reason to believe that the violation may progress to a more serious crime or lead to personal injury.
 3. **When to Avoid Making Arrests:** Off-duty officers should refrain from making arrests in situations in which they are personally involved. In these incidents, on-duty officers will be used to assess the situation and make any decisions regarding further legal action. This does not apply to those instances where the police officer is the victim.
 4. **Alert for Criminal Activity:** While off duty, it is the responsibility of each member of this department to be alert to any suspected or observed criminal activity and report that activity to on-duty officers, or take action as authorized in this policy.
 5. **When Action is Taken Off-Duty:** When an off-duty arrest becomes necessary, the arresting officer shall abide by all departmental policies and regulations concerning arrests. The officer shall use only that force necessary to detain the subject securely and then shall contact the appropriate law enforcement agency for assistance. The officer will be responsible for immediately filing a comprehensive police report on the incident and shall notify the on-duty Shift Commander of the circumstances surrounding the arrest.
 6. **When Arrests are Prohibited:** When engaged in off-duty employment other than private paid details of a non-police nature, officers are prohibited from making arrests that are only in furtherance of the interests of the private employer or for personal reasons.
 7. **Other Prohibitions of Off-Duty Arrests:** Off-duty officers should generally avoid making arrests or taking other enforcement action in the following circumstances:
 - a. The officer is personally involved in the incident underlying the arrest. The one exception to this provision is when the immediacy of an arrest is necessary to protect the officer and/or others, and when there is not sufficient time to summon help.
 - (1) In the event an officer does make an arrest under these circumstances, the off-duty officer is required to complete all of the associated reports and forms.

- b. The officer's ability or judgment to use a firearm or take a person into custody has been impaired by use of alcohol, prescription drugs, or other medication or by physical ailment or injury.
 - c. A uniformed police officer is readily available to deal with the incident.
 - 8. Receiving Direction from On-Duty Officers: Off-duty officers in plain clothes shall follow all orders and directions issued by on-duty police personnel without question or hesitation during enforcement encounters and shall identify themselves as law enforcement officers.
- C. Self-activation while off-duty
- 1. Identification as a Police Officer: If officers find it necessary to activate themselves while off-duty, the officers should identify themselves as police officers by producing the appropriate credentials, as soon as practical to do so.
 - 2. Summoning Assistance: If off-duty officers self-activate themselves, the officer should attempt to summon police assistance as soon as practical, providing as much information as possible to responding police units.
 - 3. Responsibilities Once Self-Activated: Once an officer self-activates, that officer is bound by the same rules and guidelines that would normally apply to an officer who is working in an on-duty status, to include the completion of the appropriate reports and associated paperwork.
- D. Required notifications for off-duty incidents:
- 1. Situations Requiring Notification for Off-Duty Incidents: Whenever an officer becomes involved or implicated in any of the following incidents while in an off-duty capacity, the officer should make notification to the Shift Commander as soon as practical anytime an officer:
 - a. discharges a firearm, except for those situations when an officer discharges a firearm for recreational purposes, unless it results in serious injury or death;
 - b. first learns that they are the subject of a law enforcement investigation when the officer is considered to be the suspect or defendant of the investigation, or whenever an officer has been named as defendant on criminal charges;
 - c. is engaged in an incident when there is police involvement resulting from the officer's conduct or actions, with the exception of when an officer is the victim of said incident;
 - d. is named as the defendant or accused of domestic violence, particularly if the officer is the subject of a domestic violence restraining order;
 - e. uses any of the department-issued weapons against another individual;
 - f. discovers the loss or theft of department issued weapons or equipment;
 - g. has been arrested or taken into custody by law enforcement officials;

- h. finds it necessary to self-activate as a police officer;
 - i. may have administrative action taken against an officer, which may impact the officer's ability to perform their duties, such as revocation or suspension of a driver's license or revocation or suspension of a License to Carry a Firearms; or
 - j. feels it may be prudent to do so as officers should never feel precluded from notifying the department.
- 2. Procedures for Making Required Notifications: As soon as an officer is involved or implicated in any of the aforementioned situations or circumstances, the officer shall make notification to the on-duty Shift Commander as soon as practical in accordance with the following procedures:
 - a. The Shift Commander should take the following steps upon receiving such a notification:
 - (1) Ascertain as much information as possible to assess the seriousness of the situation and to decide whether to notify the Duty Chief or appropriate deputy superintendent
 - (2) Provide direction to the reporting officer as to what steps need to be taken next.
 - (3) Fully document the notification in the form of an internal memorandum (form P650), to include what was being reported, any direction that was given to the officer, and how the report was channeled.
 - (4) Obtain any supporting documentation that may be available at the time of the report and include it with the internal memorandum.