

# OFFICE OF THE CITY AUDITOR

## PERFORMANCE AUDIT OF OFF-DUTY EMPLOYMENT ADMINISTRATION BY THE DALLAS POLICE DEPARTMENT



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September 9, 2005

## Memorandum



CITY OF DALLAS

September 9, 2005

Honorable Mayor and Members of the City Council  
City of Dallas

We have performed an audit of the Dallas Police Department (DPD) off-duty employment administration. Our objective was to determine whether officers adhere to DPD policies related to off-duty employment.

We determined that the DPD needs to improve monitoring and oversight of the off-duty program, revise General Orders, employ a job management system, recover the cost to administer the program, and review the number of off-duty hours allowed for its officers. These issues are addressed in the Opportunities for Improvement section of this report.

We appreciate the cooperation shown by staff during our audit.

Paul T. Garner

Paul T. Garner  
Assistant City Auditor

c: Mary K. Suhm, City Manager

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**PERFORMANCE AUDIT OF OFF-DUTY EMPLOYMENT ADMINISTRATION  
BY THE DALLAS POLICE DEPARTMENT**

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## EXECUTIVE SUMMARY

We performed an audit of Off-Duty Employment Administration by the Dallas Police Department. Our audit period was from October 1, 2003, through December 31, 2004.

Our Opportunities for Improvement are summarized below:

- The DPD has not employed measures to effectively administer the off-duty employment program. Effective monitoring and oversight will ensure that the program is successful and reflects positively on the City of Dallas.
- The DPD off-duty job management system does not promote efficient updating, tracking, reporting, and control. Centralizing the oversight and utilizing the Off-duty Part-time Management software will improve the program effectiveness.
- The DPD does not recover the cost to administer the off-duty program. Partial cost recovery would provide resources to fund other City programs. Processing procedures used to create; monitor, and report law enforcement activities and related transactions should be economical and efficient.
- General Orders related to administering the off-duty program are vague. General Orders establish guidelines for professional performance. Definitions and procedures should be written in clear understandable language, without any contradictions.
- With the exception of Columbus and Tulsa, Dallas allows the most off-duty hours for its officers. Dallas permits 44 hours of off-duty employment weekly. Unlike Dallas, most of the municipal law enforcement agencies surveyed centralize the off-duty employment process and allow officers to solicit their own off-duty jobs.

## **INTRODUCTION**

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### **Authorization**

We conducted a performance audit of off-duty employment administration by the Dallas Police Department (DPD). We conducted this audit under the authority of Chapter IX, Section 2 of the Dallas City Charter and in accordance with the Annual Audit Plan approved by the City Council.

### **Scope and Methodology**

We performed our audit in accordance with generally accepted government auditing standards and included tests of the records and other audit procedures that we considered necessary in the circumstances. Our audit covered October 1, 2003, through December 31, 2004, although we examined certain events and transactions occurring before and after that period.

Our objective was to determine whether officers adhere to DPD policies related to off-duty employment.

To develop an understanding of relevant control structure policies and procedures, we:

- Reviewed departmental reports, departmental policies and procedures, and 106 off-duty employment applications in five DPD divisions;
- Analyzed historic results;
- Compared data from various reports; and
- Observed operating procedures.

In addition, we contacted law enforcement agencies to ascertain their procedures relating to off-duty employment.

### **Overall Conclusion**

As a result of our inquiries and analyses, we conclude that:

- The DPD monitoring and oversight on the off-duty employment is not effective.
- The current off-duty job management system does not promote efficient updating, tracking, reporting, and control.
- The City does not recover cost to administer off-duty employment.
- Areas of the DPD General Orders relating to off-duty employment do not provide clear directions.

## INTRODUCTION

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- The result of the survey with other city police departments shows that Dallas ranks number three on the maximum off-duty hours allowed for its officers. (See Attachment One Chart 1.)

The Opportunities for Improvement section of this report address these areas in more detail.

### Background

After completing a probationary period, a Dallas Police Officer is permitted to work off-duty law enforcement related jobs. Officers are permitted to work 84 hours weekly in a combination of City and off-duty employment. This limitation does not include overtime and court time.

The below off-duty employment information for years 2001 and 2002 was obtained from an earlier inquiry. (Data for years 2003 and 2004 could not be readily provided because the DPD does not use a centralized electronic database to manage off-duty employment.) The DPD reported off-duty employment by sworn personnel for years:

|               |               |
|---------------|---------------|
| <u>2001</u>   | <u>2002</u>   |
| 648,033 hours | 632,533 hours |

The DPD GO requires that an officer submit an Application for Special Duty (a card with triple carbon copies) in order to obtain approval for off-duty employment. Two levels of supervisory approval are required at least 24 hours prior to the officer working the off-duty job. Approved cards are maintained by the officer's division commander, a pink (bottom) copy is maintained by the officer's supervisor, and a yellow (middle) copy is forwarded to the geographic division where the job is to be worked. Designated employees manually maintain monthly records of the extra job hours worked by each officer.

Officers are not permitted to work: outside of the City Limits, at sexually oriented businesses, in private investigative work, or in an establishment dispensing alcoholic beverages. However, a minimum of two officers may work in the parking area of an establishment that dispenses alcoholic beverage. The DPD does not perform criminal background checks on the off-duty employers.

There is not an established rate of pay for off-duty officers, but the customary rate is \$30 an hour. The officer may negotiate a rate with the employer. The employer pays the officer directly.

The DPD has numerous means for the public to obtain off-duty services:

- The DPD maintains a Special Operation Division in the Dallas Convention Center that coordinates logistics for special events. The division

## INTRODUCTION

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estimates the number of officers needed for the event and provides information to the event manager on how to obtain these officers.

- Venues that have recurring events, (i.e., American Airlines Center, Expanded Neighborhood Patrol, etc.), work through a DPD coordinator. The coordinator is responsible for acquiring the number of officers needed for the event(s). Coordinators usually receive extra pay for this function.
- The public may contact the division directly to request officers (this usually is for events occurring in the division). The division representative provides off-duty officers to work the event.
- Officers may have direct contact with individuals that desire and request their employment.
- The Safety/Extra Jobs Team is maintained in the DPD headquarters. The team maintains a listing of off-duty jobs that are available through their section. They post the jobs on the DPD's intranet and list them on the DPD's job hot line. Officers that are interested may contact the potential off-duty employer directly and either take the job or decline it. The potential employer is asked to contact the unit to confirm that the request for off-duty officer(s) has been filled.

Although DPD officers are restricted from working outside of the City Limits, officers from agencies outside the City Limits work law enforcement related jobs inside the City Limits of Dallas. There are numerous law enforcement agencies that are available to work off-duty law enforcement jobs in Dallas, (i.e., Dallas County Sheriff's Office, City Marshall's Office, transit officers, etc.).

The City of Dallas assumes liability for issues that may arise while off-duty officers perform law enforcement related duties.

## OPPORTUNITIES FOR IMPROVEMENT

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We identified certain policies, procedures, and practices that can be improved. Our audit was not designed or intended to be a detailed study of every relevant system, procedure, and transaction. Accordingly, the opportunities for improvement presented in this report may not be comprehensive of the areas where improvements may be needed.

### **1. The DPD monitoring and oversight on the off-duty employment is not effective.**

We interviewed DPD personnel responsible for maintaining the off-duty employment files at five DPD divisions (Traffic, Central, West, North East, and North Central) to determine whether they were following the GO. In addition, we reviewed a total of 106 off-duty employment files that were at these five DPD Divisions. Seven of these 106 files comprised applications (Long Form) for off-duty police employment at businesses where alcoholic beverages are dispensed or sold. These seven were tested to determine whether the supervisors were approving applications that indicate the type of duty, and whether the duty is permitted according to DPD GO. We noted the following:

- A. Officers are working on off-duty jobs without proper approvals.
- In 54% (57 of 106) of the files, the officers did not submit the application or obtain required approvals at least 24 hour prior to working the off-duty job. Applications for off-duty employment were often approved the same day, and in some cases, were approved after the jobs were performed.
  - In 40% (42 of 106) of the files, Police officers and sergeants worked off-duty jobs without approvals from two levels of supervision.

DPD G.O.421.03.B.1.a requires:

- Officers wishing to perform off-duty security or traffic control services will submit the application through two levels of supervision for approval at least 24 hours prior to working the off-duty job.
- If the rank of the applying officer is lieutenant or above, only one level of supervisory approval is required.
- In emergency situations, a watch commander or higher ranking officer may approve off-duty jobs with less than a 24-hour notice.

There is an increased risk that officers may work an off-duty job that violates the GO therefore increasing the City's liability risk.

- B. The review by the officer's supervisor in the chain-of-command is insufficient to provide monitoring and control of off-duty employment. The review is limited in scope, and the supervisors are not conducting the review consistently and effectively. Although the application forms indicate the dates and number of hours requested, they did not indicate the pay rate and contact person at the off-duty job site. After an application was approved by the first

## OPPORTUNITIES FOR IMPROVEMENT

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level supervisor, few higher level commanders reviewed the applications or verified employment.

- In 13% (14 of 106) of the files, the yellow (middle) copies of the applications were not sent to the local Patrol Divisions. When the copies were sent, they were not reviewed or verified by the local Division Command to determine whether the businesses and the nature of the duties were permitted by the General Orders.
- In North Central Division, the pink (bottom) copies of the application were not maintained by supervisors, but instead kept in a large drawer at the division level. Unless they maintain up-to-date logs of all approvals, the supervisors will lose track of the off-duty employment activities once the application is signed and approved.
- The Monthly Off-Duty Report system is insufficient to provide a basis for monitoring and control of off-duty employment. Off-duty job hours were indicated in the application forms; however, in 5% (5 of 106) of the files, off-duty hours were not logged into the Monthly Report, or applications had overlapping and contradictory working days and hours.

The Monthly Off-Duty Report is insufficient in other ways as indicated:

- a) The report is not standardized throughout the Department.
- b) In all five divisions, the report does not show the running total number of hours worked either by time period, or by the officer's name.
- c) In the North East Division, the report is updated after the application is approved and the work is performed. The report revision is neither reviewed nor verified by higher level command.
- d) In the Central Patrol Division and Traffic Unit, the Monthly Report is manually maintained and is more vulnerable to errors.

The current off-duty employment review system does not ensure that officers are actually performing off-duty jobs, which adhere to the GO as indicated in the application form. Additionally, the current Monthly Off-Duty Report system can not identify an officer who works over the total hour limit. Excessive off-duty work may cause fatigue and impair the officer's ability to properly perform on-duty jobs.

Because the DPD does not have a list of establishments where its officers are employed off-duty, the DPD is unable to identify in a general or statistical profile the off-duty activities of its officers. DPD does not have such data readily available for analysis. If these data were available, they would serve as a basis for analyzing the trends among officers in off-duty employment. For example, trends in data may show that officers are increasingly working in locations where establishments serve alcoholic beverages. Such a trend increases the liability risk for the City, and the DPD should at least be cognizant of such trends and be ready to take action to develop policies to curb off-duty employment that may be detrimental to the City.

## OPPORTUNITIES FOR IMPROVEMENT

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G.O. 421.03.C sets the requirements for review by the officer's chain-of-command on application for off-duty employment.

- The middle copy of the application is to be forwarded to the Division Commander where the job is located.
- The officer's supervisor is to keep the bottom copy for tracking purposes.
- Assigned sergeant or supervisors will be responsible for maintaining a monthly record of the extra job hours worked by each officer. The updates will be made prior to forwarding the card to the final review authority.

- C. DPD is not conducting monthly audits of police vehicle use during off-duty jobs. The billing system solely relies on data entered by officers or supervisors when applications are approved. Reimbursements for vehicle use may be inaccurate.

G.O. 421.03.l.e. requires divisions authorizing vehicles for off-duty jobs to perform a monthly audit and prepare a billing statement (invoice) for each employing company or homeowners association.

- D. Off-duty employment coordinators do not submit reports.

G.O. 421.03.L. requires an "Extra Job Coordinator Report" to be submitted by the officer who is the extra job coordinator and is receiving additional compensation for this responsibility.

There are certain GO criteria that apply to off-duty employment coordinators on their related responsibilities. Without this report the Division Commanders cannot ensure that proper procedures are followed and the GO is met.

- E. In two of the seven files that had application form (Long Form) for off-duty police employment at businesses where alcoholic beverages are dispensed or sold, inadequate and inconsistent information was provided. The applications did not provide the senior commander sufficient information to determine whether the job duty was appropriate and whether the special GO restrictions for jobs at this kind of business were met. The supervisors approved applications although they did not indicate the type of duty, or the function may not have been in accordance with G.O. 421.07.

G.O. 421.07 requires that when off-duty police are employed at businesses where alcoholic beverages are dispensed or sold, their job duty will be restricted to working the business' parking lot or performing traffic control for the location. Additionally, the reverse side of the application form is used to indicate whether the location has previously been approved; and if so, the approved application date. Also, the names of other officers working the same location should be included.

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To approve the Long Form based on inadequate and inconsistent information will increase the risk that an officer may violate the GO restrictions on off-duty employment at businesses where alcoholic beverages are dispensed or sold.

F. Verification process is not being applied.

The Dallas Police Department (DPD) General Orders (GO) 421.03, G.1, G.3 and G4 require Division Commanders to perform periodic verification of off-duty employment sites and complete verification forms to ensure compliance with the GO. A copy of the completed verification form is provided to the Inspection Unit. Also, the Inspection Unit is responsible for providing the Duty Commander and Division Commanders with up-to-date lists of off-duty employment locations.

The purpose of this requirement is to ensure that the officer is operating within guidelines and adhering to GO. This verification will determine whether the officer is in fact working at the stated establishment at the requested time. It ensures that officers are working in appropriate establishments and providing contact information for supervisors and higher officials in the chain of command, should an officer be needed to report for immediate police duty.

After reviewing DPD records and interviewing DPD personnel in five of the DPD's divisions, we found no evidence to substantiate that Division Commanders are conducting periodic verifications of off-duty employment. Division Commanders have not felt the need to conduct periodic verification of off-duty jobs. The Inspections Unit did not receive completed copies of the verification forms and did not follow up with Division Commanders.

The Inspections Unit does not pursue verification as to actual jobs worked and for compliance of hours or locations and has not been requested to conduct surveys. Up-to-date lists of off-duty employment locations are not provided to the Duty Commanders and Division Commanders. The Inspections Unit audits are grouped with several other reviewed topics. The "audit" is essentially a checklist of documents and files which do not substantively cover off-duty monitoring, accuracy of records, or the usefulness (i.e., performance) of monthly reports. The only two questions included, which are applicable to off-duty employment, are as follows:

- "Are files maintained on approved off-duty cards?"
- "Do supervisors maintain a monthly record of off-duty extra jobs worked by each officer within the unit?"

The Inspections Unit felt their checklist audit was adequate to satisfy the requirements of the GO.

Without an effective verification system, DPD commanders are not assuming what is in effect a supervisory role to monitor activities of subordinate officers carrying out police duties while in off-duty employment. Therefore the DPD

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## OPPORTUNITIES FOR IMPROVEMENT

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cannot ensure that off-duty jobs are taking place in only approved locations and for approved events. When officers are employed off-duty, they are employed by establishments because they are police officers. The City is potentially liable for officer negligence and other behaviors occurring in the context of their off-duty employment. The current verification system will subject the City to greater liability.

**We recommend** that the Chief of Police:

- A. Ensure that proper approval procedures are followed in each division.
- B. Standardize the Monthly Off-Duty Report system department-wide and ensure that the applications and monthly reports on Off-Duty Employment are actually reviewed by higher level command beyond the first level supervisors.
- C. Conduct monthly audits by each division on off-duty police vehicle use.
- D. Design a standardized Extra Job Coordinator Report and ensure it is submitted by off-duty employment coordinators.
- E. Ensure that Long Form applications for off-duty police employment at businesses where alcoholic beverages are dispensed or sold are properly completed and submitted according to the GO requirements. In addition, ensure that supervisor verify the information provided on the application prior to their approval.
- F. Enforce the verification and audit process specified in the General Orders. Revise the GO to define the verification intervals (i.e., monthly, etc.).

### **Management's Response:**

- A. Concur, with exceptions. The Police Department will amend the General Orders to delete the requirement of obtaining 2 levels of supervision at least 24 hours prior to working the job. The revised General Orders will specifically address the issue of late notice of off-duty employment. The amended section will require one level of supervisory review for late notice jobs with 2<sup>nd</sup> level review to follow. First level supervisors will be required to notate the circumstance requiring approval for jobs with less than 24 hour notice.
- B. Concur. The Police Department will develop and implement a standardized off-duty reporting program in the form of the Off-Duty Part Time Job Management application. The program will ensure that proper approvals are obtained and applications are reviewed by second level supervisors, when required.
- C. Concur. Each time an officer utilizes a vehicle for off-duty employment they are required to enter information into the ENP Management Tool application. This program tracks vehicle usage and provides the information necessary for the Quartermaster Unit to bill the appropriate organization. Departmental divisions will be required to review the monthly billing statement prepared by the Quartermaster Unit for accuracy and completeness.

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## OPPORTUNITIES FOR IMPROVEMENT

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- D. Do not concur. The Police Department will amend the General Orders and remove the requirement of an Extra Job Coordinator Report. The requirement to submit a memo prior to coordinating an off-duty job, and the specific information the memo must contain, will remain in the General Orders.
- E. Concur. The Police Department will take steps to ensure “long forms” are accurate and complete. Information on these forms will be verified by a supervisor.
- F. Concur, with exceptions. The Police Department will amend the General Order 421.03 G to reflect an updated policy, to be determined by Command Staff, regarding off-duty employment verification procedures.

### **2. The current off-duty job management system does not promote efficient updating, tracking, reporting, and control.**

There is no centralized control structure for approving and overseeing off-duty employment. Each division processes and maintains off-duty job approval cards and monthly time sheets according to its own internally developed procedures. Each division is responsible for monitoring and verifying off-duty employment; however, uniform procedures are not applied, and some divisions are more proficient in performing these functions. The present manual filing system cannot provide a unified centralized approach to administering off-duty employment, nor can the system generate reports to support verification.

DPD G.O. 421.03 G requires periodic verifications of off-duty employment by Division Commanders, the Duty Commander or his/her designee, and Special Services Bureau.

Although the DPD developed and tested an application titled OPD (Off-duty Part-time Job Management), the system was not put into effect. It would have replaced the manual 3-part paper system, with a browser-based system globally available for all employees to use. This system provides a centralized means for the storage of all record, documentation, approvals, and other record keeping that may be required.

With the current system, DPD could not readily provide off-duty employment data when requested for 2003 and 2004. The administration of off-duty employment is largely a manual process. Hard copies of manually written off-duty job cards are maintained by individual divisions. The manual filing system is more vulnerable to errors. Officers may be working excessive hours. The present system, due to payroll and off-duty employment system limitations, cannot show total hours worked per week. The ability to efficiently monitor and assure compliance with the DPD GO is limited. Monitoring is especially hampered in cases where officers work off-duty outside of the district which they are regularly assigned.

## OPPORTUNITIES FOR IMPROVEMENT

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**We recommend** that the Chief of Police:

- A. Centralize the approval, storage, and oversight process of the off-duty employment program.
- B. Implement the OPD (Off-duty Part-time Job Management) program.

### **Management's Response**

Concur with both recommendations. The Police Department will take steps to implement an Off-duty Part Time Job Management application.

### **3. The City does not recover cost to administer off-duty employment.**

Per General Orders, the DPD is required to monitor off-duty employment of its police officers. Off-duty DPD officers are in demand to perform law enforcement type jobs because they are trained certified peace officers. DPD officers average of 640,000 hours annually working off-duty. The City incurs the cost to equip and train officers, and maintain their certifications. In addition, the City is exposed to workers' compensation risk and other law enforcement related liabilities while the officer is working off-duty.

Cost recovery for administration of the off-duty function has not been pursued. Fewer resources are available to fund other programs. Partial cost recovery would provide resources to fund other City programs.

Processing procedures used to create; monitor, and report law enforcement activities and related transactions should be economical and efficient.

**We recommend** that the Chief of Police implement procedures to recover the cost to administer the off-duty program.

### **Management's Response:**

Do not concur. The Police Department and the City receive a benefit from officers working off-duty jobs. In many cases their presence is a crime deterrent, they complete offense and arrest reports that would have required an on-duty response and they provide an enhanced service to citizens (i.e., ENP) that could not be accomplished by on-duty personnel with current staffing levels. Additionally, since other law enforcement agency employees are permitted to work off-duty jobs in the City of Dallas, any surcharge would place Dallas Police Office at an extreme disadvantage in competing for these positions.

## OPPORTUNITIES FOR IMPROVEMENT

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### 4. DPD General Orders (GO) relating to off-duty employment need to be clarified.

- A. GO 421.01 addresses work hours. Section D defines work hours as a combination of hours worked for the City and off-duty employment, *excluding late relief overtime and court overtime*. Total work hours are limited to 84 hours per week, with no more than 60 work hours during the workweek. Using this definition, officers may exceed the 60 and 84 hour limits as follows: if the 61<sup>st</sup> hour and beyond during the workweek encompasses late relief overtime or court overtime, or if the 85<sup>th</sup> hour and beyond for the entire week encompasses late relief overtime or court overtime. Officers may be working excessive hours that can adversely affect their job performance.
- B. GO 421.03 J states that at no time will any officers solicit off-duty employment for police services from any private citizen or organization. GO 421.03 K defines coordinator, as an officer or supervisor who solicits or schedules other departmental personnel to work an off-duty job and is compensated for this responsibility. The apparent contradiction relating to solicitation of off-duty employment is confusing and does not provide adequate direction.
- C. According to G.O. 102.01.N, "... the Personnel and Development Division will be responsible to coordinating off-duty employment at city-owned facilities." This is not taking place. The division uses DPD GO 421.06 A, which states that events at City facilities, or events involving City overtime, will be treated in the same manner as any other off-duty employment for private employers.

General Orders establish guidelines for professional performance. Definitions and procedures should be written in clear understandable language, without any contradictions.

Contradictory General Orders have the tendency to be ignored because of a lack of adequate direction. Inconsistency in the GO will likely thwart officers and their supervisors in the chain of command from taking action due to the absence of clearly delineated responsibilities.

The present inconsistent, contradictory GO subject the City to greater liability because DPD officers, supervisors, coordinators, and commanders are not assuming, nor do they even know, their explicit responsibilities under the off-duty employment program.

**We recommend** that the Chief of Police:

- A. Clarify the hours officers are permitted to work in a week to include overtime and court time.

## OPPORTUNITIES FOR IMPROVEMENT

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- B. Review and update applicable areas of the GO relating to off-duty employment, coordinating off-duty employment at city-owned facilities.
- C. Clarify the unit responsible for coordination off-duty employment at City-owned facilities.

### **Management's Response:**

- A. Do Not Concur. General Order 421.01 D clearly defines the on and off-duty work hours that will be used to calculate the total number of hours officers may work in both the workweek and the calendar day. The Police Department does not concur that any clarification is needed. The exclusion of late relief and court overtime is an intended practice.
- B. Do Not Concur: Section 421.03 J and 421.03 K of the General Orders does not contain a contradiction. No officer is allowed to solicit and extra job, including a coordinator. A coordinator is allowed to solicit or schedule departmental personnel. The second part of this recommendation is covered in response C below
- C. Concur. General Order 102.01 will be amended to remove the responsibility of coordinating off-duty jobs at City owned facilities by the Personnel and Development Division. General Order 421.06 will then be the guiding policy statement regarding extra jobs at City facilities.

# OPPORTUNITIES FOR IMPROVEMENT

## Attachment One

We judgmentally selected 28 municipal law enforcement agencies to request participation with our survey.

Chart 1 reflects the results of the respondents from ten agencies, sort by maximum off-duty hours allowed:

Chart 1

| City          | Max. Off-Duty Hours          | Number of Sworn Personnel | Union? | Centralized Off-Duty Assignment? | Officer Solicit Own Off-duty Work? | Established Pay Rate? | Restricted to a designated number of officers? | City Assume Liability Risk? | Liability Cost Shared with off-duty employer? | Police Equipment Used? | Same G.O. as On Duty? | Outside Agencies Permitted to work in city limit? |
|---------------|------------------------------|---------------------------|--------|----------------------------------|------------------------------------|-----------------------|--|-----------------------------|---|------------------------|-----------------------|---|
| Columbus      | No limit                     | 1,800                     | N      | Y                                | N                                  | Y                     | Y  | Y                           | N   | Y                      | Y                     | N   |
| Tulsa         | No limit                     | 782                       | Y      | N                                | Y                                  | Y                     | N  | N                           | N/A   | Y                      | Y                     | Y   |
| Dallas        | 8/day and 44/wk <sup>1</sup> | 2,900                     | N      | N                                | N                                  | N <sup>2</sup>        | Y  | Y                           | N   | Y                      | Y                     | Y   |
| Miami-Dade    | 64 /2wks                     | 3,088                     | Y      | N                                | N                                  | Y                     | Y  | Y                           | N   | Y                      | Y                     | Y <sup>3</sup>                                    |
| Atlanta       | 50 /2wks                     | 1,617                     | Y      | Y                                | Y                                  | N                     | Y  | Y                           | N   | Y                      | Y                     | Y   |
| San Antonio   | 24/wk                        | 2,054                     | N      | Y                                | Y                                  | Y                     | N  | Y                           | N   | Y                      | Y                     | Y   |
| Austin        | 24/wk                        | 1,389                     | Y      | Y                                | N                                  | N                     | Y  | Y                           | N   | N                      | Y                     | Y <sup>4</sup>                                    |
| Fort Worth    | 20/wk                        | 1,300                     | N      | N                                | Y                                  | Y                     | Y  | N                           | N   | N                      | Y                     | Y   |
| Milwaukee     | 20/wk and 32 /2wks           | 2,000                     | Y      | Y <sup>5</sup>                   | N                                  | N/A                   | N/A  | N                           | N/A   | Y                      | Y                     | Y   |
| Oklahoma City | 30/wk and 32 /2wks           | 1,037                     | N      | N                                | Y                                  | N                     | Y  | N                           | N   | N/A                    | N/A                   | N/A   |
| St. Louis     | 8 /wk                        | 1,400                     | N      | Y                                | Y                                  | N                     | Y  | N                           | N   | Y                      | Y                     | Y   |

<sup>1</sup> The limitation is exclusive of any overtime or court time worked.

<sup>2</sup> In Dallas, the customary rate is \$30 per hour.

<sup>3</sup> In Miami-Dade, officers are required to possess a Metro Private Security License.

<sup>4</sup> In Austin, an ordinance has been passed which requires an out of town law enforcement officer to apply for and receive a permit.

## OPPORTUNITIES FOR IMPROVEMENT

With the exception of Columbus and Tulsa, Dallas allows the most off-duty hours for its officers. Dallas permits 44 hours of off-duty employment weekly.

Unlike Dallas, most agencies centralize the off-duty employment process and allow officers to solicit their own off-duty jobs.

Similar to Dallas, most agencies:

- Restrict off-duty jobs to designated number of officers;
- Assume the liability risk involved with off-duty jobs; and
- Allow the use of police equipment at off-duty jobs.

Chart 2 listed the 28 selected agencies to request participation with our survey.

Chart 2

| Municipal Law Enforcement Agency                      | Responded |
|---|-----------|
| Atlanta Police Department, Atlanta, Georgia           | Yes       |
| Austin Police Department, Austin, Texas               | Yes       |
| Columbus Police Department, Columbus, Ohio            | Yes       |
| Fort Worth Police Department, Fort Worth, Texas       | Yes       |
| Miami-Dade Police Department, Miami, Florida          | Yes       |
| Milwaukee Police Department, Wisconsin                | Yes       |
| Oklahoma City Police Department, Oklahoma             | Yes       |
| San Antonio Police Department, San Antonio, Texas     | Yes       |
| St. Louis Metro Police Department, Missouri           | Yes       |
| Tulsa Police Department, Tulsa, Oklahoma              | Yes       |
| Boston Police Department, Boston, Massachusetts       | No        |
| Chicago Police Department, Chicago, Illinois          | No        |
| Denver Police Department, Denver, Colorado            | No        |
| El Paso Police Department, El Paso, Texas             | No        |
| Houston Police Department, Houston, Texas             | No        |
| Indianapolis Police Department, Indianapolis, Indiana | No        |
| Las Vegas Metro Police Department, Nevada             | No        |
| Los Angeles Police Department, California             | No        |
| Memphis Police Department, Memphis, Tennessee         | No        |
| New Orleans Police Department, Louisiana              | No        |
| New York City Police Department, New York             | No        |
| Philadelphia Police Department, Pennsylvania          | No        |
| Phoenix Police Department, Phoenix, Arizona           | No        |
| Portland Police Department, Portland, Oregon          | No        |
| Seattle Police Department, Seattle, Washington        | No        |
| San Diego Police Department, San Diego, California    | No        |
| San Francisco Police Department, California           | No        |
| San Jose Police Department, San Jose, California      | No        |

<sup>5</sup> The Milwaukee Police Department is very restrictive with off-duty employment. All off-duty jobs are totally controlled by the City and officers are paid through the City.