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## How much should the off-duty employment of police officers be regulated?

Angela Rena Aulis

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HOW MUCH SHOULD THE OFF-DUTY EMPLOYMENT  
OF POLICE OFFICERS BE REGULATED?

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A Project  
Presented to the  
Faculty of  
California State University,  
San Bernardino

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In Partial Fulfillment  
of the Requirements for the Degree  
Masters  
of  
Public Administration

---

by  
Angela Rena Aulis

June 2004

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Angela Rena Aulis

June 2004

Approved by:

  
David Bellis, Chair, Public Administration

  
Brian Watts

6-1-04

Date

## ABSTRACT

The Rampart Scandal; Kobe Bryant's sexual assault trial; Officer Ginger Harrison poses nude for *Playboy*. These headline stories had an undeniable potential to negatively impact public perception of the law enforcement community. When examined closely, these incidents all involve the off-duty employment of police officers.

The problem presented was whether the off-duty employment of police officers should be regulated, and the extent of such regulation. The goal was to examine issues such as: the delicate balance of the agency's right to regulate off-duty employment, the officers' right to privacy, and whether or not law enforcement agencies and Human Resource Departments have different points of view than line personnel.

Various governing statutes and documents were detailed and several media sources were studied to explore the impact of off-duty employment on public perception. Two surveys were conducted during this process. A survey was distributed at the author's employing agency, the Fontana Police Department, to determine the knowledge and feelings of the participants regarding the agency's regulation of off-duty employment. A survey of agencies statewide was

conducted to determine what agencies had a policy to regulate off-duty employment. The resulting data was presented in the form of tables, graphs and written analysis.

Ultimately, the author concluded that the regulation of off-duty employment is legally required. It protects the employing agency and government entity from conflicts of interest and liability, diminishes the possibility of incidents that will negatively affect public perception and does not significantly infringe upon an officers' right to privacy.

## ACKNOWLEDGMENTS

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awareness of a networking system, which allowed for the streamlining of the survey process.

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## TABLE OF CONTENTS

ABSTRACT .....	iii
ACKNOWLEDGMENTS .....	v
LIST OF FIGURES .....	xi
CHAPTER ONE: THE PROBLEM	
Introduction .....	1
Statement of the Problem .....	2
Research Topic .....	2
Interest Developed .....	3
Research Questions .....	5
Main Question .....	5
Subsidiary Questions .....	5
Assumptions .....	6
Significance of the Study .....	6
Definition of Terms .....	7
Scope of the Study .....	7
CHAPTER TWO: REVIEW OF THE LITERATURE	
Introduction .....	9
Literature Available .....	9
Organization of the Literature Review .....	10
Literature Review .....	10
Constitutional Law .....	10
Case Law .....	13

California State Laws .....	15
California Law Enforcement Agency Policies .....	23
The City of Fontana .....	23
The Marin County Sheriff's Department .....	24
Modesto County Sheriff's Department .....	25
Police Officer Opinions .....	26
Human Resource Management Concerns .....	27
Public Perception Issues .....	28
Los Angeles Police Department Officer Poses for <i>Playboy</i> .....	29
Federal Lawsuit in Chicago .....	30
Fontana Police Officer Shoots a Man .....	31
Los Angeles Police Department Rampart Scandal .....	32
Summary .....	34

### CHAPTER THREE: RESEARCH METHODOLOGY

Description of the Research .....	36
Research Design .....	36
Off-duty Police Officer Employment Survey .....	36
Departmental Policy Survey .....	37

Selection of Subjects .....	37
Off-duty Police Officer Employment Survey .....	37
Departmental Policy Survey .....	37
Instrumentation .....	38
Off-duty Police Officer Employment Survey .....	38
Departmental Policy Survey .....	38
Data Gathering .....	39
Off-duty Police Officer Employment Survey .....	39
Departmental Policy Survey .....	40
Data Analysis .....	40
Off-duty Police Officer Employment Survey .....	40
Departmental Policy Survey .....	41
Limitations .....	41
Off-duty Police Officer Employment Survey .....	41
Departmental Policy Survey .....	42

#### CHAPTER FOUR: DATA PRESENTATION AND ANALYSIS

Presentation of Data .....	43
Off-duty Police Officer Employment Survey .....	43

Analysis of Results .....	48
Off-duty Police Officer Employment Survey .....	48
Departmental Policy Survey .....	50
CHAPTER FIVE: SUMMARY, CONCLUSIONS, AND RECOMMENDATIONS	
Summary .....	51
Conclusions .....	52
Policy Recommendations .....	55
Recommendations for Further Study .....	56
APPENDIX A: OFF-DUTY POLICE OFFICER EMPLOYMENT SURVEY .....	
APPENDIX B: SURVEY ONE TALLY SHEET .....	60
APPENDIX C: POLICY SURVEY CONTACTS .....	62
REFERENCES .....	65

LIST OF FIGURES

Figure 1.	Number of Years in Law Enforcement	.....	44
Figure 2.	Survey Results Questions 3-5	.....	46
Figure 3.	Survey Questions Ranking Results	.....	47

## CHAPTER ONE

### THE PROBLEM

#### Introduction

In recent news Troy Laster, Kobe Bryant's bodyguard and an off-duty Los Angeles Police Officer, is enmeshed in the Bryant rape case. The potential for Laster to be forced to testify in court with statements damaging to his boss's case provides an example of an area of concern for the regulation of off-duty police officer employment (hereafter "OPOE"). Governmental entities have always required public trust and cooperation in order to achieve optimal results. To foster this trust and encourage partnerships within a community, it is imperative that police agencies, in particular, maintain a positive, professional image in the eyes of the public. At the same time, an agency must strive for a positive, professional atmosphere in which its employees can thrive and perform at maximum potential.

One area that has the potential to damage both public trust and the management/employee relationship is OPOE. Struggling with the many factors involved with OPOE is not a new issue. For years, various agencies at all levels

have dealt with these problems. Many agencies find themselves trying to maintain a delicate balance between the agencies' governmental interests and the individual personal interests of their officers. This positive, professional image with the public could potentially be tarnished by even the mere appearance of impropriety by a single government employee engaged in OPOE. Conversely, a rigid refusal to allow officers to engage in off-duty employment would likely imply to employees that management does not trust officers to engage in other jobs without imposing liability on the department.

One might be quick to say that police officers have the right to privacy during their off-duty time. When considered in a different light, is it reasonable to allow a law enforcement officer to hold OPOE in areas that could compromise the integrity of the agency, or could potentially lead to a misuse of resources or conflicts of interests?

#### Statement of the Problem

#### Research Topic

The goal of this research project is to examine the issues surrounding OPOE. It explores key controversies,

which hover around the fine line between the law enforcement agency's need to regulate OPOE and off-duty police officers' right to privacy. First, this project will address whether or not law enforcement agencies have the right to regulate off-duty police officers' time, more specifically when the time spent is for OPOE. Second, this investigation will explore the privacy concerns of police officers, knowledge of the agencies' off-duty employment policies, and whether or not the policy influences the decision to hold off-duty employment. The research also provides a better understanding of whether or not law enforcement administration and Human Resource Departments have different points of view than line personnel. Business and Professions Code, Labor Code, and Human Resource Department information will also be detailed. Finally, many media sources will be examined to explore the impact of OPOE and the public's perception of several major law enforcement agencies.

#### Interest Developed

This research topic first struck the author's interest during a previous course, PA 672 Administrative Regulation, during the author's attendance at California State University, San Bernardino. During that course, the

importance of many constitutionally guaranteed rights was discussed extensively. During one of the classroom discussions, a classmate discussed what he felt was inappropriate intrusion into an officer's rights to privacy by a law enforcement agency that refused to allow off-duty employment as a security officer. This author's interest was further sparked after hearing several co-workers discuss the off-duty employment of a former female officer with the Los Angeles Police Department. The police officer was fired after posing for *Playboy* magazine partially nude with what appeared to be official police props.

OPOE is an area of interest in which the author of this research paper has no previous knowledge or expertise. It would be beneficial to research and understand the issues surrounding OPOE, as the author of this paper is a police corporal whose current employer has an OPOE policy. The research not only benefits the author in the area of OPOE, but also gives her a better understanding of whether or not law enforcement administration and Human Resource Departments have differing points of view than line personnel.

## Research Questions

### Main Question

- Should Off-duty Police Officer Employment be regulated?

### Subsidiary Questions

The research for this project is intended to allow the author to answer many questions regarding OPOE. The following questions are directly related to answering the research topic's main question:

- What is OPOE?
- Is there a difference between off-duty and special/secondary employment?
- Are areas such as worker's compensation, administrative costs, potential civil liability, and possible criminal consequences important concerns for law enforcement agencies when considering OPOE?
- Does regulating OPOE affect police officer morale?
- Does regulating OPOE violate a police officer's right to privacy ?

- If OPOE regulation is important, should all OPOE be regulated or only employment in certain fields?
- Is it true that OPOE can influence public perception?

#### Assumptions

It is assumed that this study will affirm the necessity for some form of OPOE regulation. Furthermore, it is anticipated that the research will demonstrate the need to have departmental policy to regulate such employment. Lastly, research material will be presented to support the thought that OPOE can affect public perception of a law enforcement agency.

#### Significance of the Study

This study will focus on the collection of information about a subject that may not seem applicable to the perceived function of a law enforcement agency. Nonetheless, the relevance lies in the integrity and public image of the law enforcement agency.

## Definition of Terms

- Off-duty employment: Any employment other than the officer's employment with the local agency (LLAW International, Inc. 2003, p. 2).
- Secondary employment: In most cases, this term is synonymous with off-duty employment.
- Conflict of Interest: Any off-duty employment activity that is illegal, inconsistent, incompatible, or in opposition to the duties, functions, and/or responsibilities of employment within the law enforcement agency (LLAW International, Inc., 2003, p. 2).
- Local Agency: A county, city, city and county, political subdivision, district, or municipal corporation (California Government Code, 2002, §1125).

## Scope of the Study

As previously mentioned, this may be a topic that at first glance, seems narrow in nature. However, some aspect of OPOE affects all law enforcement agencies. Integrity and a positive public image are qualities that are imperative for all law enforcement agencies to possess.

Due to fiscal crisis, lack of resources, and a desire to more efficiently and effectively provide public service, many agencies have shifted to the community oriented policing theory. This type of policing thrives on community involvement and citizen cooperation. Citizens feel more empowerment and a sense of ownership when they trust an organization and its employees to remain ethical and true to their function at all times. Agencies with tainted public images may find it harder to gain a high level of trust and community collaboration.

This study could have been extended to include any number of law enforcement agencies at various governmental levels. In order to complete the assignment in a reasonable time frame, the investigation was narrow in that the scope of the study predominantly includes information pertinent to the Fontana Police Department and that agency's OPOE issues. Despite the narrowing of the study, regulations at federal, state, and local levels had to be researched and considered when presenting the analysis of the research topic.

## CHAPTER TWO

### REVIEW OF THE LITERATURE

#### Introduction

Several different types of resources were used to complete the necessary research for this project. The literature review focuses on federal laws, California Government and Penal Codes, the policies and procedures of several California law enforcement agencies, and several media sources.

#### Literature Available

On-line articles documenting tragic or embarrassing events that involve OPOE can be found from virtually every state in the United States. Federal, state, and local policies are also relatively easy to acquire. Library or other scholastic sources on this topic are scarce. Most of what can be found on the Internet is reported through sources that cannot be confirmed by the author. The information was still found to be relevant, but the question of the accuracy of the reports was taken into consideration. The information was found to be a necessary component when deciding whether or not public perception is affected by OPOE.

## Organization of the Literature Review

The research material will be presented in the following fashion: 1) Constitutional guarantees; 2) State laws; 3) local law enforcement agencies' policies and procedures; 4) police officer opinions; 5) human resource department concerns; and 6) public perception concerns. The literature review was performed in various levels of detail. Many works were examined in their entirety, while others were scanned for relevance to the research topic.

### Literature Review

#### Constitutional Law

To begin the process of deciding what constitutional rights, if any, apply to the regulation of OPOE one must determine the highest level of controlling law for the given situation. Examining the literature available for the research topic, specific constitutional rights outlining procedures for the regulation of OPOE were obviously not found. It is not the intent of the United States Constitution, state Constitution, or court charters to address and provide a clear-cut, all-encompassing set of rules and regulations for every instance in which a local government may be called upon to react. In contrast, the

United States Constitution was intended to protect certain rights of United States citizens. These constitutional protections are generally cited by employees seeking remedy for many issues, which may arise from OPOE (B. Watts, class lecture, 2002).

The United States Constitution Amendment V (1791) states in part, "No person shall be deprived of life, liberty, or property without due process of law." The Fifth Amendment is applicable to all three branches of the federal government, including federal administrative agencies. The Due Process Clause of the Fourteenth Amendment (1868) makes the same issues applicable to all the states. This Amendment applies not only to the states, but also all political subdivisions such as counties, cities, towns, and special districts. The Fourteenth Amendment states in part, "Nor shall any state deprive any person of life, liberty, or property without due process of law." There is no exact definition of due process, but a definition based on fundamental fairness would lend to a better understanding of the process. The Fourteenth Amendment offers a measure of protection to most government employees that is not afforded to the private or non-profit sectors (Watts, 2002, p. 1). This is due to the fact that

the 14<sup>th</sup> Amendment applies to state and local governmental organizations while the 5<sup>th</sup> Amendment provides protection at the federal level. In essence, the 14<sup>th</sup> Amendment provides protection from violations committed by local and state governments. (Watts, personal communications, March 10, 2004). All government agencies that wish to terminate an employee or impose serious punishments on tenured employees must provide the employee with a hearing in compliance with the Due Process Clause of the Fourteenth Amendment. Similarly there is also a federal guarantee of such protection under the 5<sup>th</sup> Amendment. (Watts, 2002, p. 1).

This is not to say that these Amendments regulate all governmental actions. The Amendments only attach or are applied when an employee suffers a deprivation of life, liberty, or property. The very definitions of liberty and property are also wide open for interpretation. A property interest, in most cases, occurs when persons clearly have more than an abstract need or desire for the benefit in which they wish to stake claims. The term legitimate entitlement is used to determine whether or not the employee would have more than a unilateral expectation of the property in question. Liberty issues are far more than just freedom from bodily restraint (Watts, 2002, p. 9).

Through case law (*Meyer v. Nebraska*), liberty issues have been extended to being engaged in any of the common occupations in life, to acquire useful knowledge, to marry, establish a home, have children, and practice a religion of one's choice. It is easy to see how an officer who felt he or she was wrongfully terminated for reasons relative to OPOE would claim he or she was denied a legitimate entitlement to the monies gained from secondary employment and the liberty of being engaged in a common occupation in life. The officer would more than likely use the Due Process Clause of the Fourteenth Amendment to frame his/her case for an appeal of the agency's decision to terminate. Undoubtedly, officers would argue that their losses were based on a deprivation of a due process hearing within a meaningful time and manner.

#### Case Law

Many examples of case law dealing with OPOE were located. In *Howard County Police Officers Association, Inc. v. Howard County*, 728 A.2d 795 (Md. App. 1999), a Maryland police officer lost his case when he appealed his chief's decision to terminate him based on non-compliance with his agency's OPOE rules. The Court of Appeals in Maryland upheld the chief's decision finding that the

decision was clearly within the chief's scope of authority and that all due process requirements were afforded the officer prior to the termination of his employment based on his off-duty employment conduct.

In the case of the Fraternal Order of Police, *Montgomery County Lodge No. 35 v. Merhling*, 680 A.2d 1052 (Md. 1996), the Maryland Court of Appeals found in favor of an officer who was given a three month suspension for engaging in unreported OPOE as a security officer. Although the termination complied with the State's Law Enforcement Officers Bill of Rights, the Court of Appeals held that the chief lacked the authority to prohibit the officer from secondary employment and that the agency did not have properly approved procedures or policies regarding the regulation of off-duty employment.

Citing the First Amendment right to freedom of speech, and the Second Amendment rights to bear arms and due process of equal protection, a North Carolina police officer lost his case when he claimed that he was suspended from his peace officer position and denied the right to hold a job as a teacher of firearms safety. The North Carolina Court of Appeals found in favor of the agency based on the facts that the agency had a policy that fell

within the guidelines of the State of North Carolina and that the agency followed the policy when it exercised the suspension and denial of the officer's employment.

In a more local case decision, *L.B.P.O.A. v. City of Long Beach* 46 Cal.3d 736 (1988), a court cited California Government Code §1126 (hereafter C.G.C. §1126) when it rendered its opinion. The Court of Appeals found that C.G.C. §1126, which prohibits officers from engaging in off-duty employment that conflicts with their job activities, was not intended to limit a local agency's power to impose its own restrictions not specifically delineated in the statute. The Court stated that this section was not intended to exhaust the types of off-duty activities that may be subject to local agency control, but merely to illustrate the types of activities, which could be prohibited (Mayer, 2001, p. 142).

#### California State Laws

Under C.G.C. §1126, an employee shall not engage in any employment, activity, or enterprise for compensation, which is inconsistent, incompatible, in conflict with, or inimical to his or her duties as a local agency officer or employee or with the duties, functions, or responsibilities of his or her appointing power of the agency by which he or

she is employed. It further states that an employee's outside employment, activity, or enterprise may be prohibited if it:

- Involves the use for private gain or advantage of his or her local agency time, facilities, equipment and supplies; or the badge, uniform, prestige, or influence of his or her local agency or office of employment or,
- Involves receipt or acceptance by the officer or employee of any money or other consideration from anyone other than his or her local agency for the performance of an act which the officer or employee, if not performing such act, would be required or expected to render in the regular course or hours of his or her local agency employment or as a part of his or her duties as a local agency for the performance of an act which the officer or employee, if not performing such act, would be required or expected to render in the regular course or hours of his or her local agency employment or as a part of his duties as a local agency officer or employee or,

- Involves the performance of an act in other than his or her capacity as a local agency officer and which act may later be subject directly or indirectly to the control, inspection, review, audit, or enforcement of any other officer or employee or the agency by which he or she is employed, or,
- Involves the time demands as would render performance of his or her duties as a local agency officer or employee less efficient.

C.G.C. §1126 states that each local agency shall adopt rules governing the application of this Government Code section. It also says that this set of rules must include provisions for notice to employees of the determination of prohibited activities, of disciplinary action to be taken against the employees for engaging in prohibited activities, and for appeal by employees from such a determination and from its application to an employee. The section also includes the purpose of the application of this Government Code section. Its purpose is to determine what outside activities of employees are inconsistent with,

incompatible with, or in conflict with their duties as local agency officers. (California Government Code, 2003, §1126-1129).

California Penal Code §70 addresses the question of who may be liable for an off-duty police officer's action when employed as a private security guard. Penal Code §70, subdivision (d), does not prohibit a peace officer of a local agency from engaging in off-duty employment as a private security guard or patrolman if the peace officer will be working in civilian clothes or in the uniform of the private employer. However, the peace officer that accepts OPOE in such a position must act only as a private person and not as a public officer or in an official capacity. This section specifically states that the local public agency is not liable for the actions of peace officers when they are engaged in such off-duty private employment in civilian clothes or in the uniform of private employers (California Penal Code, 2003, §70).

The concerns not addressed in this section are whether or not a peace officer would be covered by the local public agency if the officer takes police action when in an off-duty capacity. California Penal Code Section 830.1 gives specified law enforcement officers "peace officer"

authority anywhere in the State only as it relates to a public offense committed, or where there is probable cause to believe that an offense has been committed in his/her presence, and with respect to which there is immediate danger to a person or property, or the escape of the perpetrator of the offense (California Penal Code, 2003, §830.1). This section leaves a definite gray area where an off-duty officer can take police action outside the employer's jurisdiction. Although the section gives a peace officer the authority to act anywhere in the State, exercising this authority does not ensure liability coverage throughout California. In many cases, the public entity will not be required to provide a defense or pay damages for an officer who engages in police activity while off-duty. This creates an obvious concern when the agency is called upon to approve an application for employment. The need for the government entity to carefully scrutinize the facts of each application for OPOE is obvious. Conflicts of interest or positions, which carry a high likelihood that police officer powers will have to be exercised, can create enormous liability concerns for local public agencies nationwide.

California Business and Professions Code Section 7520 states that no person shall engage in a business regulated by this chapter; act or assume to act as, or represent himself or herself to be, a licensee unless he or she is licensed under this chapter; and no person shall falsely represent that he or she is employed by a licensee. This section does not directly relate to OPOE, but provides some background when trying to understand the application of Business and Professions Code 7522. This section states that a peace officer of this State or political subdivision thereof while the peace officer is employed by a private employer to engage in off-duty employment must also act in accordance with the above Government Code. Any violation of Business and Professions Code 7520 is an infraction, punishable by a fine of \$1000.00. In essence, this section applies only to off-duty police officers seeking employment as a private investigator or any other related position which requires a license. Nonetheless, this information is necessary to couch the regulation of the wide variety of situations in which an off-duty officer may seek employment (Business and Professions Code, 2002, §7520-7522).

Under California Government Code Section 50921, when police officers are injured, disabled, or die while

technically off-duty, but acting within the scope of his/her official on-duty position, the officers or their survivors shall be accorded by their employers all of the same benefits, including all of the benefits of the Worker's Compensation Law, whether or not they were acting under the immediate direction of his or her supervisors. More specifically related to OPOE not involving the scope of official duties, California Government Code §50922 states that the previously mentioned section does not apply to police officers acting for compensation for one other than the city, county, or city and county of his or her primary employment (California Government Code, 2002, §50922).

Under California Labor Code Section 3600.2, Government Code Section 50921 is reiterated and the same verbiage is simply written under a different code. Labor Code Section 4850 is an important section as it relates to continued pay upon injury in the scope of a police officer's official duties. In part, this section says that whenever any persons who are members of the Public Employees' Retirement System or the Los Angeles City Employees' Retirement System or subject to the County Employees Retirement Law of 1937, are disabled, whether temporarily or permanently, by injury

or illness arising out of and in the course of their duties, they shall become entitled, regardless of their period of service with the city, county, or district, to a leave of absence while so disabled without loss of salary in lieu of temporary disability payments or maintenance allowance payments, if any, which would be payable under this chapter, for the period of the disability, but not exceeding one year, or until that earlier date as they are retired on permanent disability pension, and are actually receiving disability pension payments, or advanced disability pension payments pursuant to Labor Code Section 4950.3. This section applies to many classifications of employees, which includes city police officers and officers or employees of any sheriff's offices. It specifically applies to all police officers under Penal Code Section 830.1 who are employed on a regular, full-time basis by a city, county or state law enforcement agency. Again, the point is that there is a fine line between off-duty conduct which would be classified as being within the scope of official duties within a law enforcement officer's official position (California Labor Code Section 3600.2).

## California Law Enforcement Agency Policies

All of the policies received were read and compared during the research process. The three policies below were chosen in the order in which they were received and were found to be representative of the other policies received. Their similarities and differences are presented below.

The City of Fontana. The City of Fontana Police Department in compliance with Government Code §1126-1129 has developed General Order 1-225, which addresses outside employment. This policy defines outside employment as any work undertaken by an employee of that Department while in an "off-duty" status for which there is some type of compensation and said employment is not connected with the City of Fontana.

The policy also lays out that the primary responsibilities for all employees seeking off-duty employment at all times falls to the department for which the employees work. The outside employment policy for the Fontana Police Department officers has several restrictions. These restrictions as well as other provisions in this policy are in compliance with the standards set by Government Code §1126. The policy contains an application process, disciplinary possibilities

Supervisors Policy dated 11/10/64 effective 1/1/65 (Marin County Sheriff's Department, 2003, GO-02-16).

Modesto County Sheriff's Department. Modesto County Sheriff's Department is currently in the process of reviewing and revising their off-duty employment policy. This policy is written much like the previous two policies, but also contains a section, which lists specific employment that is prohibited by the department. Some of the prohibited employment areas are notary public, private detective, bill collector, reposessor, and counselor at law. The policy is taken a step further in that it also limits the officers from participating in, either directly or indirectly, as a principal agent or employee of the following: any tow car, motor vehicle wrecker, ambulance service, or taxicab service, any establishment where the sale of liquor is the principal business, any concern with its principal business being that of commercial vehicle operation, any employment for private enterprises, whether corporate conglomerate, partnership, or individually owned or managed, where the service rendered is one of watchman, guard, or private patrolman, and any employment with another law enforcement agency, custodial, corrective, or investigative agency, or any other type of employment

requiring the use of the powers of a peace officer. The policy sections provided did not have information about the application process for employment, the appeals process, or a liability section (Modesto Sheriff's Department, 1991, G.O. 030.20-030.30).

### Police Officer Opinions

During a recent public administration course at California State University San Bernardino, the author spoke to many officers from several different law enforcement agencies, the author found that although all felt off-duty employment should be regulated, none were aware of any governmental mandates requiring local agencies to regulate such employment. All of the officers felt that that some form of regulation was required, but none could indicate what parameters should be established by agencies when regulating off-duty employment. One of the officers felt that an agency can over regulate OPOE. The officer stated that he is aware of his agency denying employment to an officer who wanted to sell Mary Kay. When asked to clarify, the officer stated that the officer requesting OPOE was very new and still on probation. The officer interviewed was not certain if the agency provided a reason for the denial of OPOE (confidential officer, personal

communications, February 2003). While conducting follow up interviews for the surveys at the Fontana Police Department, one of the participants stated that he strongly disagreed with an agency regulating OPOE. He stated he felt that even the slightest amount of regulation was an invasion of an officer's privacy. The officer did not have any examples of this type of invasion of privacy, but felt strongly on this issue, despite the author's repeated attempts to acquire additional information. The officer felt that an employee's conduct off-duty is none of the agency's business. He further felt that the incidents causing concern will exist despite OPOE regulation (confidential officer, personal communication, February 16, 2004).

#### Human Resource Management Concerns

During an interview with the Risk Management section of the Fontana Police Department, the author found that the concerns for off-duty employment are not as complicated as she first believed. The main concern that was spoken of is the possibility of fraudulent worker's compensation claims that may have been reported to have occurred on-duty when in actuality the injury occurred during off-duty employment activities. The City is not required to carry any

insurance policies or binders concerning OPOE so there are no additional fiscal concerns. The only other concern brought up was that if the officer is on injured status and has restrictions for his or her primary job the City would need to make it clear to the officer that the same restrictions would apply to his or her off-duty employment position. This also means that if an officer is ultimately injured and completely placed on injured on duty status the officer cannot work the off-duty employment (L. Johnson, personal communications, July 2003).

#### Public Perception Issues

The option of not regulating the OPOE leads to several potential civil and criminal issues. The officers can use their law enforcement training or equipment for the benefit of another employer; there is the potential for misconduct or behavior which can impose liability on the law enforcement agency; and there is a likelihood, especially through the media, that any such actions would bring into question the integrity of the employing agency. Any of these instances will damage a law enforcement agency's public trust and potentially cripple any attempts to increase public involvement with the agency. With the current trend toward community policing, agencies thriving

on collaborative efforts and partnerships with citizens and businesses, the aspect of public trust may even be a concern that parallels that of civil or criminal liability concerns. A police agency cannot effectively and efficiently perform without the support, cooperation, and trust of its citizens, as well as, the community's formal and informal leaders. It is evident now more than ever that the off-duty actions of a police officer can dramatically change public perception of a whole agency. Taking this a step further, one officer's actions can drastically change the public perception for all law enforcement agencies nationwide.

Los Angeles Police Department Officer Poses for Playboy. One example of an officer's unregulated, off-duty employment involving a moral issue, as opposed to a legal one, involved the female Los Angeles Police Department Officer (hereafter LAPD), Ginger Harrison, who posed nude for *Playboy* magazine. While some people might not find this fact alone relevant to her law enforcement career, Harrison made the incident more complex by allowing herself to be identified as a police officer in the six-page pictorial and utilizing props related to her employment in the photographs. Although LAPD Captain Kenneth Garner

laughed out loud when being interviewed, the LAPD viewed it as anything but a laughing matter (Pierson, 2001). It is widely speculated within the law enforcement community that Harrison was terminated for misconduct involving moral turpitude, however this cannot be confirmed due to the confidentiality of police officers' personnel files, as established in the California State Evidence Code. *The Los Angeles Times* article cited above received a windfall of responses from its readers. One reader wrote to the editor stating, "As if the LAPD did not have enough on its mind. Allowing officers, male or female, to pose nude in any publication is beyond absurd. The emperor's new police force this is not." ("Policewoman caught," 2001). The impact on public perception can be summed up in just this one article to the *Los Angeles Times*.

Federal Lawsuit in Chicago. In Chicago, Illinois in December 2002, a teenage girl and her family filed a federal lawsuit against an off-duty Village of Horton, Illinois police officer after a fight in a hallway at the Thornton Township High School. The off-duty police officer worked for the school district as a campus security guard. In the federal lawsuit the plaintiff and her family sued the police officer, school district, and the Village of

Horton Police Department as a result of the police officers actions during a campus disturbance. Although the officer was cited as having a clean 25-year record as an on-duty police officer, his off-duty actions brought into questions his integrity, competence, and use of force judgment. This incident and lawsuit are not only damaging to the officer, but to the school district, law enforcement agency, and community as well ("Sergeant sued," 2002).

Fontana Police Officer Shoots a Man. On September 25, 2003, an off-duty Fontana Police Officer was working as an armed security guard at the San Bernardino Carousel Mall. During the course of his security duties, he came across two armed robbery suspects. When he confronted the suspects, a foot pursuit ensued. At the end of the foot pursuit, there was a scuffle between one of the suspects and the officer. The suspect was subsequently shot by the officer in the buttocks and sustained non-life-threatening injuries (Berry, 2003, p. A-2). The officer was also injured during the fight causing Worker's Compensation concerns to surface. At the time of this incident, the Fontana Police Department was not aware that the officer was working a second job. In addition, the weapon used in the shooting was a department issued weapon that the

officer carried on-duty. Although the shooting was completely justified and a very dangerous, armed felon was taken off of the streets of San Bernardino, the officer was disciplined for violating the Fontana Police Department's policy on off-duty employment. The officer was aware of the policy, but admittedly not within the policy. The officer said he was not aware of the concerns regarding the use of his duty weapon in an off-duty capacity (B. Keyner, personal communications, February 27, 2004).

Los Angeles Police Department Rampart Scandal. The most glaring example of unregulated, off-duty employment is found within the LAPD's well-publicized Rampart scandal. Several officers, Rafael Perez, David Mack and Christopher Gaines, to name a few, were employed by the LAPD in the Rampart Division's elite anti-gang unit, known as CRASH (Community Resources Against Street Hoodlums). Unbeknownst to the agency, these and other officers were Piru gang members prior to being employed as officers. This gang affiliation, led to several officers providing off-duty security for childhood friend and convicted felon Marion "Sug" Knight and his record label, Death Row Records. As part of this security work, the officers were allegedly

involved in many criminal enterprises. Among these, they allegedly took part in trafficking and selling narcotics, intimidation, extortion, assaults and armed robbery. The officers utilized their department issued radios to monitor potential police responses to criminal activities and shared their tactical training with their crime partners so they could plan for potential officer responses. Most alarming of all, considerable circumstantial evidence exists linking at least one officer, David Mack, to the murder of a well known rapper, Christopher Wallace AKA "Biggie Smalls" or "Notorious B I G". Whether or not any of the officers were actually involved in the murder is still a point of contention and the full extent of their involvement in criminal activity is not known, but what is clear is that these off-duty activities certainly were not endorsed or approved by the department. Although these activities were unrelated to their employment as police officers, the criminal conduct carried over into their sworn duties, where they would steal narcotics, shakedown criminals for money or drugs, frame innocent parties, engage in acts of abuse, and falsify police reports ("Rampart Scandal," 2001).

The dramatic fallout completely undermined public trust in the entire LAPD, even though only a handful of officers were involved. The distrust carried over into other agencies, as a large segment of the population began to stereotype all officers as lacking morals and integrity. The effect on the LAPD was so devastating that it led to a court consent decree that turned over administration of the department to the Federal Department of Justice. This graphically demonstrates how the actions of a few officers can dramatically impact not only their own agency, but the law enforcement community as a whole; and it provides the strongest argument for allowing agencies to regulate off-duty employment of its officers.

#### Summary

Review of the literature conducted by the author of this paper suggests the following:

- There are Federal and State Constitutional amendments, which are applicable to the regulation of OPOE.
- There are state mandates, which require local agencies to have a policy regulating OPOE.

- Case law decisions on both the state and federal levels support regulation of OPOE when there are policies in place to support such regulation.
- Many law enforcement agencies have policies in compliance with the state mandates.
- No written literature could be gathered to support claims that privacy infringements or negative effects of police officer morale outweigh governmental interests and needs for regulation.
- There are legitimate human resources issues and concerns when dealing with the off-duty employment of police officers.
- There are legitimate public perception concerns revolving around OPOE. These perceptions are molded and fueled by media coverage and can completely undermine the necessary public trust foundation of any law enforcement agency. Furthermore, the research supports the concern that one officer's tarnished image due OPOE can drastically affect not only his agency, but the overall perception and trust toward law enforcement in general.

## CHAPTER THREE

### RESEARCH METHODOLOGY

#### Description of the Research

This was a one-shot problem-solving case study. It was a one-time look at an existing problem, for which further recommendations, study and analysis will be made. The research problem being discussed was whether or not OPOE should be regulated and to what extent such regulation should be allowed.

#### Research Design

In order to evaluate whether or not there was a need to regulate OPOE, it was important to obtain information at all levels of government. It was equally important to obtain information about the practices, policies, and procedures of many law enforcement agencies within the State of California.

#### Off-duty Police Officer Employment Survey

The first survey that the author designed was geared toward investigating basic information regarding police officers' perceptions on OPOE. This survey was titled "Off-Duty Police Officer Employment Survey." It was limited to six questions so as not to be cumbersome to the

participant, while still providing the information necessary to complete this project.

#### Departmental Policy Survey

A second survey was conducted to determine whether or not local law enforcement agencies have policies regarding off-duty employment. This survey was titled "Departmental Policy Survey"

#### Selection of Subjects

#### Off-duty Police Officer Employment Survey

Regarding the first survey, the sample population for this study was narrowed to include only those officers employed by the City of Fontana. The sample population included officers at various ranks and assignments within the Police Department. Although every officer at every rank did not participate in this survey, a handpicked group of co-workers was selected to ensure a good cross-section of both experience and assignment within the Department.

#### Departmental Policy Survey

Regarding the second survey, the sample population to be used was selected by the author to represent a balance of agencies from all over the State of California. The names of all law enforcement agencies in California were

retrieved from the Fontana Police Department Administrative Division Secretary, Janette Moore.

## Instrumentation

### Off-duty Police Officer Employment Survey

For this study, the first survey examined a cross-section of police officers at the Fontana Police Department. No pre-surveys or field tests were conducted. A copy of the survey was attached as Appendix A. The survey was designed to include two yes/no questions, three Likert scale questions, and one ranking question. The author chose this type of questionnaire to receive a better understanding of the City of Fontana Police Officers' opinions on off-duty employment regulation, the infringement of privacy, and regulation effects on police officer morale. The ranking question was asked to determine how officers at various ranks and experience viewed the importance of the several issues raised while researching this topic.

### Departmental Policy Survey

The second survey was one question asked over the phone to determine what California Law Enforcement Agencies have OPOE policies. During the administering of this

survey, if a policy was found to be in existence, the author asked for a copy of that agency's OPOE policy. The policies were then compared to determine if any procedural recommendations could be made at the conclusion of this study. The survey was also used to determine if there are any procedural differences among the sample of law enforcement agencies surveyed

### Data Gathering

#### Off-duty Police Officer Employment Survey

The first survey was in-house and hand delivered to division supervisors or given directly to co-workers. Most of the surveying took place during patrol briefings, but some of the interviews were done on a one-on-one basis by the author to allow for the possible collection of additional pertinent information. Although material incentives were not offered for this survey, participants were offered confidentiality and a copy of the results of the survey upon request. The only identifying factors requested on the survey were the number of years in law enforcement and the rank of the participant. The author felt this information was necessary when analyzing the survey findings. This information helped the author decide

if there was a different mindset that can be related to an officer's level of experience and rank.

#### Departmental Policy Survey

The second survey was initially conducted over the phone with a few California law enforcement agencies. It was the goal of this survey to maintain a representative sample of all law enforcement agencies across the State of California. Upon making the fourth call, which was to the Buena Park Police Department, the author was informed by Captain Mike Schwartz that Fremont Police Chief Craig Steckler maintained an e-mail database for all California law enforcement agencies. After an e-mail request was sent to Chief Steckler, a state wide survey request was made by him via e-mail. All further survey responses were via fax or e-mail.

#### Data Analysis

#### Off-duty Police Officer Employment Survey

In the first survey, the data was analyzed statistically based on the fact that the survey questions were yes/no, Likert scale, and ranking in nature. The Likert scale was used on three of the questions so that the

author could better determine the relative intensity of the different issues involved with these questions.

#### Departmental Policy Survey

In the second survey, I simply relied on a counting and tallying system for the yes/no responses. Although this survey was very simplistic in nature, It was anticipated that the desired conclusion could be drawn from such a survey.

#### Limitations

#### Off-duty Police Officer Employment Survey

The first survey in this research process was designed to be narrow and only address the police officers employed by the City of Fontana. This may be viewed as a limitation or create an impression or misrepresentation of a true sample when answering the main question for this research paper.

The author also anticipated some fear of being truthful by those completing this survey questionnaire. Based on previous experiences while conducting surveys, it is not unusual for police officers to be suspicious of the true purpose of a survey. The author anticipated that the officers may be equally suspicious about the sections

requiring the number of years in law enforcement and the rank of the participant. Officers may feel this information will be used to identify them and then negatively used against them at some later point. My being a fellow officer tended to allay such fears.

#### Departmental Policy Survey

Originally, the author felt that finding a way to generate enough contact with outside agencies to provide a copy of their current policy and procedures may be difficult. This is based on the initial time consuming requests and lack of initial agency response. Upon receiving the policy and procedures for 36 California law enforcement agencies, the difficult task was reviewing each very lengthy policy for comparison and recommendations for improvement. Therefore, the survey continued to focus on whether or not the agencies have OPOE policies.

## CHAPTER FOUR

### DATA PRESENTATION AND ANALYSIS

#### Presentation of Data

##### Off-duty Police Officer Employment Survey

The first survey was administered to 60 officers at various ranks within the Fontana Police Department. Of the 60 surveys, which were given to unit supervisors and delivered personally by the author, 60 (100%) were returned. Survey respondents were asked to write their number of years in law enforcement. The results were as follows: 14 respondents had 1-5 years of experience, 11 respondents had 6-10 years experience, 12 respondents had 11-15 years experience, 10 respondents had 16-20 years experience, 8 respondents had 21-25 years experience, and 5 respondents had over 26 years of law enforcement experience. The average amount of law enforcement experience for the officers involved in this survey was 13.4 years with 62% of all officers having 15 years or less and 38% of all officers having 16 years or more of law enforcement experience. (See Figure 1)

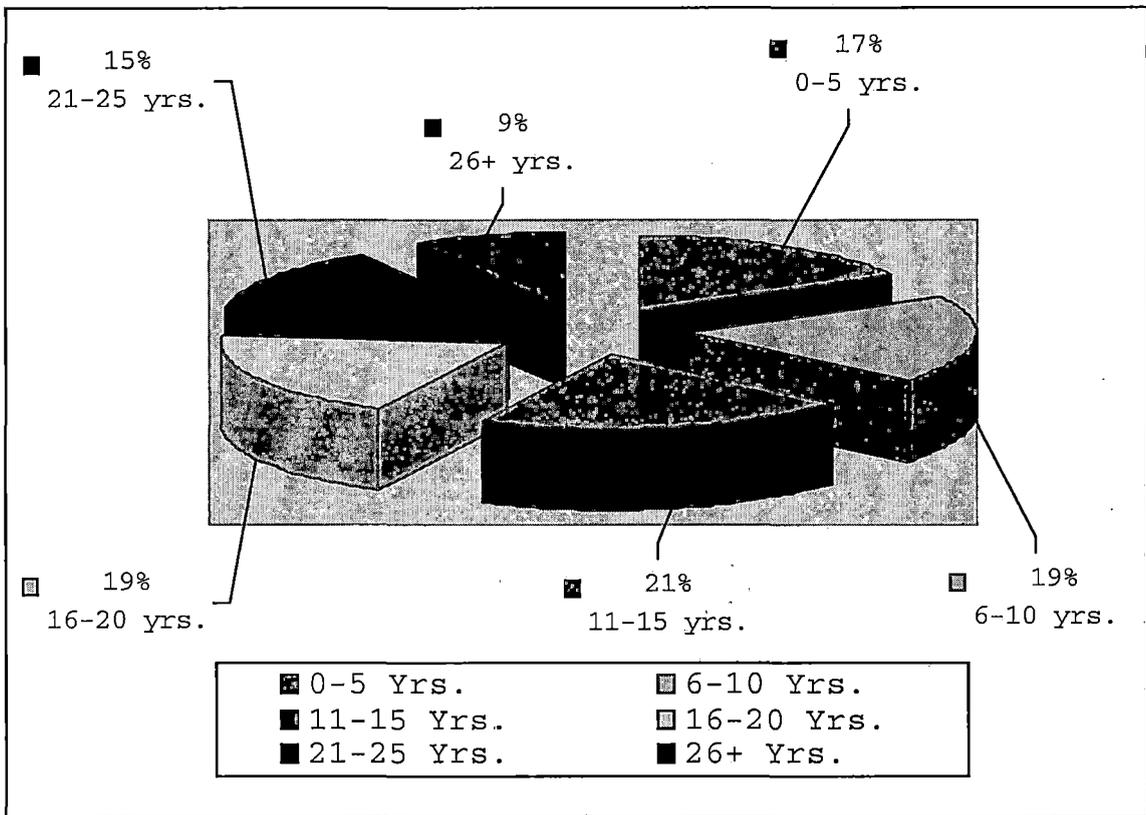


Figure 1. Number of Years in Law Enforcement

The findings of the first survey are summarized below, and are listed in the same order as the questions in the survey.

- When asked if the Fontana Police Department has a policy regarding OPOE, 60 out of 60 officers selected yes for a 100% accuracy rate.
- Respondents were asked if they were ever denied off-duty employment by the Fontana Police Department. Of those surveyed, none have ever been denied OPOE

by the City of Fontana Police Department. One officer told the author he was initially denied OPOE by the City of Fontana Police Department, but was later allowed to pursue the same OPOE. The officer stated that he was asked to provide additional information about his OPOE to clarify a conflict or interest concern. Once the secondary information was provided, OPOE was granted.

- When asked if OPOE should be regulated, 49 out of 60 officers answered in the affirmative. (See Figure 2)
- Officers were also asked if they strongly agree, agree, disagree, or strongly disagree that the regulation of OPOE is an infringement of privacy. The category with the most selections was "disagree" with 80% of all responses. (See Figure 2)
- Officers were asked to rank, on a Likert scale, their feelings on whether or not the regulation of off-duty employment affects police officer morale. A total of 42 officers or 70% of all respondents "disagreed" with this question. (See Figure 2)

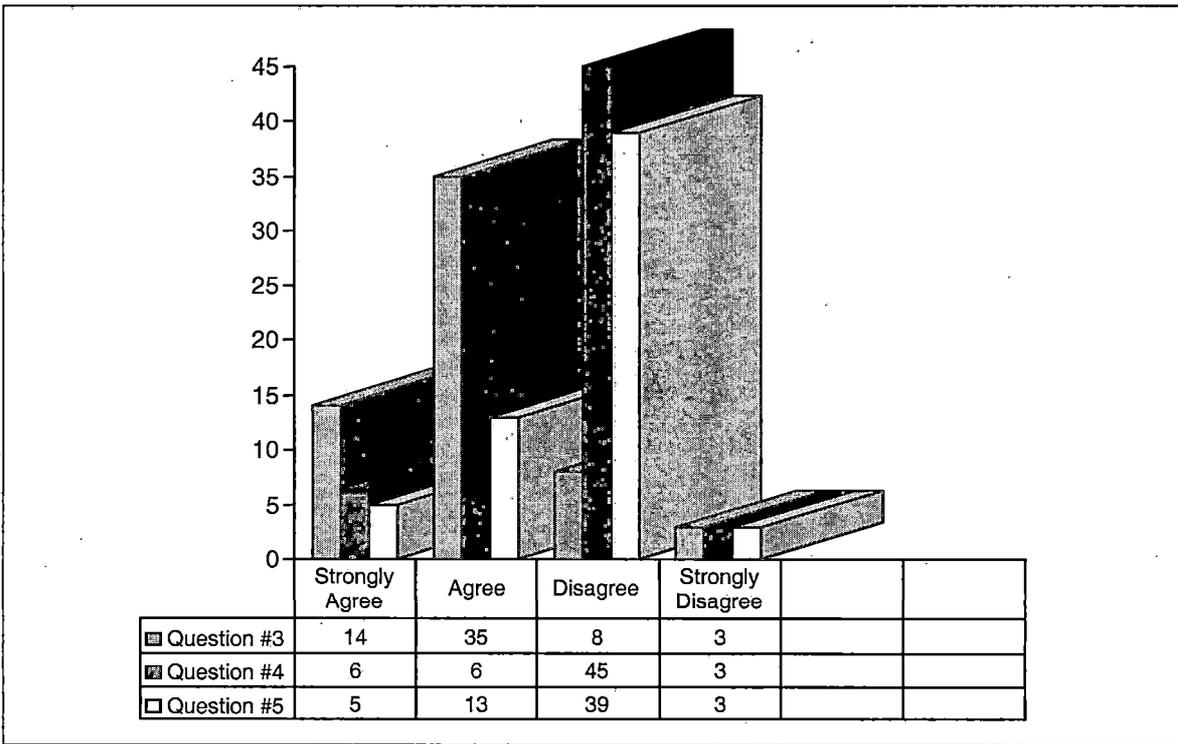


Figure 2. Survey Results Questions 3-5

- Lastly, officers were asked to rank in order of importance the following items: Public image, police officer privacy issues, possibility of criminal prosecution, possibility of civil liability, and police officer morale concerns. The findings are displayed in Figure 3.

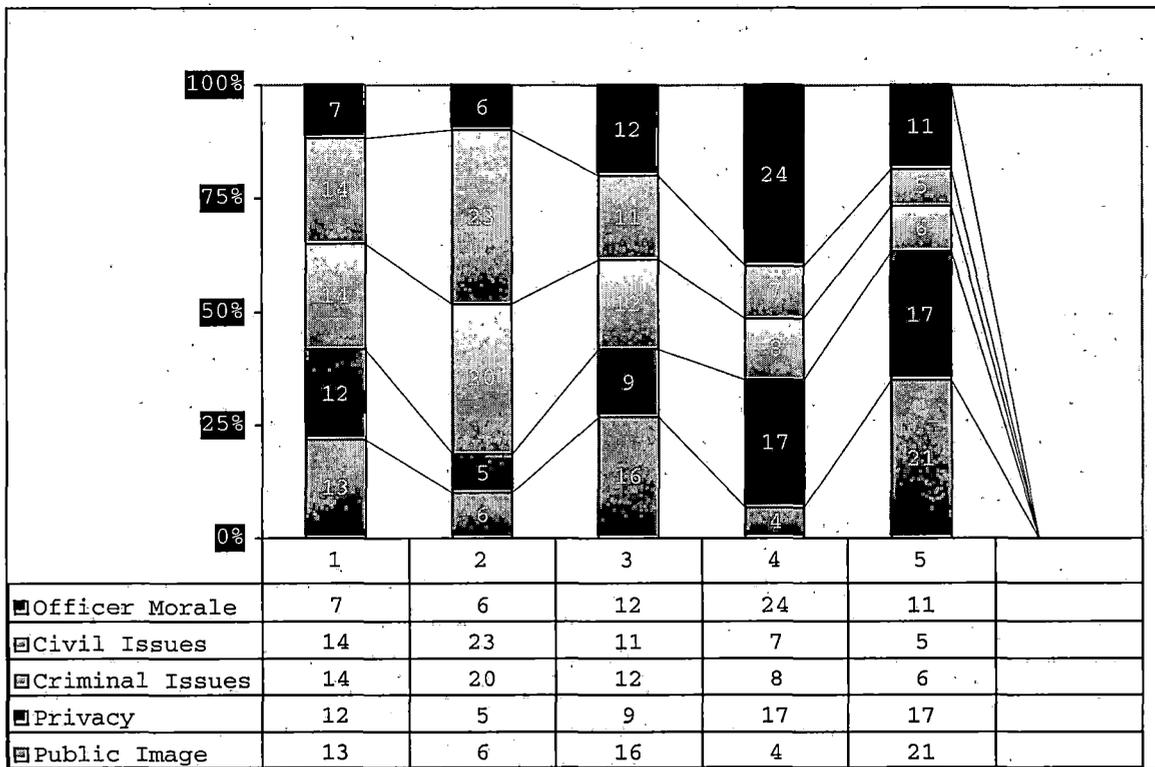


Figure 3. Survey Questions Ranking Results

The findings of the second survey were that over 300 agencies were contacted via e-mail. Of the agencies contacted, 56 agencies provided a response. Of the 56 who responded 56 or 100% had policies regarding OPOE. Of those agencies responding, 35 provided the author with copies of their OPOE policy.

## Analysis of Results

### Off-duty Police Officer Employment Survey

The first survey was designed to help the author answer many questions about police officers' personal opinions and feelings on the regulation of OPOE. The survey results more specifically were used to answer the author's main question, "Should OPOE be regulated?" Below is an analysis of each survey question and directly relates to the survey findings presented in the previous section labeled presentation of data.

- The overwhelming response of the officers on this question suggests that either they are well aware of the existence of the policy or that in the absence of this knowledge; the officers have the common sense to presume that such a policy exists.
- The initial purpose of this question was to determine if those denied OPOE had different views and opinions on the survey questions. Since none of the respondents were ever denied OPOE, the results of this question were ultimately not an issue.
- From the survey results and interview with officers, most officers felt that some form of regulation was

necessary. Despite the differences among the other survey questions, this was an area where consensus was obvious.

- As a result of the survey it was discovered that infringement of privacy is not apparently a major concern for the police officers surveyed. The author found this 80% disagreement finding shocking. It was anticipated that officers would consider regulation of OPOE an infringement of privacy.
- Only 30% of all officers surveyed felt that OPOE affects police officer morale. This percentage was not surprising as none of the officers surveyed have been denied employment. The author believes this percentage would have been higher if officer had been denied OPOE. This is based on the personal knowledge that many officers depend on secondary employment to support a single income family.
- The results of the ranking items were of great interest, but there was no distinguishable pattern to these results. It was anticipated that rank and law enforcement experience would affect these

results. The answers were so sporadic that no pattern could be distinguished.

#### Departmental Policy Survey

The results for the second survey were analyzed and suggested that California law enforcement agencies were aware of the State mandates which require them to regulate the OPOE. All of the law enforcement agencies were found to be in compliance with C.G.C. §1126, which requires regulation through written policy.

## CHAPTER FIVE

### SUMMARY, CONCLUSIONS, AND RECOMMENDATIONS

#### Summary

The author of this research paper set out to answer the question: "Should the off-duty employment of police officers be regulated?" The evolution of this research paper began with defining the problem and stating the above question as the main focus of the research paper. The next portion of the research paper covers the research of written literature and personal opinions of police officers and how that information related to the main research question. Chapter Three of this paper addresses the description of research, the selection of the survey subjects, other data gathering information, and the analysis and limitations of such data collection. The next chapter contains the presentation of the data obtained and an explanation of that data. The final chapter examines the main and subsidiary questions while supplying answers from the research. Lastly, this chapter contains recommendations for additional studies.

## Conclusions

- Main question: Should OPOE be regulated? In literature, opinions of police officers and governmental mandates show that the regulation of the off-duty employment of police officers should and legally must be regulated.
- Subsidiary question: What is considered off-duty employment? Review of all literature suggests that any employment other than the police officer's employment with the governmental agency is considered off-duty employment.
- Subsidiary question: Is there a difference between off-duty, secondary, and outside employment? These terms are used synonymously throughout the literature reviewed.
- Subsidiary question: Are areas such as worker's compensation, potential civil liability, and possible criminal consequences that could result from OPOE important concerns for the governmental agency? As is true of most issues where policy is mandated, all of these areas are of obvious concern. Literature and officers' opinions agree

on the consensus that these concerns are important. Civil liability, criminal prosecution, and claims of worker's compensation are all potentially detrimental to the agency's public image and ability to function at optimal staffing levels. Furthermore, these areas could be very costly and taxing on departmental resources.

- Subsidiary question: Does regulating off-duty employment affect police officer morale? No published literature could be located in support of such a claim. Over half of all in-house survey respondents felt that police officer morale was ranked 4<sup>th</sup> or 5<sup>th</sup> in overall importance when considering OPOE. Surprisingly, 42 of the 60 respondents either disagreed or strongly disagreed when asked if the regulation of OPOE affects police officer morale. In conclusion, there appears to be little support for this claim.
- Subsidiary question: Does regulating OPOE violate a police officer's rights to privacy? No literature could be located to support such a claim. Most of the constitutional and case law

located were more directed at claims of amendment violations for deprivation of due process, deprivation of liberty, and deprivation of legitimate property claims after being denied or disciplined as a result of a OPOE.

- Subsidiary question: If the regulation of OPOE is viable, should all off-duty employment be regulated or only employment in certain fields? Literature supports the regulation of all off-duty employment of local governmental agencies. This is not only a matter of law, but also a matter of fairness or equity for all employees. Some agencies, such as the Modesto Sheriff's Department, have very detailed policies, which specifically prohibit off-duty employment in areas they feel are in obvious conflict with the employees' job activities. Although, this is in compliance with C.G.C. §1126, other agencies choose to leave the policy less detailed and open for interpretation on a case-by-case basis. This is not to discount the fact that these agencies still must refuse to allow off-duty employment in

areas that are in direct conflict with the employees' job activities. In *L.B.P.O.A. v. City of Long Beach* 46 Cal.3d 736 (1988), the courts specifically ruled that while C.G.C. §1126 prohibits officers from engaging in off-duty employment that conflicts with their job activities, the section was not intended to limit a local agency's power to impose its own restrictions. Without complete regulation, there does not appear to be another viable resolution.

#### Policy Recommendations

No specific policy recommendations were formulated as a result of this research paper. The local agency policies that were received are all different in verbiage, but all appear to be in compliance with State mandates. Regulation is already in place, is mandated and no further legal recommendations were made.

However, the author could not locate any tracking systems to ensure compliance with the policies. The policies are in place as required, but there is no auditing process or monitoring system to ensure that the integrity or purpose of C.G.C. §1126 is safeguarded. For example,

the Fontana Police Department has a policy in compliance with and pursuant to C.G.C. §1126. In light of the recent off-duty incident, it is evident that not all employees are compliant with the agency's policy. In an attempt to address to this problem, the Fontana Police Department requires that all employees review the OPOE policy as part of their annual performance review package. After reviewing and receiving said policy, the employee is required to sign and date a form acknowledging receipt and understanding of the policy.

#### Recommendations for Further Study

The author further recommends additional studies into locating factual information of off-duty incidents, which resulted in civil or criminal liability or disciplinary actions towards the actions of a police officer engaged in off-duty employment. The author also recommends that more time be spent comparing and analyzing the California law enforcement agencies' OPOE policies and determining if any of the agencies have implemented monitoring systems for such policies. Finally, the author recommends that the OPOE survey be given to a much broader survey base. Many more agencies should be included in this survey to further

determine the true feelings of police officers outside the  
Fontana Police Department.

APPENDIX A

OFF-DUTY POLICE OFFICER EMPLOYMENT SURVEY

Number of years in law enforcement: \_\_\_\_\_ Rank: \_\_\_\_\_

Please circle your selected answer for the following section:

Question 1: Does your agency have a policy regarding off-duty employment?

Yes

No

Question 2: Have you ever been denied off-duty employment by your agency?

Yes

No

Question 3: Do you feel that off-duty employment should be regulated?

Strongly Agree

Agree

Disagree

Strongly Disagree

Question 4: Do you feel that regulation of off-duty employment is an infringement of your privacy?

Strongly Agree

Agree

Disagree

Strongly Disagree

Question 5: Do you feel that regulation of off-duty employment affects police officer morale?

Strongly Agree

Agree

Disagree

Strongly Disagree

Question 6: Please rank the following items with a number 1-5. #1 being what you feel is most important and #5 being what you feel is least important when considering the regulation of off-duty employment for police officers.

\_\_\_\_\_ Consideration of the agency's public image

\_\_\_\_\_ Off-duty privacy issues of police officers

\_\_\_\_\_ Possibility of criminal prosecution as a result of off-duty employment

\_\_\_\_\_ Possibility of civil liability as a result of off-duty employment

\_\_\_\_\_ Police officer morale issues

Appendix A. Off-duty Police Officer Employment Survey

APPENDIX B  
SURVEY ONE TALLY SHEET

# Years in Law Enforcement							Rank of the Officers in the Survey									
0-5	5	5	1	1	1	1	Chief	1								
6-10	5	5	1				Captain	1	1							
11-15	5	5	1	1			Lieutenant	1	1							
16-20	5	5					Sergeant	5	1	1	1	1				
21-25	5	1	1	1			Corporal	5	5	1	1	1				
26+	5						Officer	5	5	5	5	5	5	1	1	
Survey Results																
Question #	Y		N													
1	60															
2			60													
Question #	SA		A		D		SD									
3	14		35		8		3									
4	6		6		45		3									
5	5		13		39		3									
Ranking Questions Results							Percentages-Ranking Question Results									
	1	2	3	4	5		1	2	3	4	5					
Public Image	13	6	16	4	21	60	21.66	10.00	26.66	6.70	35.00					
Privacy	12	5	9	17	17	60	20.00	8.33	15.00	28.33	28.33					
Criminal	14	20	12	8	6	60	23.33	33.33	20.00	13.33	10.00					
Civil	14	23	11	7	5	60	23.33	38.33	18.33	11.67	8.33					
Morale	7	6	12	24	11	60	11.67	10.00	20.00	40.00	18.33					
Totals	60	60	60	60	60											

Appendix B. Survey One Tally Sheet

APPENDIX C  
POLICY SURVEY CONTACTS

POLICE AGENCY	CONTACT NAME & NUMBER		HAVE POLICY	GAVE POLICY
Adelanto	Tammy Grant	760-246-1000	X	X
Arcadia	Randy Curvey	626-574-5150	X	X
Baldwin Park	Bob Delgado	626-960-4011	X	X
Benicia	Thomas Dalby	707-746-4265	X	X
Berkeley	Sherrie Aldinger	510-981-5991	X	X
Beverly Hills	April Meadow	310-285-1066	X	X
Buena Park	Mike Schwartz	714-562-3917	X	X
California City	Wayne Dickerson	760-373-8606	X	X
Chula Vista	Scott Arsenault	619-691-5185	X	X
Clearlake	Jeanie Larsen	707-994-8251	X	X
Concord	David Chilimidos	925-671-3220	X	X
Daly City	Cathy Pantazy	650-991-8142	X	X
Delano	Jack Griggs	661-721-3377	X	X
Dixon	Don Mort	707-678-7070	X	X
Fairfax	Cynthia Powell	415-453-5330	X	X
Fontana	Robert Doyle	909-350-7740	X	X
Fullerton	Thomas Conklin	714-745-3412	X	
Gilroy	Gregory Flippo	408-846-0349	X	
Hayward	Susan Diaz	510-293-7070	X	X
Healdsburg	Susan Jones	707-431-3368	X	X
La Mesa	Tammy Nugent	619-667-1400	X	X
Long Beach	J. Cantore	562-570-5942	X	X
Los Angeles	Mark Kardiban	213-485-3294	X	
Manteca	Melanie Lewis	209-239-8425	X	X
Menlo Park	Victoria Martinez	650-330-6327	X	X
Monterey	Ed Smith	831-646-3822	X	
National City	Daniel Fabinski	619-336-4438	X	
Porterville	Bob Blankenship	559-782-7400	X	
Riverside	Alex Tortes	909-826-5940	X	
Ronherth Park	Nancy Thompson	707-584-2650	X	X
Sacramento	Douglas Voska	916-277-6001	X	
Salinas	Al Ruiz	831-758-7250	X	
San Bernardino	Garrett Zimmon	909-384-5742	X	X
San Diego	Andra Brown	858552-1753	X	
San Fernando	Michael Harvey	818-898-1255	X	X
San Francisco	Daniel Mahoney	415-553-9152	X	X
Santa Ana	Janet Chop	714-245-8003	X	X
Signal Hill	Tom Sonoff	562-989-7208	X	X

POLICE AGENCY	CONTACT NAME & NUMBER		HAVE POLICY	GAVE POLICY
South Gate	Robert Todd	323-563-5452	X	X
Trinidad	Kenneth Thrailkill	707-677-0133	X	X
Ukiah	John Williams	707-463-6248	X	X
Ventura	Elisa Purnell	805-339-4410	X	X
Visalia	Michele Figueroa	559-713-4216	X	X
W. Sacramento	Evelyn Ledesma	916-372-2461	X	X
Westminster	Albert Panella	714-412-3862	X	
Williams	C.R. Waugh	530-473-2312	X	X
Alameda SO	Charles Plummer	510-272-6878	X	
LASO	Luis Nunez	323-563-5000	X	
Marin Co. SO	Scott Anderson	415-499-7250	X	
Placer Co. SO	Donald Hutchinson	530-889-7800	X	
Riverside Co SO	Scot Collins	909-245-3313	X	
SBSO	Jack Phillips	909-387-3687	X	
San Diego SO	David VanNyhuis	858-565-5200	X	
S. Francisco SO	Daniel Mahoney	415-553-9152	X	X
Stanislaus SO	Les Weidman	209-525-7216	X	

Appendix C. Policy Survey Contacts

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