



STATE OF NEW HAMPSHIRE
DEPARTMENT OF SAFETY
DIVISION OF STATE POLICE
PROFESSIONAL STANDARDS OF CONDUCT



DATE ISSUED: April 21, 2005	DISTRIBUTION CODE: 1
DIRECTIVE TITLE: OFF DUTY EMPLOYMENT	
DIRECTIVE NUMBER: GO.16.007	
EFFECTIVE DATE: April 21, 2005	
RESCINDS/AMENDS: ADMINISTRATIVE PROCEDURE GU-006	

CHAPTER 16-G
OFF-DUTY EMPLOYMENT

16-G.1.0 Discussion:

As providers of law enforcement services to the people of the State of New Hampshire, all Division personnel must be in top physical and mental condition when reporting for their tours of duty and must always avoid conflicts of interest with their positions of public trust. Any employment outside of the Division which interferes with the mission of the New Hampshire State Police must not be allowed.

16-G.1.1 Purpose:

- A. To establish procedures within the Division whereby members may engage in off-duty employment with the prior approval of the Director.
- B. To establish a reporting form for these procedures. (A copy of which is attached to this directive)
- C. To acquaint all members with these procedures and require their use as directed.

To hold all members responsible for the provisions of these procedures and make them mandatory.

16-G.1.2 Definitions:

- A. "Off-duty employment" shall mean any activity by any employee of this Division for any person or entity other than the New Hampshire State Police, for which the member receives or agrees to receive, whether directly or indirectly, any compensation, reward, gift or other thing of value from any source other than the State of New Hampshire.
- B. Division coordinated Extra Duty details (where the member represents the Division) shall not be considered off-duty employment.

16-G.1.3 Prohibited Types of Off-duty Employment:

- A. The following types of off-duty employment shall not be allowed for members of the Division:
 - 1. Employment which is found to be in violation of existing statutes or the Standards of Professional Conduct applicable to Division members.
 - 2. Employment which exposes the member to high risk of injury or death.
 - 3. Any off-duty employment for members during their initial probationary period.
 - 4. Employment which engages a member in activities related to police duties, including, but not limited to:
 - a. Employment in investigative, security or collection work for insurance companies, attorneys, law offices, collection agencies, bail bond agencies or any similar activity.
 - b. Employment which includes wearing or use of any New Hampshire State Police equipment, uniforms or vehicle.
 - c. Employment where the reason for the employment is the fact that the person is an employee of the New Hampshire State Police.
 - d. Employment as a guard for any private or public employer.
 - 5. Employment which would interfere or conflict with the State Police duty of any Division member, including overtime requirements or recall to duty.
 - a. Employment which would require special consideration be given to scheduling the member's regular duty hours.

6. Employment that could be perceived to give an appearance of a conflict of interest or possible conflict of interest with the member's State Police duties.
 - a. Employment in any aspect of the motor vehicle wrecker business.
 - b. Employment by any employer who performs work for or is under contract to the New Hampshire State Police
 7. Employment which would cast doubt on the member's integrity and moral character.
 - a. Employment given by an employer who has been convicted of a felony or who associates with convicted felons.
 8. Employment involving the member in the sale, dispensing or service in any manner of liquor or any alcoholic beverage.
- B. When off-duty employment has been approved, a member may not:
1. Utilize State of New Hampshire facilities, equipment, telephones, supplies, motor vehicles or materials in their off-duty employment.
 2. Solicit off-duty employment business in the course of performing State Police duties.

16-G.1.4 Procedures:

- A. A member desiring to engage in off-duty employment shall request permission in writing from the Director.
1. All requests will be approved or disapproved by the Director.
- B. Application procedure:
1. Members desiring to enter into off-duty employment shall submit a "Request to Engage in Outside Employment" form.
 - a. All three copies of the form shall be submitted by the member. When the Director has approved or disapproved the request, the pink copy shall be returned to the member.

2. Requests shall be forwarded through the chain of command to the Director.
 - a. Troop or Unit Commanders shall attach endorsements giving recommendations for or against the requested off-duty employment along with their reasons for their recommendation.
 - b. Field Force or Bureau Commanders may attach endorsements, or not, as they see fit.
- C. The Director shall approve or disapprove (or revoke an approval already granted) a request for off-duty employment based on the criteria listed in section 16-G.1.3 of this directive, or for any other articulable criteria, when he feels that the requested off-duty employment is against the best interests of the New Hampshire State Police.

16-G.1.5 Withdrawal of Approval for Off-Duty Employment:

- A. The Director reserves the right to suspend, modify or withdraw approval of off-duty employment in the event of emergency, a change in duty assignment or to respond to circumstances not foreseen at the time approval was granted.
- B. The Director may withdraw approval for off-duty employment if the following conditions are found to exist:
 1. The off-duty employment is adversely affecting the Division member's performance of duty.
 2. The off-duty employment is found to differ from that described in the member's original request to engage in off-duty employment.
 - a. If the member misrepresents the duties of his off-duty employment in his original request, he shall be subject to disciplinary action.
 - b. If the nature of the off-duty employment changes after the member receives approval from the Director, it shall be the member's responsibility to immediately resubmit an updated "Request to Engage in Off-duty Employment Form".
- C. Approval for off-duty employment shall be automatically suspended during any period the member is on authorized sick or emergency leave.
- D. A member shall promptly, upon termination of his approved off-duty employment, notify the Director in writing of such fact.

**CHAPTER 16-G
OFF-DUTY EMPLOYMENT**

Ordered:

Colonel Frederick H. Booth
Director of State Police

Approved:

Richard M. Flynn
Commissioner of Safety

**CHAPTER 16-G
OFF-DUTY EMPLOYMENT**

APPENDIX A

REQUEST TO ENGAGE IN OUTSIDE EMPLOYMENT