

Laws Relating to Secondary Employment

Maryland law prohibits a law enforcement agency from prohibiting secondary employment for law enforcement officers.

Public Safety 3-103

(b) A law enforcement agency:

(1) may not prohibit secondary employment by law enforcement officers; but

(2) may adopt reasonable regulations that relate to secondary employment by law enforcement officers.

The **Court of Appeals ruled unanimously** that a 1984 state law specifically **allows police officers to have second jobs** and allows only "reasonable rules" to regulate the practice.

Differences in secondary employment policies:

- [MoCo Regulations](#)
 - **19A.06.01.01** requires all officers who desire a 2nd job to follow procedures established and not engage in a job outside the DEPT without written permission and approval from the County Ethics Commission
 - Security related employment may not include investigative work
- [Howard Co. Regulations](#)
 - While off-duty, the cop working a 2nd job must call an officer to file a report
 - Cannot do any investigative work off-duty
 - **P.O. is prohibited** from using PD equipment, uniforms, resources, vehicles, or technology in the secondary job, or for the benefit of the secondary employer
 - When working in the capacity of their 2nd job, **they are not to introduce themselves as a P.O.**
 - IE. if they catch a shoplifter while working retail security they must follow the security procedures of that employer, and not disclose the information that they are a cop
 - The only circumstance where **they can ID themselves as a cop** is if they are responding to, or involved in
 - Any felony or
 - Any misdemeanor crime where the P.O. believes that ID'ing themselves is necessary to prevent injury to a person
 - In this case, they would be bound by the procedures and regulations of their PD
- [PG Co. Regulations](#)
 - All off-duty P.O.'s are subject to PGPD policies
 - Duties of 2nd job is limited to those of a law enforcement nature

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Supporting documents for: HB 83

Provided by: Delegate David Moon

- They cannot: work door entry, tow a car on private property, operate metal detectors,
- All officers working all, or a majority, of their hours in secondary employment during the period of 1800 - 0600 **may wear the blue P.O uniform**
- **Anne Arundel Co. Regulations**
 - Can wear their uniform with approval from the Sheriff or Chief Deputy
 - Required to wear vest/body armor while working LE related 2nd job
 - Must report on the radio when they begin and leave their 2nd job
 - Any action in the 2nd job that requires the P.O to go to court, or use any of their L.E. capacity would require them to fill out an incident report
- **Harford Co. Regulations**
 - P.O. is prohibited from wearing their uniform, badge, or ID while working the 2nd job
 - P.O. is prohibited from using PD equipment and/or resources at 2nd job
 - However, **they may use** their issued: **handgun**, magazines, protective vest, handcuffs, radio, and taser while working their 2nd job
 - P.O. must radio into the PD when going on site for 2nd job
- **Wicomico Co. Regulations**
 - P.O. is prohibited from wearing their uniform at a 2nd job
 - P.O. is prohibited from using PD equipment
 - Need special prior approval to utilize their weapon
- **St. Mary's Co. Regulations**
 - Employees may not participate in secondary employment unless authorized in writing by the Sheriff
 - Deputy Sheriffs must conceal weapons and badge while at secondary job
- **Frederick Co. Regulations**
 - P.O. **may not wear their uniforms or use PD equipment (excluding issued handgun, portable radio, body armor, handcuffs, and standard issue less lethal options)**
- **St. Michaels Regulations - Not followed by 6 all of Talbot Co.**
 - When working in the capacity of their 2nd job, any minor violations must be handled in the capacity of the 2nd employer, and **will not** ID themselves as a PO
 - IE shoplifter scenario at a retail shop
 - If necessary the PO can work with their LE capacity
 - IE If they witness a felony crime they can use their LE capacity. If a court appearance is required, they are to be compensated
- **Caroline Co. Regulations**
 - **Unless authorized by the Sheriff, during secondary employment PO cannot:**
 - Wear their uniform
 - Utilize PD equipment
 - Drive a PD car

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- Compensation for court appearances resulting from the secondary employment
- **Chestertown - Not followed by all of Kent Co.**
 - An employee will not be employed in any capacity in any other business, trade occupation, or profession, except in conformance with CPD policy and as approved by the Chief or Lieutenant
 - Cannot use a police vehicle to transport to/from 2nd job
- **Cambridge Regulations - Not followed by all of Dorchester**
 - Must not have a disciplinary action against them
 - Similar to other jurisdictions, they must submit an application to the PD for approval