

Rules and Procedures

Rule 320A

March 25, 2008

Rule 320A - COURT OVERTIME PAY

Sec. 1 ISSUANCE OF COURT APPEARANCE AUTHORIZATION SLIPS:

It shall be the responsibility of the Supervisor of Cases to issue a copy of BPD Form #0004-BAT-0504, herein after referred to as a Court Overtime Slip, to such officers who are required to appear in court on an overtime basis. He shall also be responsible for insuring that only those officers whose testimony is essential for the successful prosecution of a criminal case will be directed to appear. Every off-duty officer, under summons from a court, shall present his summons to the Supervisor of Cases in order to obtain a Court Overtime Slip.

In those courts where the Duty Supervisor of the district where the court is located is responsible for sign-in/sign-out, the Duty Supervisor shall comply with the above.

Every officer who is required to appear in Court on an overtime basis without a summons/notice to appear, shall be required to have the Court Overtime Slip authorized by his/her District/Unit supervisor.

In the event an officer is required to attend a court where there is no Supervisor of Cases assigned (i.e.: Federal Court or outside the city), the Duty Supervisor of the District/Unit to which the officer is assigned shall act as Supervisor of Cases.

It shall be the responsibility of the officer who sets up a hearing to ensure that the Supervisor of Cases receives a copy of the summons immediately upon the hearing being scheduled. The Supervisor of Cases shall ensure that each such summons is entered on the Appearance Status List.

Sec. 2 DISTRICT/UNIT CONTROL LOGS: It shall be the responsibility of the District/Unit Commander to ensure that a control log for the recording of all Summons/Notices to Appear received from the various courts, shall be maintained. The control log shall be maintained as in Section 3 below.

Sec. 3 CONTROL LOG MAINTENANCE:

The control log shall be organized by date of appearance.

The control log will record:

PO Name	ID#	Court	Defendant	CC#	Docket#	Served By	Date Served
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The served by column will record the name of the person who personally served the summons/notice to appear to the officer

Sec. 4 PROCESSING OF COURT OVERTIME SLIPS: It shall be the responsibility of the Commander, Court Unit to assure that the Supervisor of Cases properly performs his/her assigned tasks concerning the recording of court overtime by off-duty officers and the issuance of Court Overtime Slips.

Every off-duty police officer of this Department appearing in the Suffolk Superior Court, Boston Municipal Court, Boston Juvenile Court and other Courts situated in Boston, shall obtain a Court Overtime Slip from the Supervisor of Cases assigned to that court at the time of his arrival.

Except: Those officers who are required to appear in Court on an overtime basis without a summons/notice to appear, shall obtain the Court Overtime Slip from his/her District/Unit supervisor.

It shall be the responsibility of the Supervisor of Cases to record on the form, in the spaces provided, the arrival and departure times of the officer submitting the form and to endorse the said form.

When an officer is required to appear in two different courts on the same date, the Supervisor of Cases in the first court shall enter only the arrival time and sign the form; the Supervisor of Cases in the second court shall enter the officer's departure time, and sign the form. No officer appearing before the courts as an off-duty witness shall be issued, or shall accept, more than one Court Overtime Slip for any calendar day

Sec. 5 DISTRIBUTION OF COMPLETED COURT OVERTIME SLIPS:

Part #1: (Green Original) To be forwarded daily by the Supervisor of Cases to the Area or Unit on whose payroll the officer submitting the form is carried.

Part #2: (Pink Copy) To be retained by the Officer to whom it was issued for a record of his accrued court time.

Sec. 6 PROCEDURES FOR SUPERVISORS: The Supervisor of Cases of the Suffolk Superior Court, the Boston Municipal Court, the Boston Juvenile Court, and the Superior Officer assigned to the other courts by the Commanding officer of the Court Unit, for the purpose of supervising the appearing officers and the processing of Court Overtime Slips, shall maintain a list for each date recording the following information relative to all officers:

Date, Name, ID#, Unit, Defendant, CC#, Docket#, Case Status, Officer Status

Sec. 7 SUPERVISOR OF CASES WEEKLY REPORT: Each Monday (or Tuesday if Monday is a holiday) the Supervisor of Cases shall forward to the Commander, Court Unit a report covering the week prior including the following information:

All officers who failed to appear

To include: Date, Name, ID#, Unit, Defendant, CC#, Docket#

All officers who did not appear on time and did not notify the Supervisor of Cases

To include: Date, Name, ID#, Unit, Defendant, CC#, Docket#, Time of arrival.

Edward F. Davis
Police Commissioner