**Reserve Officer Information:**

* **Selected Reading including SAMPLE city ordinance,**
* **Code of Alabama,**
* **AMIC/MWCF Loss Control Recommendations**
* **SAMPLE Policy**
* **Confidentiality Agreement**

**Alabama League of Municipalities Selected Readings: Reserve Police Officers**

Authority for establishing a reserve police force is granted by Section 11-43-210, Code of Alabama 1975. A city may organize a reserve police force of private citizen volunteers who have no powers of arrest other than those of private citizens generally. The city is liable for the torts of its reserve police officers under the doctrine of respondeat superior. AGO to Hon. Morgan Reynolds, November 3, 1976.

Reserve police officers generally serve without pay and perform some of the tasks ordinarily performed by trained police officers. However, reserve officers are not an alternative to a fully trained force. State law limits the duties of reserve officers. But by allowing volunteers to perform the permitted functions, trained officers are free to concentrate more on the tasks they were trained to perform.

Obviously, each municipality will have to decide for themselves if reserve officers are a realistic option. Many factors will vary locally. Other considerations, though, must be examined by all municipalities with reserve police forces. This summary is intended as a guide through some of the benefits and potential pitfalls of creating a reserve police force. A suggested ordinance for the creation of a reserve police force is below:

AN ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF \_\_\_\_\_\_\_\_\_\_, ALABAMA AS FOLLOWS:

SECTION 1. ESTABLISHMENT. As provided by Section 11-43-210, Code of Alabama, 1975, a police reserve force, hereinafter called reserve, is hereby established within the Police Department of the city [town] of \_\_\_\_\_\_\_\_\_\_, Alabama.

SECTION 2. QUALIFICATIONS. The reserve shall consist of not more than \_\_\_\_\_ members. Any person desiring appointment to the reserve must submit a written application to the chief of police [or appointing authority] of the city [town] of \_\_\_\_\_\_\_\_\_\_, Alabama, certifying that he or she is a resident of the city [town] of \_\_\_\_\_\_\_\_\_\_, Alabama, is at least 19 years of age, of good moral character and reputation and has never been convicted of a felony or of a misdemeanor involving force, violence or moral turpitude. Applicants must consent in writing to a fingerprint and background search. [Residency of reserve officers is an option of the municipality; the other qualifications are required by Section 11-43-210, Code of Alabama, 1975.]

SECTION 3. APPOINTMENT. Appointments to the reserve shall be made by the mayor [or other appointing authority] with the approval of the chief of police. Such appointments shall be for terms of \_\_\_ years. Members of the reserve serve at the pleasure of the chief of police [or appointing authority] and may be removed with or without cause and without hearing, by the chief of police with the approval of the mayor [or other appointing authority].

SECTION 4. SUPERVISION. The reserve shall function under the immediate direction of the chief of police, who shall provide for its organization and training. The chief of police is hereby authorized and directed to establish such rules and regulations as may be necessary for the efficient operation of the reserve.

SECTION 5. EQUIPMENT. Each member of the reserve shall be issued an identification card signed by the chief of police and the mayor. Members of the reserve shall carry this identification card with them at all times. Whenever a member of the reserve shall be called to active duty, he or she shall be issued a badge and a cap which shall be worn at all times while on active duty in the manner prescribed by the chief of police. Upon completion of each tour of active duty, members of the reserve shall turn in their badges and caps at police headquarters.

SECTION 6. DUTIES. The duties of reserve officers are confined to the following:

(1.) Patrol operation performed for the purpose of detection, prevention and suppression of crime or enforcement of the traffic or highway laws of the state, provided the reserve law enforcement officer acts at all times under the direct control and supervision of a certified law enforcement officer.

(2.) Traffic direction and control may be performed without direct supervision; provided, however, that supervisory control is exercised by a certified law enforcement officer whose total span of control would be considered within reasonable limits. [The municipality may wish to define in the ordinance the degree of control required.]

(3.) Reserve officers may render crowd control assistance at public gatherings or municipal functions as directed by the municipality, provided supervisory control will be exercised by a certified law enforcement officer whose total span of control would be considered within reasonable limits. [The municipality may wish to define in the ordinance the degree of control required.] For purposes of this section, the term “certified law enforcement officer” shall mean a municipal police officer who has completed the training requirements of the Alabama peace officers’ standards and training commission as set out in Article 3, Chapter 21, Title 36, Code of Alabama, 1975.

SECTION 7. ARREST POWERS. No member of the reserve shall have any authority to exercise any power of arrest unless he or she has completed the training requirements of the Alabama Peace Officers’ Standards and Training Commission as set out in Article 3, Chapter 21, Title 36, Code of Alabama, 1975.

SECTION 8. ACTIVE DUTY. Members of the reserve shall be called to active duty by the chief of police with the written consent of the mayor.

SECTION 9. WEAPONS. No member of the reserve shall carry a weapon while on active duty. [Municipalities may authorize reserve officers to carry weapons only if the member has obtained a properly issued permit for the firearm. For liability reasons, the League recommends that municipalities not permit untrained reserve officers to carry weapons. If reserve officers are authorized to carry weapons, the municipality should develop regulations governing the use of such weapons and provide training in the use of the weapons.]

SECTION 10. COMPENSATION. No member of the reserve shall receive compensation for time required by Reserve rules and regulations while not on active duty. Every member of the Reserve shall be paid at the rate of $\_\_\_\_\_ per hour for each hour in excess of \_\_\_\_\_ hours served on active duty in any one calendar month. Members of the reserve may be compensated for any reasonable expenses incurred in the performance of official duties while on active duty on approval of an expense voucher by the chief of police. Each member of the reserve may be compensated for official use of his privately-owned automobile at the rate of \_\_\_ cents per mile while on active duty. All vouchers for compensation for expenses shall be sworn to by the member of the reserve seeking reimbursement before it shall be considered for payment. [It is not necessary to compensate reserve officers for their time while on active duty. However, if the municipality elects to compensate reserve officers beyond reimbursement of expenses, the Fair Labor Standards Act would require compensation at one and one-half (1-1/2) times the regular compensation for overtime worked. Additionally, compensation may remove the officers’ tort liability protection as a volunteer under Section 6-5- 336(d). An additional concern is that if payment brings the officer under the State Employees’ Retirement System, payment may entitle the officer to hazardous duty pay under Section 36-27-59, Code of Alabama, 1975.]

SECTION 11. VIOLATIONS.

(.) It shall be a misdemeanor for any person not a member of the reserve to wear, carry or display a reserve identification card, badge, or cap, or in any way represent himself or herself to be connected with the reserve.

(2.) It shall be a misdemeanor for any member of the reserve to loan, sell, lease, or otherwise permit any person not a member of the reserve to wear, carry or display a reserve identification card, badge, or cap.

(3.) It shall be a misdemeanor for any member of the reserve to assist any person who is not a member of the reserve to represent himself or herself as being connected with the reserve.

SECTION 12. PENALTY. Any person found guilty of violating the provisions of Section 11 of this ordinance shall, upon conviction, be fined in an amount not exceeding five hundred dollars ($500) or sentenced to imprisonment for not exceeding six (6) months; either or both, at the discretion of the court trying the cause.

Additionally, any member of the reserve charged with violating subsections (2) and (3) of Section 11 of this ordinance shall be suspended from the reserve pending a determination of guilt. Suspended reserve members must surrender their identification card, badge, and cap to the chief of police. Reserve members who are convicted of violating subsections (2) and (3) of Section 11 of this ordinance shall immediately be removed from the reserve force. A person convicted of violating subsections (2) and (3) of Section 11 of this ordinance is not eligible for reappointment to the reserve.

SECTION 13. EFFECTIVE DATE. This ordinance shall become effective immediately upon its adoption and publication as required by law.

ADOPTED THIS THE \_\_\_ DAY OF \_\_\_\_\_\_\_\_\_\_, 20\_\_.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Mayor

ATTEST: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ City Clerk

**Duties of Reserve Officers**

Section 11-43-210, Code of Alabama 1975, is very specific as to the duties reserve officers may perform. Reserve officers may patrol to detect, prevent, and suppress crime or to enforce traffic laws, provided they operate under the direct supervision of a trained law enforcement officer. They may also direct traffic and render crowd control assistance at public gatherings and municipal functions. Municipalities have no authority to grant reserve officers any additional powers. Reserve officers may not “fill in” for regular officers during off-duty hours. Unless certified by APOSTC, reserve officers have no powers of arrest beyond those possessed by all citizens. Only persons who have the training mandated by Section 36-21-46(3), Code of Alabama 1975, have authority to arrest, under color of law, while acting as a law enforcement officer.

Prior to the adoption of Section 11-43-210, the Attorney General had ruled that reserve police officers may perform routine traffic and crowd control functions at public gatherings, may assist regular police officers in security jobs such as checking doors on businesses and public buildings, and may assist regular officers in the performance of routine patrol and enforcement activities. AGO 1988-356. Now, though, a reserve officer who is performing patrol duties must be physically accompanied by a certified law enforcement officer who maintains direct control and supervision over him or her at all times. Reserve officers whose only control and supervision by a certified law enforcement officer is by radio contact may not perform any patrol operations. AGO 1992-350.

**Who is Eligible to be a Reserve Officer?**

Section 11-43-210(b), Code of Alabama 1975, establishes the minimum standards for reserve officers appointed after April 12, 1990. Applicants must submit a written application certifying that they are at least 19 years old, of good moral character and reputation, and that they have never been convicted of a felony or a misdemeanor involving force, violence, or moral turpitude. Applicants must also agree in writing to undergo a fingerprint and background search.

**Training of Reserve Officers**

In addition to training reserves as to how to use a weapon, reserves should be trained regarding their duties. Adequate training is the best way for a municipality to protect itself from liability resulting from the actions of reserve officers. The better trained an officer is the less likely he or she is to negligently perform assigned duties.

APOSTC offers a training course for reserve officers. Municipalities have the option of whether or not to train their reserve officers. However, it should be noted that failure to train may be the basis for a cause of action against a municipality. In Canton v. Harris, 489 U.S. 378 (1989), the United States Supreme Court held that inadequacy of police training may serve as the basis for municipal liability under Section 1983 if the failure amounts to deliberate indifference to the rights of persons with whom the police come into close contact. Training all officers, including reserves, will help prepare them for the varied situations they are likely to encounter while on active duty.

**Liability**

The fact that a reserve officer is a volunteer does not shield the municipality from liability. During the 1991 Regular Session, the Alabama Legislature passed Section 6-5-336(d), Code of Alabama 1975, which provides civil immunity to any public volunteer who serves without compensation. Under Section 6-5-336(d), supervisors and other volunteers are immune from civil liability for damage or injury caused when acting in good faith and within the scope of their official functions and duties and the damage or injury was not caused by their own willful or wanton misconduct. AGO 2020-019. While this section protects reserve officers who serve without pay, the municipality remains liable for the actions of its reserve officers. AGO 1993-085. Municipal liability for reserves may be very broad. Probably the greatest potential for damages is caused by permitting a reserve officer to carry a weapon. According to Section 11-47-210(e), reserve officers may carry firearms if the required permits are obtained and the municipality consents. A reserve officer may use the weapon only to the extent allowed by municipal regulations.

Municipal governing bodies should deliberate thoroughly before permitting reserve officers to carry weapons. Liability may ensue for any injury an officer causes to a third party, even if the injury is unintentional. Injuries resulting from the mishandling or accidental firing of a weapon are often severe. Damage awards are generally too hefty for this decision to be made lightly. Injuries cannot be foreseen and often result from unusual circumstances.

While space does not permit a full discussion of the potential liabilities of having reserve officers, there is no question that municipalities are liable for negligent actions committed by their reserve officers. This includes actions for state torts under Section 11-47-190, Code of Alabama 1975, and claims for civil rights violations brought pursuant to 42 U.S.C. Section 1983. For more information on the extent of municipal liability, please see the article entitled “Municipal Liability” included elsewhere in this publication.

**Workers Compensation**

Municipalities should also ensure that their workers compensation carrier covers reserve officers. Otherwise, the municipality may be directly liable to the officer for any injury he or she suffers while on duty. The League’s municipal workers compensation program covers reserve officers for an annual fee. However, some workers compensation companies do not cover reserves or volunteers. Additionally, municipal officials should be aware that in some instances, reserve officers may be entitled to compensation from the state if they are killed in the line of duty. See, e.g., Section 36-30-1, Code of Alabama 1975.

**Code of Alabama §11-43-210 Reserve law enforcement officers; appointment by city or town; qualifications; powers.**

(a) The appointing authority of any city or town in the State of Alabama may appoint, with or without compensation, one or more reserve law enforcement officers to assist or aid full-time or part-time certified law enforcement officers as defined by this section. Reserve law enforcement officers appointed pursuant to this section shall serve at the pleasure of the municipal appointing authority.

(b) Any person desiring appointment as a reserve law enforcement officer after April 12, 1990, shall submit a written application to the municipal appointing authority certifying that the applicant is 19 years of age or older, of good moral character and reputation, and that he or she has never been convicted of a felony or of a misdemeanor involving force, violence, or moral turpitude. The applicant must also consent in writing to a fingerprint and background search.

(c) For the purposes of this section, the term "certified law enforcement officer" shall mean a municipal police officer who has completed the training requirements of the Alabama Peace Officers' Standards and Training Commission as set out in Article 3, Chapter 21, Title 36. The functions of a reserve law enforcement officer appointed pursuant to this section shall be confined to the following:

(1) Patrol operation performed for the purpose of detection, prevention, and suppression of crime or enforcement of the traffic or highway laws of the state, provided the reserve law enforcement officer acts at all times under the direct control and supervision of a certified law enforcement officer.

(2) Traffic direction and control may be performed without direct supervision, provided, however, that supervisory control is exercised by a certified law enforcement officer whose total span of control would be considered within reasonable limits.

(3) Reserve officers may render crowd control assistance at public gatherings or municipal functions as directed by the municipality provided supervisory control will be exercised by a certified law enforcement officer whose span of control would be considered within reasonable limits.

(d) No reserve law enforcement officer shall have authority to exercise any power of arrest unless he or she has completed the training requirements of the Alabama Peace Officers' Standards and Training Commission as set out in Article 3, Chapter 21, Title 36.

(e) No reserve law enforcement officer shall carry any firearm unless he or she has obtained a properly issued permit for such firearm and the appointing authority has approved his or her use of such firearm. Reserve law enforcement officers may use such firearms only to the extent permitted by properly promulgated regulations of the appointing authority.

**AMIC/MWCF Loss Control Recommendations:**

Below are standard recommendations concerning the use of reserve police officers provided to member police departments during loss control visits or follow-up:

* It is recommended that before implementation of a Reserve Police Officer program you review the requirements of the CODE of Alabama §11-43-210 and APOSTC Rules, Chapter 10, as they relate to municipal reserve police officers. In addition, your municipality must adopt an ordinance establishing a Reserve Police Officer Program. Reserve police officers may be sworn/certified upon meeting the requirements established by APOSTC. Reserve officers may also serve in a non-sworn/non-certified capacity; however, their authority and abilities are restricted as outlined in the CODE of Alabama and APOSTC Rules. The AMIC/MWCF Loss Control Division has a sample ordinance and other reference documents available for your consideration upon request.
* It is recommended that your procedures manual include a written policy that addresses the appointment and use of reserve police officers as outlined in the CODE of Alabama §11-43-210. These procedures should include the scope of the reserve officer’s authority, a definition of the duties to be performed, activities they can participate in and any restriction, requirements for number of days worked per month or year, and any other guidance as needed. This procedure must clearly state that non-APOSTC certified reserve officers cannot work without direct supervision of an APOSTC certified officer as defined in the CODE of Alabama. The AMIC/MWCF Loss Control Division has a sample SOP and other reference documents available for your consideration upon request.
* It is recommended that you add insurance coverage for your reserve police officers through the MWCF Volunteer Program.  As a MWCF member, your municipality may elect to add **OPTIONAL LIMITED** coverage to **named** volunteer police, firefighters, and rescue squad workers (payroll class codes 7711 and 7727 only) for an additional premium of $135.00 per officer per year. This optional coverage consists of two parts. The first part is provided by MWCF and covers medical only benefits per the Alabama Workers’ Comp Act. **There is no coverage for lost wages or other indemnity payments for volunteers through MWCF.** The second part is a separate accident and limited disability policy that provides some coverage for lost wages. This separate policy is provided and administered by Provident Life and Accident Insurance Company. All claims for compensation are filed with Provident Life and eligibility for compensation is determined by them. **For more information on this optional coverage, please contact Kendra Harrington, MWCF Director of Marketing at 1-888-736-0210**.

NOTE: This coverage is for **NAMED** volunteers in the listed class codes. It is critical that the municipality maintain a current roster with MWCF to ensure that the correct individuals are covered. You can add or update your reserve officer roster by faxing or emailing a list of names and dates of birth to MWCF, attention “Carla” at (205)730-2827 or [cthie@mrm-llc.com](mailto:cthie@mrm-llc.com).  In order to maintain up to date coverage you should update the roster immediately any time the names or number of reserve officer’s change.

* Non-certified reserve police officers should never be allowed to work alone. The CODE of Alabama §11-43-210(c) requires reserve police officers to work under direct supervision of a certified police officer, unless the reserve police officer is APOSTC certified.
* It is recommended that all reserve police officers qualify with their firearm before being allowed to carry them. They should also receive training in use of force (both deadly and non-deadly) before they are assigned any duties. All reserve officers should be required to qualify and review your use of force policy annually.

**SAMPLE POLICE DEPARTMENT**

RESERVE POLICE OFFICERS

NOTE: The following guidelines address both safety and policy and are for internal use only. This document does not nor is intended to enlarge an employee’s civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense with respect to third-party claims. Violations of these guidelines if proven, can only form the basis of a complaint by this department and then only in a non-judicial administrative setting.

1. **PURPOSE**

The purpose of the Reserve Officer Unit is to aid and supplement the SAMPLE Police Department with properly trained volunteer personnel, during disasters, emergencies, in the performance of their routine duties, and to assist in other functions when needed. This policy establishes guidelines regarding the operation of a reserve officer program, including the qualifications for appointment; uniforms and other equipment; training and minimum standards; functions and restrictions; rules and regulations governing the unit; and arrest authority.

1. **POLICY**
2. The Reserve Law Enforcement Officer Unit is organized and operated under direct authority of the Chief of Police and are subject to guidelines of the SAMPLE Police Department Policy Manual.
   1. Reserve officers appointed pursuant to this policy serve at the pleasure of the Municipal Appointing Authority and may be removed with or without cause and without hearing or recourse.
   2. The Unit through this policy statement is establishing rules and regulations designed in cooperation with the laws of the State of Alabama and the City of SAMPLE.
3. **DEFINITIONS**
4. Reserve Law Enforcement Officer: Any person employed or appointed, without compensation, who aids or assists a full-time or part-time law enforcement officer and who has the authority to perform law enforcement functions as outlined in Alabama Peace Officers Standards and Training Commission Rule 650-x010.01, and CODE of Alabama §11-43-210 and 36-21-46.

1. Certified Law Enforcement Officer: A law enforcement officer who has completed the training and certification requirements of the Alabama Police Officers’ Standards and Training Commission pursuant to CODE of Alabama §36-21-40 through 52.
2. **PROCEDURES**
3. Organizational Structure: There are two categories of reserve officer dependent upon their certification status and training:
4. Category One are those members assigned Reserve Officer status, who are not APOSTC certified, and are not considered sworn personnel.
   1. Category One officers do not have the power of arrest or the authority to initiate law enforcement actions but may function under the "color of law" under the direct supervision of sworn personnel.
5. Category Two are those members assigned Reserve Officer status, who are APOSTC certified, and are considered sworn personnel.
   1. Category Two officers have the authority to act as a police officer while on duty, including the power to make arrests or take other law enforcement action without direct supervision from sworn personnel.
6. Except as prohibited by law or this policy, all members are required to perform the same duties and accept the same hazards and responsibilities as full‑time sworn personnel. As a result, members shall be provided liability protection coverage as well as worker’s compensation volunteer coverage.
7. Appointment To Become A Reserve Officer
8. Any applicant meeting all qualifications must also be acceptable to the SAMPLE Police Department.
9. Applicants must meet the same requirements of any paid sworn officer, including moral character and reputation, educational level, physical condition, and other criteria including:
   1. Applicants must be at least 19 years of age and a resident of the SAMPLE area.
   2. Each applicant must submit to a background investigation consisting of a fingerprint, criminal and driver record check through the in-house database and NCIC/LETS. In addition, a medical exam, drug screen, credit check, psychological evaluation, and other testing is required in order to evaluate an applicant's suitability to become a member of the unit.
   3. APOSTC certified or prior APOSTC certified applicants must be checked through the APOSTC database.
   4. Out-of-state POST certified or prior POST certified applicants must be checked through that State’s POST the **National Decertification Index (NDI).**
      * 1. Any applicant that has been convicted of a felony, other crime involving force, violence or moral turpitude, serious traffic violation, or has a questionable background check will not be accepted.
   5. Successfully complete a physical agility course (may not be required of applicants if they are in apparent good health). Applicants unable to perform   
      law enforcement duties and responsibilities will not be considered.
   6. A member must not be an auxiliary, reserve, or regular officer of any other law enforcement agency.
   7. Possess a properly issued permit to carry a firearm.
   8. Possess a valid Alabama driver’s license.
10. The Chief of Police shall make recommendations to the Municipal Appointing Authority for appointment as a Reserve Officer. The Municipal Appointing Authority shall have final approval on all Reserve Law Enforcement Officer Selections.
11. Uniforms and Equipment:
12. The city will provide certain uniform and equipment items to each member of the unit. Additional items must be provided by the individual member within thirty (30) days of acceptance into the unit.
    * 1. Uniforms and equipment for members are the same as those for full-time personnel performing like functions, except for their badge or insignia.
      2. A list of those items to be furnished by the department and the individual member will be maintained by the department.
13. Any weapon(s) carried by the individual member will be furnished by that officer and must receive department approval.
14. No uniform or part thereof will be worn off duty.
15. Training/Minimum Standards:
    1. All members may be required to attend training courses as prescribed by the department, State of Alabama, and/or Federal government, that are equivalent to that required of full-time personnel in the same areas of assigned duties and responsibilities, or which will be required to function and perform their assigned duties.
       1. Training hours and schedule may vary to accommodate the member’s schedule.
       2. All training will be documented and placed in each respective officer’s training file.
       3. A Reserve Officers failure to attend or successfully complete any required training may be removed from participation or membership in the unit.
16. Members desiring to receive Category Two (APOSTC Certification) status must meet the minimum standards established by APOSTC. This can be accomplished as follows:
    * 1. Attendance and graduation of the APOSTC Reserve Officer Police Academy which is held on weekends over an extended time period.
      2. Current APOSTC certification.
17. Any member desiring to attend the Reserve Officer Police Academy must complete all physical agility and ability requirements as mandated by APOSTC, prior to application to the academy.
18. The city will pay the costs of the Reserve Officer Police Academy for those members who wish and are able to attend and meet all requirements for attendance.
    1. If the Reserve Officer drops out of the academy, fails to become certified, quits or is removed from the unit within two years of graduation, that officer will be required to reimburse the city all costs associated with the academy training.
19. Before any weapon is approved for carry, officers must be properly trained and/or certified on any use of force type equipment, including but not limited to batons, handcuffs, Tasers, and OC spray, along with the department Use of Force Policy.
    * 1. All members will receive training in use-of-force policy(s), firearms, and other weapons proficiency with the same frequency as full‑time officers.
20. Functions Of Reserve Officers

The functions of a Reserve Law Enforcement Officer pursuant to this section shall be confined to the following:

1. Patrol operation performed for the purpose of detection, prevention and suppression of crime or enforcement of the traffic or highway laws of the state, provided the Reserve Law Enforcement Officer acts at all times under the direct control and supervision of a certified Law Enforcement Officer.
2. Traffic direction and control may be performed without direct supervision, provided, however that the supervisory control is exercised by a certified Law Enforcement Officer whose span of control would be considered within reasonable limits.
3. Reserve Officers may render crowd control assistance at public gatherings or municipal functions as directed by the municipality provided supervisory control will be exercised by a certified Law Enforcement Officer whose span of control would be considered within reasonable limits.
4. Restrictions On Reserve Officers
5. No Reserve Law Enforcement Officer shall have authority to exercise any power of arrest unless he or she has completed the training requirements of the Alabama Police Officers’ Standards and Training Commission pursuant to CODE of Alabama §36-21-40 through 52.
6. No Reserve Law Enforcement officer shall have authority to carry any firearm unless he or she has obtained a properly issued permit for such firearm and the appointing authority has approved his or her use of such firearms only to the extent permitted by properly promulgated regulations of the appointing authority. Prior to any Reserve Officer being allowed to carry any firearm he or she must pass the APOSTC qualification course with the weapon to be carried and undertake both use of force and weapons safety training.
7. Reserve Officers will not use the uniform, badge, identification card, and/or law enforcement authority in any manner unless in an on-duty status. Reserve Officers do not have any law enforcement authority while on off-duty status.
8. No Reserve Officer is authorized to drive any SAMPLE police vehicle unless in an emergency or authorized by the Chief of Police.
9. Members will not display in their personal vehicles, a blue/red flashing light, stop any vehicle, make an arrest, or take law enforcement action of any kind when off-duty other than those actions permitted a private citizen.
10. Reserve Officer Rules
11. Each member in an on-duty status will be subject to the same department rules and regulations as any department employee.
12. Reserve Officers will be subordinate to and must obey directions given to them by any sworn Police Officer.
    1. Any conflict between a Reserve Officer and a Police Officer will be discussed in private and resolved by the shift supervisor and or the Chief of Police.
13. All Reserve Officers shall maintain a regulation uniform in good order and will be neat in appearance.
14. Members will not identify themselves as a Reserve Officer except during the time they are in full uniform and on-duty, or on special assignment. Members are considered private citizens at all other times.
15. Each member while on- or off-duty will conduct themselves in such manner as not to bring adverse comments to the department or the unit.
    * 1. Any member arrested or charged with an offense, including citations, or involved in an incident which may bring embarrassment to the city or department will notify Chief of Police and provide all details surrounding the incident.
      2. Serious violations or criminal acts will be grounds for dismissal.
16. Each member will be required to work a minimum of thirty-hours per calendar quarter, as well as attend unit meetings to remain in active status.
    1. Any member, who without just cause, fails to meet the minimum work requirement may be subject to discipline or dismissal from the unit.
    2. Members may be scheduled for work assignments based upon their availability and the needs of the department. In addition, callouts by the police department may occur anytime, and members will be expected to work.
    3. Members may also be assigned and expected to work special assignments, i.e., Christmas Parade, ballgames, etc.
       1. Advance notification of special assignments will be provided and any member who cannot work these assignments must obtain prior approval.
    4. No member shall solicit, contract, seek, or accept any security or similar off-duty employment work without the permission of the Chief of Police. Members may work these details after full-time personnel have the first right of refusal.
       * 1. Category One members will not work alone or outside the direct supervision of a sworn officer.
         2. Members shall receive the same compensation as full-time personnel for any security or similar off-duty employment, unless otherwise approved.
17. Any Reserve Officer whose full- or part-time employment status is determined to conflict with his duties as a Reserve Officer shall be terminated from the Unit.
18. Arrest Authority:
    1. Upon successful certification by APOSTC and receipt of Category Two status, the officer may be granted arrest powers by the Chief of Police. This authorization will be initiated by the Chief of Police executing an affidavit furnished by APOSTC. Arrest powers as they pertain to a Reserve Officer are only authorized under the following conditions:
       1. The officer must be on-duty, in full uniform, and working their approved shift schedule.
          1. The Reserve Officer may be asked to work approved special details in uniform or plain clothes and will have arrest powers on these details.
          2. When possible, a paid full-time officer should initiate an arrest. A Reserve Officer with arrest authority should initiate an arrest when directed by a paid full-time officer.
       2. Any violation of the above conditions will be grounds to revoke any arrest authority that have been granted to the member.

APPROVED: CHIEF OF POLICE DATE

I HAVE READ AND UNDERSTAND THIS ORDER

SIGNATURE OF OFFICER DATE

***DISCLAIMER***

***NOTE****: These documents are being provided to you from the AMIC/MWCF Loss Control Division and are not intended to be legal advice. They do not identify all the issues surrounding a particular topic. Laws and “Best Practices” change and policies must be continually reviewed and updated as needed. Public agencies are encouraged to review their procedures with an expert or an attorney who is knowledgeable about the topic. Reliance on this information is at the sole risk of the user.*

**VOLUNTEER CONFIDENTIALITY AGREEMENT**

**SAMPLE POLICE DEPARTMENT**

As a Volunteer of the City of Sample, I understand that I may learn of or have access to information (verbal, written, or electronic) which is personal, safety–sensitive, or otherwise confidential in nature. Such information includes, but is not limited to Incident/Offense, Traffic Accident, and/or Arrest Reports, NCIC/LETS information, Computer Aided Dispatch information, and other law enforcement or Police Services related information. I agree to maintain the confidentiality of such information and will not divulge it to anyone for any purpose without the express consent or direction of my supervisor or other authorized Sample Police Department personnel. I further understand and agree that I am prohibited from using any of this information for my personal use or benefit or for any other non-Police Services business related purposes. I understand and agree that my failure to comply with the confidentiality requirement set forth in this Confidentiality Agreement is grounds for discipline up to and including termination of acceptance or termination of the Volunteer relationship. Additionally, the City may seek other criminal or civil sanctions or damages as may be allowed by law. The restrictions of the Confidentiality Agreement regarding disclosure and use of information shall continue to apply after termination of acceptance or other relationship with Volunteer programs. I have read and understand this agreement and agree to comply with it in every respect.

Dated this \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_\_\_

Signature\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Printed Full Name\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Witness Signature\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_