

ORDINANCE NO. 2090-21

**AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT AND
OPERATION OF A POLICE RESERVE FORCE**

WHEREAS, the City Council of the City of Prichard has determined that the establishment of a Volunteer Police Reserve Force within the Police Department of the City of Prichard, Alabama, subject to certain qualifications, supervision and limitations as set forth in Ala. Code § 11-43-210 (1975) is in the best interest of the public health, safety, and welfare of the citizens of Prichard.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PRICHARD, ALABAMA, AS FOLLOWS:

SECTION 1. ESTABLISHMENT

As provided by Section 11-43-210, Code of Alabama, 1975, a Police Reserve Force, hereinafter called the "Reserve," is hereby established within the Police Department of the City of Prichard, Alabama.

SECTION 2. QUALIFICATIONS

The Reserve shall consist of not more than twenty (20) members. Any person desiring appointment to the Reserve must submit a written application to the Chief of Police or Mayor of the City of Prichard, Alabama, certifying that he or she is a resident of Mobile County, Alabama, is at least 21 years of age, holds a high school diploma or GED certificate, holds a valid driver's license, is of good moral character and reputation, and has never been convicted of a felony or misdemeanor involving force, violence, or moral turpitude. Applicants must consent in writing and submit to drug testing, fingerprinting, and/or a background search.

SECTION 3. APPOINTMENT

Appointments to the Reserve shall be made by the Chief of Police with the consent of the Mayor. The approval by a majority of the Prichard Police Department Reserve Board that governs the reserve unit shall be sent to the chief of police. The board selects the members through an interview process and handle the disciplinary hearings.

SECTION 4. SUPERVISION

The Reserve shall function under the immediate direction of the Chief of Police or, in his/her absence, the Majors, who shall provide for its organization and the training of Reserve Officers. 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 within the requirements of existing law and the City's Reserve Police Officer Standard Operating Procedures.

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 always carry this card with them. Members of the Reserve shall be issued a badge and/or outerwear identifying them as Reserve Officers as provided for in the City's Reserve Police Officer Standard Operating Procedures. Whenever a member of the Reserve shall be called to active duty, these articles shall always be worn while on active duty in the manner prescribed by the Chief of Police. These articles, and any other articles or equipment issued for active duty, may only be worn by the Reserve Officer while serving on active duty.

SECTION 6. DUTIES

The duties of Reserve Officers are confined to the following:

- a) 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 Officer acts at all times under the direct control and supervision of a certified law enforcement officer.
- b) 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.
- c) Reserve Officers may render crowd control assistance at public gatherings, sporting events, or municipal functions, as directed by the municipality, coordinated through the Police Department, provided supervisory control is exercised by a certified law enforcement officer whose span of control would be considered within reasonable limits.

For purposes of this section, the term "certified law enforcement officer" shall refer to and 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 or the Major of Police with notice to the mayor. Members of the Reserve called to active duty shall have their names entered into a log including the date, event description, duration, police vehicle used [if applicable] with consent provided and other relevant information. This log shall be kept by a Police Department supervisor in a specially designated Reserve Officer file.

SECTION 9. WEAPONS

Member of the Reserve may carry a weapon while on active duty except as allowed following training as provided in the City's Reserve Police Officer Standard Operating Procedures. The City of Prichard can authorize reserve officers to carry weapons only if the member has obtained a properly issued permit for the firearm.

SECTION 10. COMPENSATION

No member of the Reserves shall receive compensation while not on active duty. Members of the Reserve may be compensated for expenses incurred in the performance of official duties while on active duty as provided in the City's Reserve Police Officer Standard Operating Procedures with the approval of the Chief of Police.

SECTION 11. VIOLATIONS

It shall be a misdemeanor:

- a) For any person not a member of the Reserve to wear, carry, or display a Reserve identification card, badge, or outerwear, or in any way represent himself or herself to relate to the Reserve.

- b) For any member of the Reserve to loan, sell, lease, or otherwise permit any person not a member of the Reserve to use, carry, or display any identification or outerwear typically used by the Reserve.
- c) For any member of the Reserve to assist any person not a member of the Reserve to represent himself or herself as connected with the Reserve.
- d) For any member of the Reserve to operate a city-owned police vehicle of any description or type outside the police jurisdiction of the City of Prichard, Alabama without the prior consent of the Chief of Police, or, in his/her absence, the Major or the Mayor.
- e) For any member of the Reserve to act in an official capacity on behalf of the Police Department of the City of Prichard when not on active duty.

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) and/or sentenced to imprisonment for not exceeding six (6) months, at the discretion of the Court trying the cause.

Additionally, any member of the Reserve charged with violating subsections (b), (c), (d), or (e) of Section 11 of this Ordinance shall be suspended from the Reserve pending a determination of guilt. Suspended Reserve Officers must surrender their identification card, badge, identifying outerwear to the Chief of Police. Reserve members convicted of violating subsections (b), (c), (d), or (e) of this Ordinance shall immediately be removed from the Reserve and are not eligible for reappointment to the Reserve.

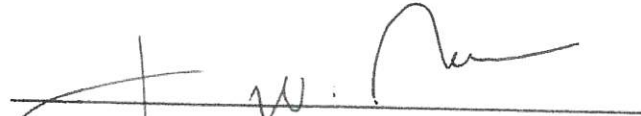
SECTION 13. EFFECTIVE DATE

This Ordinance shall be in full force and effect upon its adoption as provided by law by the City Council of the City of Prichard.

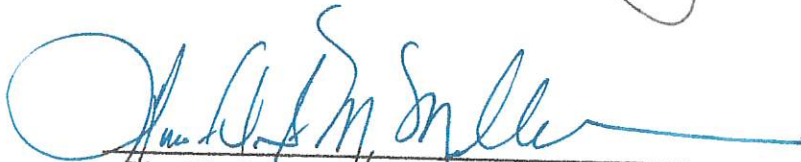
ADOPTED this the 10th day of June, 2021.


OSSIA EDWARDS, Council President

APPROVED this the 10th day of June, 2021.


JIMMIE GARDNER, Mayor

ATTEST:


City Clerk