

STOCKTON POLICE DEPARTMENT

GENERAL ORDER

POLICE RESERVE PROGRAM
SUBJECT

DATE: April 8, 2020

NO: K-7

FROM: CHIEF ERIC JONES

TO: ALL PERSONNEL

INDEX: **STOCKTON POLICE RESERVES**
CONCEALED CARRY, RESERVES
RETIREMENT, RESERVES

I. POLICY

- A. It is the policy of the Stockton Police Department to have a section of men and women who volunteer their time serving and supporting the citizens of Stockton as Police Reserve Officers.
- B. Stockton Municipal Code sections 2.86.010 thru 2.86.150 govern the establishment, duties, and regulations pertaining to the Stockton Reserve Police Corps, herein referred to as Police Reserves.
 - 1. Stockton Municipal Code 2.86.010 created the Stockton Police Reserves. The Police Reserves shall have a compliment of not more than 125 Officers who shall be appointed by the City Manager and shall be under the direction of the Chief of Police.
 - 2. The Chief of Police shall establish the qualifications and standards by which applicants for membership in the Police Reserves shall be governed. Persons possessing these qualifications and conforming to these standards may be appointed to the Police Reserves by the City Manager at the recommendation of the Chief of Police.

II. PURPOSE

- A. The purpose of the Police Reserves is to augment the Stockton Police Department in the accomplishment of its law enforcement mission. In the enforcement of the penal laws of the state, or the penal ordinances of the city, and in the performance of such other duties as may be designated by the Chief of Police, every duly authorized member of the Police Reserves shall be deemed to have the powers of a police officer.
- B. The Police Reserve Officers shall respond to emergency incidents at the direction of the Chief of Police or his/her designee.

III. PROCEDURE

- A. The Administrative Services Division Commander is responsible for oversight of the Police Reserve Unit.
- B. The Police Reserve Unit will be staffed with a rank structure determined by the Chief of Police and may usually consist as follows:
 - 1. One Reserve Commander, appointed by the Chief of Police.
 - 2. One Reserve Lieutenant, usually selected from the rank of Reserve Sergeant, by the Reserve Commander and approved by the Chief of Police.
 - 3. Two Reserve sergeants, usually selected from the rank of Reserve Officer, by the Reserve Commander and approved by the Chief of Police.

4. The Reserve Commander may fill, add, or dismiss Reserve Officer ranks with approval of the Chief of Police.
- C. In the event Police Reserve Officers are needed in an emergency, the Command Center will notify the Police Reserve Commander, who will, in turn, notify the Police Reserve Officers. Reserve Officers will advise the Reserve Commander if they are able to respond. The Reserve Commander will report the names of the responding Police Reserves to the Incident Commander and coordinate their response to the incident.
 - D. All Reserve Officers shall abide by the Stockton Police Department Uniform Manual.
 - E. All Reserve Officers shall surrender their badge, identification, keys, and all other issued equipment upon separation from the Police Reserve Program.
 - F. Retiring Stockton Police Officers desiring to be Reserve Officers will contact the Commander of the Reserve Program 30 Days prior to retirement requesting to become a Reserve Officer.
 1. The Retiring officer will have a specific duty or function that will benefit the Department by their appointment as a reserve officer and convey that to the Reserve Commander.
 2. The retiring officer requesting reserve status to continue working for their Division will have the Captain or Lieutenant approval to assist as a reserve officer.
 3. The Commander will confirm and report his recommendation to the Administration Services Division Commander, who, in turn, will provide a recommendation to the Chief of Police for approval.
 4. Retired Officers who do not advise the Reserve Commander prior to retirement of their desire to become a reserve may have to undergo an updated background check.

IV. REQUIREMENTS

- A. Selection.
 1. Interested parties must complete and submit an application to the Police Reserve Commander for review. Approved applicants must complete a California POST background and all minimum requirements as outlined by California POST at the time of application.
 2. Applicants successfully completing the minimum requirements and initial selection process will be subject to the final recommendation of the Chief of Police and approval by the City Manager.
- B. Probation.
 1. Every new member of the Stockton Police Reserve shall be on an eighteen (18) month probation from the date sworn in, with the exception of regular Stockton Police Officers having retired from paid service in good standing and continuing service as an unpaid Stockton Police Reserve Officer. The regular Stockton Police Officer period of probation will serve in lieu of the Reserve Officer probation period.
 2. Any former Stockton Police Reserve member who rejoins the Reserve Police Unit shall re-enter at the rank of patrol officer, regardless of previous rank. After the eighteen (18) month probationary period is served by the former member, previous service time will be added to the member's records for service awards and promotion qualifications.
- C. For purposes of clarifying Penal Code section 832.6, and establishing uniformity in implementing and conducting the POST Reserve Officer Program, the following POST definitions apply:

1. A **Level I Reserve** refers to a trained reserve officer as described in Penal Code section 832.6(a)(1), and who is assigned specific police functions whether or not working alone [830.6(a)(1)] OR to the prevention and detection of crime and the general enforcement of the laws of this state [830.6(a)(2)] whether or not working alone.
 - a. The authority of a **Non-Designated Level I Reserve** shall extend only for the duration of assignment to specific police functions, as provided by Penal Code section 830.6(a)(1).
 - b. The authority of a **Designated Level I Reserve**, assigned to the prevention and detection of crime and the general enforcement of the laws of this state, shall include the full powers and duties of a peace officer as provided by Penal Code section 830.1. A Level I reserve is "designated" by authority of a city ordinance or a county resolution [Penal Code section 830.6(a)(2)].
 2. A **Level II Reserve** refers to a trained reserve officer as described in Penal Code section 832.6(a)(2), who works under the immediate supervision of a peace officer who has completed the basic training course for deputy sheriffs and police officers prescribed by POST, and is assigned to the prevention and detection of crime and the general enforcement of the laws of this State.
 3. A **Level III Reserve** refers to a trained reserve officer as described in Penal Code section 832.6(a)(3), who is supervised in the accessible vicinity by a Level I reserve officer or a full time regular peace officer employed by a law enforcement agency authorized to have reserves and deployed in limited support duties not requiring general law enforcement powers in their routine performance. Those limited support duties shall include traffic control, security at parades and sporting events, report taking, evidence transportation, parking enforcement, and other duties that are not likely to result in physical arrests. Level III reserve officers may transport prisoners without immediate supervision.
 4. **Exempted Reserve** means a reserve peace officer appointed prior to January 1, 1979, for whom training requirements of Penal Code section 832.6 have been waived by the appointing authority by reason of the reserve officer's prior training and experience.
 5. **Immediate Supervision for Level II Reserves** means the reserve officer acts under the direction of a peace officer who has completed the basic training course for deputy sheriffs and police officers prescribed by the Commission, and is routinely in the physical proximity of and available to the reserve officer; however, allowance is permitted for necessary temporary separations.
 6. **Prevention and Detection of Crime and the General Enforcement of Laws** refers to the peace officer authority of a Level I or Level II reserve officer assigned to investigate crime, or patrol a geographic area, and personally handle the full range of requests for police services, and take enforcement action on the full range of law violations for which the reserve's Department has enforcement responsibility.
 7. **Working Alone** refers to a qualified Level I reserve officer who works without immediate supervision and makes independent decisions. Two qualified Level I reserves, or a qualified Level I reserve and a regular officer, are not precluded from working together.
- D. Training.
1. Non-designated Level I Reserves prior to 1997 shall have Modules A, B, and C plus field training.

2. Designated and non-designated Level I Reserves appointed on or after July 1, 1999, shall have completed the Regular Basic Course and 400 hours of a Field Training Program.
 3. Level I Reserve Officers shall complete 24 hours of Continuous Professional Training (CPT) every two years beginning on January 1 of odd years and ending on December 31 of even years.
 - a. Reserve Officers may also be required to attend specialized training as required by the Department.
 - b. Training shall be documented and maintained in the Police Reserve Officers training files.
- E. Monthly Reserve Hour Requirements.
1. All unpaid Reserves must serve a minimum of 16 unpaid reserve hours each month.
 2. Level I reserves who have completed the Regular Basic Course and want to maintain qualifying service must serve an average monthly minimum of 16 hours [Commission Regulation 1008(b)(1)(A)].

V. RETIREMENT

- A. An honorably separated Stockton Police Reserve Officer having completed a minimum of 15 aggregate years of service as a Level I Police Reserve Officer or, in the case of an on-duty medical disability, a minimum of 10 aggregate years as a Level I Reserve Police Officer, will be considered a Retired Police Reserve Officer. Service as a Police Reserve Level I prior to January 1, 1997, shall not count towards the accrual of time. Any Reserve Police Officer not meeting the honorably separated qualifications is considered merely separated and not retired.
- B. California Penal Code Section 26300 was amended on January 1, 2014, to authorize a Retired Level I Police Reserve Officer who was authorized to and did carry a firearm during the course and scope of his/her appointment as a peace officer, to carry a concealed and loaded firearm in the State of California upon retirement, as defined in California Penal Code Sections 26300 and 25900, if there is an endorsement on the officer's Identification Card stating that the Department approves of the officer's carrying of a concealed and loaded firearm. The Retired Officer will comply with the Law Enforcement Officer Safety Act for out of State carry.
- C. Level 1 Reserve Police Officers shall forward a letter of retirement to the Commander of the Reserves who will verify years of service and forward it to the Chief of Police for his approval.
- D. The Chief of Police may deny or revoke the privilege to carry a concealed firearm by an honorably retired Police Reserve Officer, which may be based upon violations of any department rule or state or federal law, which if violated by an officer on active duty, would result in that officer's arrest, suspension, or removal from the Department.