

## LASD Manual of Policy and Procedures

### 2-02/110.00 RESERVE DEPUTIES

The regular law enforcement complement of the Department is supplemented by a large number of "Reserve" Deputy personnel who volunteer their services on an as-needed basis.

Reserve personnel are subordinate to regular Deputies, and in most instances, shall work under the immediate direction of regular full-time personnel of this Department. Unless otherwise directed by the concerned Unit Commander, Reserves shall not wear their rank insignia while working a uniformed assignment.

Reserve Peace Officers are required by regulations of the Commission on Peace Officer Standards and Training (POST) to meet the same selection standards (e.g. personal history investigation, medical and psychological screenings) as full-time regular Deputies.

There are three classifications of Reserves expressed as levels set forth in the Penal Code. Their duties and required training are described below.

#### Level I - Reserve

##### Designated Level I

Reserve Deputies may be appointed to a "Designated" Level I position by authority of a County Resolution. Designated Level I Reserve Deputies must complete the Sheriff Department's POST approved Field Training Program. This is the only category of Reserve that has 24-hour Peace Officer authority. All other Reserve levels have Peace Officer powers only for the duration of the person's specific assignment. A Designated Level I Reserve may work alone and perform the same duties as a full-time Deputy.

Designated Level I Reserve Deputies must successfully complete the POST Regular Basic Course in either the Standard Format - (664 hours minimum), or the Modular Format - Level III, II and I Reserve training (730 hours minimum).

Reserve Deputies have been granted Designated Level I status if they possess either a POST Reserve Officer Certificate or a Basic POST Certificate ("Departmental Exit Option," which allows regular Deputies to transition to Reserve status upon resignation or retirement).

Upon completion of the Sheriff Department's POST approved Field Training Program, Designated Level I Reserves are granted the following:

- full Peace Officer powers both on and off duty;
- authority to carry an off-duty weapon, conforming to Department policy, without the need for a concealed weapon permit;
- individuals with full-time Peace Officer status, who are exercising the "Exit Option," may be assigned to tasks routinely performed by regular Deputies. This includes supervising Level II and Level III Reserves; and
- reserves possessing a POST Reserve Officer Certificate may be assigned to tasks routinely performed by regular Deputies, including supervising Level II and III Reserves.

## Non-Designated Level I

In previous years, Reserves were trained at a level which was not equivalent to the POST Basic Course. These graduates are Non-Designated Level I Reserve Deputies.

A Non-Designated Level I Reserve may work alone and perform the same duties as a full-time regular Deputy. However, their Peace Officer authority is only for the duration of the Reserve's specific assignment.

Non-Designated Level I Reserves are granted the following:

- peace Officer powers only while on duty;
- authorization to carry an off-duty weapon, only if they have a concealed weapon permit;
- possible assignment to tasks routinely performed by regular Deputies, except that they shall not be assigned to supervise other Reserve Deputies in a general law enforcement capacity; and
- due to recruit changes in POST training requirements, Non-Designated Level I Reserves may not upgrade to Designated Level I status unless they apply for the Basic Course Waiver (through POST) or by repeating the Basic course (modular or intensive).

## Level II - Reserve

A Level II Reserve Deputy may perform general law enforcement assignments while under the immediate supervision of a Peace Officer who has completed the Regular Basic Course. Immediate supervision is defined as continually being in the physical proximity of and available to, the Reserve Deputy. However, allowances are permitted for necessary temporary separations, such as tactical situations requiring separation. A Level II Reserve Deputy may work assignments authorized for Level III Reserve Deputies without immediate supervision.

Level II Reserve Deputies must successfully complete the Level III and Level II Modules of the Post Basic Course - Modular Format as their entry-level training requirement.

Although not a POST requirement, the Los Angeles County Sheriff's Department requires that Level II Reserves, who work patrol assignments, must complete the Sheriff's Department's POST approved Field Training Program.

Reserve Deputies who have successfully completed a Level II Reserve POST Certified Reserve training module, are granted the following:

- peace Officer powers only while on duty; and
- authorization to carry an off-duty weapon, only if they have a concealed weapon permit.

When working in a general law enforcement capacity, Level II Reserves must be under the immediate supervision of a regular Deputy, or a Designated Level I Reserve Deputy.

## Level III - Reserve

A Level III Reserve Deputy may perform specified limited support duties, and other duties that are not likely to result in physical arrests, while under the immediate supervision of a

Designated Level I Reserve Deputy or a full-time regular Deputy. Additionally, Level III Reserve Deputies may transport prisoners without immediate supervision. They are limited to assignments that do not usually involve general law enforcement activities.

Reserve Deputies who have successfully completed the Level III Module of POST training hours, are granted the following:

- Peace Officer powers only while on duty.

## California Penal Code

### **PENAL CODE - PEN**

#### **PART 2. OF CRIMINAL PROCEDURE [681 - 1620]**

*( Part 2 enacted 1872. )*

#### **TITLE 3. ADDITIONAL PROVISIONS REGARDING CRIMINAL PROCEDURE [777 - 883]**

*( Heading of Title 3 amended by Stats. 1951, Ch. 1674. )*

#### **CHAPTER 4.5. Peace Officers [830 - 832.18]**

*( Chapter 4.5 added by Stats. 1968, Ch. 1222. )*

##### **832.6.**

(a) Every person deputized or appointed, as described in subdivision (a) of Section 830.6, shall have the powers of a peace officer only when the person is any of the following:

(1) A level I reserve officer deputized or appointed pursuant to paragraph (1) or (2) of subdivision (a) or subdivision (b) of Section 830.6 and assigned to the prevention and detection of crime and the general enforcement of the laws of this state, whether or not working alone, and the person has completed the basic training course for deputy sheriffs and police officers prescribed by the Commission on Peace Officer Standards and Training. For level I reserve officers appointed prior to January 1, 1997, the basic training requirement shall be the course that was prescribed at the time of their appointment. Reserve officers appointed pursuant to this paragraph shall satisfy the continuing professional training requirement prescribed by the commission.

(2) A level II reserve officer assigned to the prevention and detection of crime and the general enforcement of the laws of this state while under the immediate supervision of a peace officer who has completed the basic training course for deputy sheriffs and police officers prescribed by the Commission on Peace Officer Standards and Training, and the level II reserve officer has completed the course required by Section 832 and any other training prescribed by the commission.

Level II reserve officers appointed pursuant to this paragraph may be assigned, without immediate supervision, to those limited duties that are authorized for level III reserve officers pursuant to paragraph (3). Reserve officers appointed pursuant to this paragraph shall satisfy the continuing professional training requirement prescribed by the commission.

(3) Level III reserve officers may be deployed and are authorized only to carry out limited support duties not requiring general law enforcement powers in their routine performance. Those limited 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 while assigned these duties shall be 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 reserve officers. Level III reserve officers may transport prisoners without immediate supervision. Those persons shall have completed the training required under Section 832 and any other training prescribed by the commission for those persons.

(4) A person assigned to the prevention and detection of a particular crime or crimes or to the detection or apprehension of a particular individual or individuals while working under the

supervision of a California peace officer in a county adjacent to the state border who possesses a basic certificate issued by the Commission on Peace Officer Standards and Training, and the person is a law enforcement officer who is regularly employed by a local or state law enforcement agency in an adjoining state and has completed the basic training required for peace officers in his or her state.

(5) For purposes of this section, a reserve officer who has previously satisfied the training requirements pursuant to this section, and has served as a level I or II reserve officer within the three-year period prior to the date of a new appointment shall be deemed to remain qualified as to the Commission on Peace Officer Standards and Training requirements if that reserve officer accepts a new appointment at the same or lower level with another law enforcement agency. If the reserve officer has more than a three-year break in service, he or she shall satisfy current training requirements.

This training shall fully satisfy any other training requirements required by law, including those specified in Section 832.

In no case shall a peace officer of an adjoining state provide services within a California jurisdiction during any period in which the regular law enforcement agency of the jurisdiction is involved in a labor dispute.

(b) Notwithstanding subdivision (a), a person who is issued a level I reserve officer certificate before January 1, 1981, shall have the full powers and duties of a peace officer as provided by Section 830.1 if so designated by local ordinance or, if the local agency is not authorized to act by ordinance, by resolution, either individually or by class, if the appointing authority determines the person is qualified to perform general law enforcement duties by reason of the person's training and experience. Persons who were qualified to be issued the level I reserve officer certificate before January 1, 1981, and who state in writing under penalty of perjury that they applied for but were not issued the certificate before January 1, 1981, may be issued the certificate before July 1, 1984. For purposes of this section, certificates so issued shall be deemed to have the full force and effect of any level I reserve officer certificate issued prior to January 1, 1981.

(c) In carrying out this section, the commission:

(1) May use proficiency testing to satisfy reserve training standards.

(2) Shall provide for convenient training to remote areas in the state.

(3) Shall establish a professional certificate for reserve officers as defined in paragraph (1) of subdivision (a) and may establish a professional certificate for reserve officers as defined in paragraphs (2) and (3) of subdivision (a).

(4) Shall facilitate the voluntary transition of reserve officers to regular officers with no unnecessary redundancy between the training required for level I and level II reserve officers.

(d) In carrying out paragraphs (1) and (3) of subdivision (c), the commission may establish and levy appropriate fees, provided the fees do not exceed the cost for administering the respective services. These fees shall be deposited in the Peace Officers' Training Fund established by Section 13520.

(e) The commission shall include an amount in its annual budget request to carry out this section.

*(Amended by Stats. 2001, Ch. 473, Sec. 6. Effective January 1, 2002.)*

## California P.O.S.T.

### Section H - Reserve Officer Program Commission Procedure H-1

#### 1-1. Purpose

This Commission procedure sets forth definitions pertaining to the Reserve Officer Program which are not included in [Commission Regulation 1001](#).

#### 1-2. Definitions

For purposes of clarifying [Penal Code section 832.6](#), and establishing uniformity in implementing and conducting the POST Reserve Officer Program, the following definitions apply:

(a) 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.

(1) 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).

(2) 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\(a\)\(2\)\]](#).

(b) 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 the Commission, and is assigned to the prevention and detection of crime and the general enforcement of the laws of this State.

(c) 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.

(d) **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.

(e) **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.

(f) **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.

(g) **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.

Procedure H-1 was adopted and incorporated by reference into Commission Regulation 1007 on July 15, 1982, and subsequently amended June 15, 1990, February 22, 1996, September 12, 1998, and July 1, 1999.