

## Reserve Officers

### 326.1 PURPOSE AND SCOPE

This policy establishes the guidelines for Missoula Police Department reserve officers to supplement and assist regular full-time police officers in their duties. These officers provide volunteer professional and special functions that augment regular staffing levels.

#### 326.1.1 DEFINITIONS

Definitions related to this policy include (§ 7-32-201, MCA):

**Reserve officer** - A person who is a sworn, part-time paid member serving as a court officer as defined in § 3-6-303, MCA. The part-time paid member is a peace officer as defined in § 46-1-202, MCA, and has arrest authority, subject to agency authorization, pursuant to § 46-6-210, MCA.

### 326.2 POLICY

The Missoula Police Department shall ensure that reserve officers are properly appointed, trained and supervised and that they maintain the appropriate certifications and readiness to carry out their assigned duties.

#### 326.2.1 MAINTENANCE AND PUBLICATION

The Missoula Police Department shall ensure policies and procedures regarding reserve officers, including but not limited to minimum qualifications, minimum training standards and standard operating procedures are maintained and published (§ 7-32-215, MCA).

### 326.3 RECRUITMENT AND SELECTION

The Missoula Police Department shall endeavor to recruit and appoint only those applicants who meet the high ethical, moral and professional standards set forth by this department.

All applicants shall be required to meet and pass the same pre-employment procedures as regular police officers before appointment, with exception to the residency requirement in Missoula Municipal Code 2.80.

#### 326.3.1 APPOINTMENT

Applicants who are selected for appointment as reserve officers shall, on the recommendation of the Chief of Police, be sworn in and take the Oath of Office in accordance with the Oath of Office Policy as required for the position.

Reserve officers are considered at-will employees and may be dismissed at the discretion of the Chief of Police, with or without cause (§ 7-32-221, MCA).

Reserve officers shall have no property interest in continued appointment and are not members of the Missoula Police Officers' Association (MPOA). However, if a reserve officer is removed for alleged misconduct, the reserve officer will be afforded an opportunity solely to clear their name through a liberty interest hearing, which shall be limited to a single appearance before the Chief of Police or the authorized designee.

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#### **326.3.2 MINIMUM STANDARDS**

Reserve officers must meet the following minimum standards for appointment (§ 7-32-211, MCA; § 7-32-213, MCA):

- (a) Have resided for a minimum of 6 months in the county of appointment prior to the appointment date.
- (b) Have resided continuously in the state for a minimum of one year prior to the appointment date.
- (c) Be a citizen of the United States.
- (d) Be at least 18 years of age.
- (e) Be fingerprinted for purposes of a search of local, state and national fingerprint files relating to any criminal history or record.
- (f) Not have been convicted of any crime for which he/she could be imprisoned in a state prison or federal institution.
- (g) Be of good moral character as evidenced by a thorough background investigation.
- (h) Be a graduate of an accredited high school or possess an equivalent diploma.
- (i) Possess a valid Montana driver's license.
- (j) Have been examined by a licensed physician no sooner than 30 days immediately preceding the date of appointment and been determined to be in good physical condition.

#### **326.3.3 TRAINING**

Within two years of the date of the original appointment, reserve officers who perform general law enforcement duties must satisfactorily complete a minimum 88-hour basic training program that meets the statutory requirements unless an exception applies (§ 7-32-214, MCA; ARM 23.13.804).

#### **326.4 IDENTIFICATION AND UNIFORMS**

Reserve officers will be issued Missoula Police Department uniforms, badges and identification cards. The uniforms and badges shall be the same as those worn by regular full-time police officers. These will be the standard Missoula Police Department forms of identification, with the exception that "Reserve" will be indicated on the badges and identification cards.

#### **326.5 AUTHORITY**

Reserve officers shall perform peace officer duties within the scope of their approved training. Reserve officers (§ 7-32-216, MCA):

- (a) Perform law enforcement functions and have the authority to arrest on behalf of this department when so ordered and at the direction of the Chief of Police.
- (b) Shall not exercise peace officer duties when off-duty.

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- (c) Must be supervised by a full-time law enforcement officer whose span of control would be considered within reasonable limits.

#### **326.6 COMPENSATION**

Compensation for reserve officers is provided as follows:

- (a) Reserve officers shall work as authorized by the City (§ 7-32-211, MCA).
- (b) Reserve officers are issued two sets of uniforms and all designated attire and safety equipment, as applicable to their positions. All property issued to reserve officers shall be returned to this department upon termination or resignation.
- (c) Reserve officers may not participate in any retirement or pension plan which is established for full-time law enforcement officers (§ 7-32-202, MCA).

#### **326.7 PERSONNEL WORKING AS RESERVE OFFICERS**

Qualified regular department personnel, when authorized, may also serve as reserve officers. However, this department shall not utilize the services of reserve officers in such a way that it would violate employment laws or labor agreements. Therefore, the reserve coordinator should consult with the Department of Human Resources prior to allowing regular department personnel to serve in a reserve officer capacity (29 CFR 553.30).

#### **326.8 COMPLIANCE**

Reserve officers shall be required to adhere to all department policies and procedures. A copy of the policies and procedures will be made available to each reserve officer upon appointment. The reserve officer shall become thoroughly familiar with these policies.

Whenever a rule, regulation or guideline in this Policy Manual refers to a regular full-time police officer, it shall also apply to a reserve officer, unless by its nature it is inapplicable.

Reserve officers are required by this department to meet department-approved training requirements.

All reserve officers are required to attend scheduled meetings. Any absences must be satisfactorily explained to the reserve coordinator.

#### **326.9 FIREARMS**

Reserve officers shall successfully complete department-authorized training in the use of firearms. Their appointments must be approved by the City prior to being issued firearms by this department or otherwise acting as reserve officers on behalf of the Missoula Police Department.

Reserve officers will be issued duty firearms as specified in the Firearms Policy. Any reserve officer who is permitted to carry a firearm other than the assigned duty weapon or any optional firearm may do so only in compliance with the Firearms Policy.

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Reserve officers are required to maintain proficiency with firearms used in the course of their assignments. Reserve officers shall comply with all training and qualification requirements set forth in the Firearms Policy.

#### **326.9.1 CONCEALED FIREARMS**

An instance may arise where a reserve officer is assigned to a plainclothes detail for his/her assigned tour of duty. Under these circumstances, the reserve officer may be permitted to carry a weapon more suited to the assignment, but only with the knowledge and approval of the supervisor in charge of the detail.

Any reserve officer who is permitted to carry a firearm other than the assigned duty weapon may do so only after verifying that the weapon conforms to department standards. The weapon must be registered by the reserve officer and be inspected and certified as fit for service by the department Firearms Instructor. The weapon shall comply with all the requirements set forth in the Firearms Policy.

Before being allowed to carry any optional firearm during an assigned tour of duty, the reserve officer shall demonstrate his/her proficiency with the weapon.

#### **326.9.2 STATE TRAINING**

Reserve officers may not carry a firearm on duty until (§ 7-32-217, MCA):

- (a) They have qualified in compliance with a firearms qualifying course conducted by the Montana law enforcement academy.
- (b) They have been authorized by the Chief of Police to carry a firearm.

#### **326.10 RESERVE COORDINATOR**

The Chief of Police shall delegate certain responsibilities to a reserve coordinator. The reserve coordinator shall be appointed by and directly responsible to the Administrative Captain or the authorized designee (§ 7-32-219, MCA).

The reserve coordinator may appoint a senior reserve officer or other designee to assist in the coordination of reserve officers and their activities.

The responsibilities of the coordinator or the authorized designee include, but are not limited to:

- (a) Assigning reserve officers.
- (b) Conducting reserve officer meetings.
- (c) Establishing and maintaining a reserve officer callout roster.
- (d) Monitoring the field training progress of reserve officers.
- (e) Monitoring individual reserve officer performance.
- (f) Monitoring overall reserve officer activities.
- (g) Maintaining a liaison with other agency reserve coordinators.

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#### **326.11 FIELD TRAINING**

All reserve officers shall complete department-specified field training to ensure department standards.

#### **326.12 SUPERVISION**

Reserve officers may perform the same duties as regular full-time officers of this department provided they are under the direct or indirect supervision of a supervisor or officer in charge. Reserve officers shall never supervise a regular full-time officer (§ 7-32-216, MCA; § 7-32-218, MCA).

##### **326.12.1 EVALUATIONS**

While in training, reserve officers should be continuously evaluated. The reserve officer will be considered a trainee until he/she has satisfactorily completed training. Reserve officers who have completed their field training should be evaluated annually using performance dimensions applicable to the duties and authorities granted to that reserve officer.

##### **326.12.2 INVESTIGATIONS AND COMPLAINTS**

If a reserve officer has a personnel complaint made against him/her or becomes involved in an internal investigation, the matter shall be investigated in compliance with the Personnel Complaints Policy.