

Chapter 35

POLICE DEPARTMENT

[HISTORY: Adopted by the Mayor and Council of the City of Seat Pleasant as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Code enforcement officers — See Ch. 10.
Departments — See Ch. 14.
Ethics — See Ch. 18.
Personnel policies — See Ch. 31.

ARTICLE I

General Provisions

[Adopted 9-9-1991 by Ord. No. 91-03]

§ 35-1. Establishment.

- A. A police force is hereby established for and by the City of Seat Pleasant, Maryland.
- B. This article supersedes all prior ordinances establishing a police force in the City.
- C. The provision of services provided by the police force established by this article shall be in addition to and not in lieu of the police services provided by the Prince George's County Police Department.

ARTICLE II

Qualifications

[Adopted 9-8-1992 by Ord. No. 92-03]

§ 35-2. General provisions.

- A. The applicant must be a citizen of the United States and must have reached his/her 21st birthday on the date on which an application to the City is filed.
- B. Except for participants in the Reserve Officer Program, the position shall be a full-time employee of the City of Seat Pleasant. [Amended 5-14-2007 by Ord. No. 07-04]
- C. The candidate must be eligible to attend the Maryland State Police Training Commission (MSPTC) and must satisfactorily complete the training and receive a certificate from the Commission and be ready to enter the first available class. Otherwise the candidate must be currently certified by the MSPTC. [Amended 2-14-1994 by Ord. No. 94-01]
- D. Except for participants in the Reserve Officer Program, the applicant candidate must satisfactorily serve a twelve-month probationary period beginning at the time that the applicant candidate enters full duty. The probationary period does not include any period of time required for basic law enforcement training or certification before the applicant candidate enters full duty. [Amended 5-14-2007 by Ord. No. 07-04; 4-14-2008 by Ord. No. 08-04]
- E. Prior to being employed by the City, the candidate must undergo and satisfactorily complete physical examination and psychological examination to determine his/her fitness to serve as a police officer for the City.
- F. The candidate must be of good moral character and emotionally stable, as determined by a comprehensive background investigation, which includes fingerprinting of the applicant and a search made of local, state and criminal records, including a check of military, local draft board, school and credit agency records. Personal references given by the applicant should be interviewed to aid in determining his/her fitness for the position.
- G. Education. The candidate must minimally meet the following educational requirements: high school diploma or GED (general educational development) equivalent.

- H. Applicants must have a valid driver's license from the State of Maryland and shall not have had any points assessed against any driver's license issued by any state for five years preceding the application to the City of Seat Pleasant.
- I. Knowledge required.
- (1) The applicant should have a working knowledge of the Maryland State Criminal Code and its relationship to law enforcement at the county and municipal level.
 - (2) The applicant is expected to have general knowledge of the criminal justice system and be particularly cognizant of all the procedures from arrest to adjudication by the courts.
 - (3) The applicant should be able to write comprehensive reports and be able to review reports of others.
- J. General physical requirements.
- (1) The applicant must be in general good health.
 - (2) The applicant must have 20/20 vision.
 - (3) If the applicant wears glasses or contact lenses, the vision must be correctable to 20/20.
 - (4) The applicant's height cannot exceed six feet five inches.
 - (5) The applicant's weight must be in proportion to height requirements.
 - (6) The applicant must be able to lift a minimum of 70 pounds to waist level.
 - (7) The applicant must be able to stand for long periods of time and to wear, at a minimum, 50 pounds of equipment on his/her person.
 - (8) The applicant must be able to fire all police-issued firearms without any impediments.
 - (9) The applicant must be able to run and walk sufficiently without impediments to complete all physical requirements of the Training Academy and to apprehend suspects.
 - (10) The applicant must be able to run, jump and climb without impediment.

§ 35-3. Applicability.

These general qualifications shall not apply to candidates for Chief of Police.

ARTICLE III
Rules of Conduct
[Adopted 9-8-1992 by Ord. No. 92-05]

§ 35-4. General responsibility.

- A. In setting forth the rules of conduct for police officers, it is to be understood that it is not feasible to enumerate all offenses for which the Chief of Police may take disciplinary action.
- B. Any violation of such rules and regulations or other orders, either written or verbal, shall be sufficient cause for the Chief of Police to take disciplinary action after an investigation, if deemed necessary. If the circumstances have been made, the Chief of Police shall sit as a trial board and take such action as he/she deems necessary in each case. Any member of the Department desiring to do so may appeal the decision of the trial board to the Public Safety Committee, in writing, within five days.
- C. Every member of the Department shall be held responsible for the proper performance of his/her duties and for strict adherence on his/her part to the rules and regulations adopted from time to time for administration of the Police Department. It shall not be deemed a valid excuse or justification for anything he/she may do contrary to such rules and regulations or for anything he/she may omit doing that he/she followed the suggestion or advice of any other person, whether connected with the Police Department or not, except an officer of superior rank who takes upon himself the responsibility of issuing direct and positive orders.

§ 35-5. Conduct unbecoming an officer.

- A. Conduct unbecoming a member of the Police Department or any civilian employee in such Department is prohibited.
- B. All members of the Police Department shall be subject to the rules and regulations set out in this section.

§ 35-6. Influencing Chief of Police.

- A. Any attempt to bring influence to bear upon the Chief of Police for the purpose of securing promotion or transfer or to avoid penalties for reprehensible action of conduct shall be considered equivalent to insubordination.
- B. No member of the Police Department shall interfere with the operation or discipline of the Department.

§ 35-7. Official communications.

All members of the Police Department shall treat as confidential the official communications and business of the Department.

§ 35-8. Private compensation or reward; contests.

- A. No compensation, reward or other consideration from private sources shall be solicited or accepted by members of the Police Department without special permission from the Chief of Police. Upon receipt of any reward, compensation or consideration after permission has been granted, a complete report shall be forwarded to the Chief of Police.
- B. Members of the Police Department shall not engage in any prize contest or solicit votes or contributions for any such prize contest or engage, either directly or indirectly, in the sale of tickets or soliciting the advertisements of business of any nature without written approval of the Chief of Police.

§ 35-9. Disobedience to lawful order; ranking officer.

- A. No member of the Police Department shall willfully disobey any lawful command or order, either verbal or written, of any officer senior in rank but shall execute such order or command promptly. If any such order conflicts with any previous order from any other superior officer or with any general order or special order or provision of this article, the member receiving such order shall courteously so inform the superior officer of the conflict. If such officer does not change his/her order to avoid conflict, his/her order shall stand and the responsibility shall be his. The person obeying the order shall not be held responsible for disobedience of any orders theretofore issued.
- B. Where two or more officers, commissioned or uncommissioned, of the same rank are assigned to special detail, unless specific instructions have been issued to the contrary, the senior present shall be in command.

§ 35-10. Financial obligations.

All members of the Police Department shall fulfill their financial obligations.

§ 35-11. Unacceptable conduct.

- A. No member of the Police Department shall be permitted to visit barrooms or known or suspected gambling establishments while on duty, except in the line of duty.
- B. All members of the Police Department shall refrain from making personal contacts with persons of questionable character unless necessary to do so in the performance of their duty.
- C. Members of the Police Department attending racetracks, either on or off duty, shall not patronize these establishments by visiting the betting windows while in uniform. They shall not display, exhibit or carry, in any manner visible to the public, paraphernalia such as programs, scratch sheets, newspapers, etc., usually displayed by other patrons.

§ 35-12. Decorum and courtesy.

- A. All members of the Police Department shall be quiet, civil and orderly at all times. They shall refrain from coarse, profane or insolent language.
- B. All members of the Police Department shall at all times, either on duty or off duty, conduct themselves in such a manner as will be a credit to the Department.
- C. Members of the Police Department shall meet the public with every decency, courtesy and consideration. Questions shall be answered civilly and courteously, at the same time avoiding unnecessary conversation. Members shall not use slang or facetious expressions while talking to the public.

§ 35-13. Use of force or violence.

Every member of the Police Department shall refrain from using unnecessary force or violence and shall not strike a prisoner or any other person except in self-defense. Members shall be firm and resolute. If the officers are resisted, they may repel force with force and should only use such force as is necessary to take the prisoner into custody.

§ 35-14. Criticism or ridicule.

No member of the Police Department shall directly or indirectly criticize or ridicule any official action of any member of the Department. No member shall criticize, directly or indirectly, the action or orders of any county official, Judge or Magistrate.

§ 35-15. Public relations.

It shall be the duty of every member of the Police Department to promote good public relations by giving assistance when it is requested, by the impartial administration of the law and by clean, sober and orderly habits. Every member of the Police Department shall furnish his/her name and badge number to any person properly entitled to this information, upon his/her request.

§ 35-16. Intoxicating liquors; diseases.

- A. All members of the Police Department are prohibited from indulgence in intoxicating liquors while on duty or in uniform or from reporting for duty with the odor of alcohol on or about their bodies or from the excessive indulgence of intoxicating liquors at any time. Only in cases requiring such action to carry out a duty assignment shall authority be granted to violate this rule. This authority shall be given to the officer concerned, in writing, by the Chief of Police.
- B. No member of the Police Department shall bring any intoxicating liquor to any building or quarters officially occupied by the police, except as evidence in current cases.
- C. Any member of the Police Department contracting a social disease shall report that fact immediately to his/her immediate superior officer. His/her superior shall in turn notify the Health Department. Any member of the Department knowing another member to have failed to report the disease shall make a report of the existing menace to the commanding officer.

§ 35-17. Violation of laws; false statement.

- A. No member of the Police Department shall intentionally violate any law of the United States, the state or the county or the ordinance of any city or municipality within the state.
- B. No member of the Police Department shall, under any circumstances, make any false official statement or intentional misrepresentation of facts.

§ 35-18. Punctuality.

Members of the Police Department shall be punctual in attendance to all calls, requirements of duty, court appointments and other circumstances where time is specified.

§ 35-19. Salute required; exception.

Uniformed members of the Police Department, when encountering other uniformed members of this or another Police Department, the Governor, officers of the National and State Guard or officers of the United States Army, Navy and Marine Corps, shall render the salute in the prescribed manner. This rule shall not apply to plainclothes officers from any bureau or division. They shall only be recognized by uniformed officers when circumstances permit, of which they shall be the judge and shall so indicate by first rendering the salute in the prescribed manner to the uniformed officer, who shall return the salute.

§ 35-20. Periodic relief from duty.

Members of the Police Department are held to be always on duty, although periodically relieved from the routine performance thereof. They are subject at all times to orders from the proper authorities and to call by citizens. The fact that they may be off-duty shall not be held as relieving them from the responsibility of taking proper police action in any matter coming to their attention requiring such action.

§ 35-21. Communication of information to criminals.

Members of the Police Department shall not communicate in any way whatsoever, directly or indirectly, in any manner or form, any information which may enable persons guilty of criminal or quasi-criminal acts to escape arrest or punishment or to dispose of or secrete any money or valuables or the proceeds of crime or to destroy any evidence which would establish guilt.

§ 35-22. Compromises or arrangements.

Members of the Police Department shall not be concerned, directly or indirectly, in making any compromise or arrangements between suspected violators of the law and persons who are alleged to have suffered by their acts.

§ 35-23. Smoking restrictions.

Members of the Police Department shall not smoke in uniform while in view of the public or while engaged in any business with the public. They shall not appear in public places with unlighted pipes, cigars or cigarettes in their mouths. Smoking in storerooms and garages shall not be permitted at any time. No member of the Police Department shall unnecessarily loiter in any private or secluded place for the purpose of smoking.

§ 35-24. Secondary employment. [Amended 5-14-2007 by Ord. No. 07-04; 4-14-2008 by Ord. No. 08-04]

- A. The Chief of Police shall promulgate reasonable rules to regulate secondary employment of officers of the Seat Pleasant Police Department. When adopted, these rules shall become part of the Department's general order manual.
- B. In addition to such other rules as the Chief of Police determines to be reasonable and necessary, the rules regulating secondary employment shall prohibit officers of the Seat Pleasant Police Department from participating in any way in any business or employment that requires the officer to engage in conduct that is inconsistent with the Department's objectives, regulations, ethics or reputation, or that creates a real or potential conflict of interest between the officer's secondary employment and the officer's duties with the Department, or that presents the appearance of such a conflict of interest.

§ 35-25. Influencing business; accepting privileges.

Members of the Police Department shall not by threat or in any manner directly or indirectly use their position for the purpose of influencing the lawful business, profession or occupation of any person. They shall not allow any lawful business, profession or occupation of persons to be influenced by their position or acts to the extent of extending to them privileges that are not enjoyed by all patrons. This rule shall especially apply to business places serving food and drinks.

§ 35-26. Reports required.

Members of the Police Department shall make complete typewritten detailed reports on all cases requiring a report, on the prescribed form, before leaving the station upon completion of their tour of duty.

§ 35-27. Report of deaths.

- A. Any member of the Police Department who finds a dead body or learns of a case where death has ensued without a physician having been in attendance shall immediately notify the officer in command of the station where the body was found and receive instructions in regard to his/her further procedure.
- B. The officer in charge of such station shall promptly notify the medical examiner and the officer in charge of the Bureau of Criminal Investigation and report the details concerning the same to the Chief of Police. Should circumstances indicate the possibility of a crime having been committed, the commanding officer shall also notify the state's attorney and shall at once note all particulars.
- C. He/she shall not permit disturbances of the body or surroundings. He/she shall take care to prevent the handling of weapons or other objects presenting smooth surfaces as to obliterate visible or latent fingerprints thereon and, if necessary, detain for the time being any individual whose testimony, in his/her judgment, might be needed in establishing any fact or removing any doubt in connection with the case. He/she shall arrest any person against whom there exists reasonable suspicion of guilt supported by any fact, circumstances or credible information. He/she shall make a full report of all facts and details connected with the case.

§ 35-28. Report of personal injury or property damage.

Members of the Police Department shall report promptly, in writing, to their superior officers any injuries to their persons or any damage to the City property in their charge, irrespective of whom or where such injury or damage occurs. Such report shall be in full detail, giving the names and addresses of all witnesses. If a member of the Department is injured to such an extent that he/she is physically unable to make such report, his/her superior officer shall promptly make the report.

§ 35-29. Accident involving City liability.

When an accident occurs as a result of any defect in public property or where it appears or is alleged that the City may in any manner be held responsible or liable for an injury to a person or damage to property as a result of such accident, police officers shall make a careful and thorough investigation and report all facts in connection therewith, together with the names and addresses of all witnesses. Such report shall be made promptly and in writing.

§ 35-30. Examination of vehicles and buildings.

- A. Members of the Police Department, while on patrol at night, shall observe vehicles on the streets and shall investigate any suspicious circumstances in connection therewith, making notes of the circumstances for future reference.
- B. Members of the Police Department during their tour of duty shall frequently examine the doors, low windows and archways of buildings on their beats or patrol area, to ascertain if they are properly fastened at night. They shall also give vacant houses the same attention during the day. If any are found open, they shall report the facts to the station after steps to secure them have been taken.

§ 35-31. Suspicious persons; suspicious premises.

- A. Members of the Police Department shall give persons of known bad character such attention as will make it apparent to such persons that they are under observation and shall inform the station commander of the names and addresses if the circumstances are of a suspicious nature.
- B. Members of the Police Department shall obtain information concerning any houses in their patrol area in which they suspect violations of the law exist and shall take the necessary police action or report the facts to their commanding officer.

§ 35-32. Observance of condition of thoroughfares.

Members of the Police Department shall be vigilant in observing the condition of the public thoroughfares and shall promptly report any defects in or obstructions on any street, road, sidewalk, parking or other public space. They shall, if necessary, take prompt action in barricading the street during the day and in placing lights thereon at night.

§ 35-33. Report of fire.

When a member of the Police Department discovers a fire, he/she shall communicate directly with his/her station or with the nearest Fire Department. He/she shall arouse any persons who may be sleeping in or upon the endangered premises and make inspection of the same, so far as practicable, for evidence of incendiarism. He/she shall prevent interference with the fire fighters by onlookers or traffic and make a report at his/her station of all facts and circumstances in connection with the case, giving, if possible, the exact time of his/her discovery of the fire.

§ 35-34. Observance of unusual conditions; crowds.

Members of the Police Department shall, while on their tour of duty, be vigilant in observing unusual occurrences or circumstances and shall take such action as is deemed necessary to ensure the safety and well-being of the general public. In the event that any of these occurrences or circumstances attract a large crowd of citizens, the officers on the scene shall notify their immediate superior, who will immediately proceed to the scene of such occurrence and shall take command of the force and direct its efforts in the work at hand.

§ 35-35. Release of prisoners.

No member of the Police Department shall without proper authority release any prisoner in his/her charge or, through neglect or design, suffer any prisoner in his/her charge to escape.

§ 35-36. Storage of equipment.

Members of the Police Department shall not allow the storage of personal equipment to interfere with the storage of departmental equipment.

§ 35-37. Record of infractions of departmental rules.

Infraction of the departmental rules and regulations resulting in reprimand shall be recorded as provided in the established procedures of the Department.

§ 35-38. Recovered property.

- A. All members of the Police Department shall properly secure any property which may have been confiscated or which has otherwise come under their care.
- B. All members of the Police Department shall, upon impounding any vehicle, make a complete report on the form provided for such action, showing that the owner of such vehicle has been notified as to its whereabouts, before leaving the station upon completing his/her tour of duty.
- C. No property shall be released until a proper release is signed by persons authorized to obtain such property by reason of their showing proof that they are rightfully entitled to have possession of such articles or items.
- D. Members of the Police Department, upon their separation for any cause from the Department, shall promptly return to the Department all county property issued them.

§ 35-39. Use of firearms.

- A. Members of the Police Department are sworn in peace officers of the county and as such are considered to be on duty or ready for duty at all times. In view of this, all members of the Police Department will at all times, when apart from their homes, be armed and carry their badge of authority.
- B. No member of the Police Department shall use firearms on or off duty, except in the following cases:

- (1) In self-defense or when necessary to protect a fellow officer or any citizen against a felonious assault or when necessary to protect a prisoner.
 - (2) To prevent the escape of a felon, particularly if the felon is known to the officer and his/her escape might result in his/her going unpunished for the offense.
 - (3) To kill a dangerous animal or to kill an animal so badly injured that humanity requires its relief from further suffering.
 - (4) When used in practice on the range.
- C. Under no circumstances shall a member of the Police Department shoot at a person who is running away to avoid arrest on a misdemeanor charge.
- D. Firearms shall be kept out of reach of the public and shall not be left lying around the station. Riot equipment shall be kept under lock and key in an inconspicuous place and shall not be displayed to the general public.

§ 35-40. Uniforms and equipment.

- A. Members of the Police Department are required at all times to be neat, clean and well-groomed. Uniform and civilian clothes shall be clean and pressed at all times. Shoes, leather equipment and brass shall be regularly polished, and sidearms shall be clean and serviceable at all times.
- B. No member of the Police Department shall allow another member of the Department or any other person to use his/her badge or other of his/her means of personal identification.
- C. Members when on duty shall appear in the prescribed uniform at all times.
- D. Members when attending court or any function where they will represent the Department shall appear in full uniform or dressed in civilian clothes, conservatively, with a coat.
- E. Any member of the Police Department under suspension shall turn in all City property and equipment, real or tangible, before leaving the station to which he/she is assigned.
- F. Uniformed members of the Police Department shall be held responsible for the uniform, motor vehicle or other equipment, real or tangible, issued to them, and where it is established that this equipment is lost or damaged through negligence, the officer concerned shall be obligated to replace it at his/her own expense. Every member of the Police Department shall assume a personal responsibility for all county property issued to him/her or placed in service for his/her use or convenience.
- G. Any member of the Police Department losing his/her badge or other equipment, real or tangible, issued to him/her shall report the facts at once, in writing, to the Chief of Police, through official channels.
- H. No decoration or insignia shall be worn by any member of the Police Department on the City police uniform unless authorized by the Chief of Police, who will designate where, when and in what manner the insignia or decoration shall be worn.
- I. Members of the Police Department shall not use any motor vehicles furnished them for police duty for other than police duty.

§ 35-41. Police uniform; wearing regulations.

The following regulations shall govern, in every instance, the wearing of the county police uniform.

- A. Cap. The grommet on the cap shall be removed and the cap shall be worn straight, in a level position on the head. The badge shall be worn in the metal holder provided.
- B. Collar ornaments. Collar ornaments shall not be placed on the shirt when blouse is worn.
- (1) When worn on the shirt collar by commissioned personnel, the ornaments bearing the State Seal shall be placed on the left and right collar, 1/2 inch back of the collar opening, one-half (1/2) inch below the collar top and parallel with the front collar edge.

- (2) Other members of the Department shall wear collar ornaments on both sides, two inches back of the collar opening and 1/2 inch below the collar top, in a straight line parallel to the collar top.
 - (3) Commissioned personnel shall wear collar ornaments in a vertical position on the collar of the blouse, just above the lapels.
 - (4) When wearing the blouse, remaining members of the Department shall wear the ornaments on the lapel beginning at the inside of the edge at the point in a horizontal position.
- C. Campaign ribbons. Campaign ribbons shall be worn one-half (1/2) inch above the pistol qualification medal, when authorized by the Chief of Police.
- D. Breast badge. The breast badge shall be worn with the pin entering the left pocket on the summer shirt at the top flap line, down through the button hole and fastened in this manner. When this badge is worn on the blouse, it shall be centered on the left pocket with the top one-fourth (1/4) inch below the point on the flap.
- E. Pistol qualification medal. The pistol qualification medal shall be worn only when authorized. When worn on the shirt, the bottom of the medal shall be 1/2 inch above the breast badge, centered over it. The medal, when worn on the blouse, shall be worn with the pin following the line on the left pocket flap at the flap, and centered over the button of this flap.
- F. Whistle and chain. The whistle and chain, when worn, shall be secured to the uniform by fastening one end under the button of the right shoulder strap, the whistle being fastened to the button under the right top pocket flap or in any other fashion approved by the Chief of Police. Only black whistles and the regulation chain will be worn. These will not be worn by commissioned personnel.
- G. Blouse. Only the regulation blouse shall be worn.
- H. Reefer. Only the regulation reefer shall be worn, subject to change.
- I. Shirt. Only the regulation gray shirts shall be worn.
- J. Raincoats. Only black regulation issue raincoats shall be worn.
- K. Necktie. Only black regulation neckties shall be worn.
- L. Socks. Only black regulation socks shall be worn.
- M. Shoes. Only black leather, plain toe, low quarter type shoes shall be worn.
- N. Gun belt. The Sam Brown beltless shoulder strap shall be worn directly over the waist belt and shall fit snugly, in all instances where a shirt is worn.
- O. Shoulder strap. The shoulder strap shall be worn with the blouse and reefer and shall be placed over the left shoulder attached to the Sam Brown belt.
- P. Insignia of rank.
- (1) The commissioned officer's designation shall be worn on each shoulder of the blouse, reefer and shirt, centered at the cross point of the seams.
 - (a) One-half-inch gold braid shall be worn on both sleeves, the stripe starting three inches from the bottom of the sleeve.
 - (b) Chevrons shall be installed on both arms, centered, and 5 1/2 inches from the top of the sleeve at the shoulder.
 - (2) Ranks below commissioned personnel shall wear the regulation gray sleeve strip which shall start three inches from the bottom of the sleeve.
- Q. First aid emblem. The first aid emblem shall be worn on the right arm of the blouse and reefer, one inch above the sleeve braid, when authorized.
- R. Service bars. Service bars shall be worn starting one inch above the braid on the left sleeve, each bar to denote three years of service. These shall not be worn by commissioned personnel.

- S. City police emblem. The City Police emblem is to be installed on the shirt, blouse or reefer, with the top two points touching the shoulder seam on the left shoulder.
- T. Handcuffs. When worn, handcuffs shall be placed on the gun belt on the left-hand side under the left arm when held in a down position.
- U. Holsters. Regulation open-type holsters shall be worn, except in cases where special permission is granted.
- V. Trousers. Only regulation gray trousers, with one inch black on the outer seam, shall be worn.

§ 35-42. Reports and communications.

- A. All official business transacted by members of the Police Department shall be through official channels.
- B. Members of the Police Department shall refer to the Chief of Police all inquiries relating to official orders and shall refrain from discussing with the public any of the general policies of the Department. Information requested in all cases by the press, attorneys or relatives of injured persons shall be furnished, where a report is available, by the station clerk.
- C. No member of the Police Department shall sign any petition as a member, except on authority of the Chief of Police.
- D. Police telephone service is for official business only and shall not be used for personal calls.

ARTICLE IV
Manual of Rules and Procedures
 [Adopted 9-8-1992 by Ord. No. 92-04]

§ 35-43. General provisions.

The City of Seat Pleasant adopts as its manual of rules and procedures the Manual of Prince George's County, Maryland Police Department, with all amendments made thereto.

ARTICLE V
Reserve Officer Program
 [Adopted 5-14-2007 by Ord. No. 07-04]

§ 35-44. Authorization to establish.

- A. The Chief of Police, with the approval of the Mayor and City Administrator, may establish a Reserve Officer Program within the Seat Pleasant Police Department in accordance with the criteria of this section.
- B. The purpose of the Reserve Officer Program is to provide sworn law enforcement officers to supplement the City's force of paid full-time police officers.
- C. Participants in the Reserve Officer Program shall be sworn as law enforcement officers with full police powers within the City of Seat Pleasant.
- D. Participants in the Reserve Officer Program shall serve without compensation, remuneration or monetary benefits of any kind for their services as officers participating in the Reserve Officer Program.
- E. Participants in the Reserve Officer Program shall have at least such training as may be required by the Maryland Police Training Commission to perform the duties of a sworn law enforcement officer.
- F. Participants in the Reserve Officer Program shall serve at will and at the pleasure of the Chief of Police.
- G. Subject to the provisions of Subsection F, participants in the Reserve Officer Program shall be subject to a twelve-month probationary period upon initial entry into the program. However, participants in the program shall acquire no right to continued participation in the program upon completion of the probationary period.

- H. Participants in the Reserve Officer Program shall be subject to all laws, rules, regulations and orders regarding the operation of the Police Department and conduct of its police officers.
- I. Participants in the Reserve Officer Program shall be subject to discipline to the same extent and in the same manner as a full-time police officer, except that during the participant's probationary period the participant shall be subject to discipline in the same manner and to the same extent as a full-time police officer serving a probationary period.
- J. The Chief may determine the hours of work and assign a participant in the Reserve Officer Program to such rank, duties and responsibilities in the Department as the Chief reasonably determines consistent with the qualifications and experience of the participant.
- K. The Chief and City Administrator shall ensure that participants in the Reserve Officer Program are covered by the same liability insurance coverage and protections as are provided from time to time for the City's full-time paid police officers. To the extent required by law, the Chief and City Administrator shall ensure that participants in the Reserve Officer Program are covered by the same workers' compensation insurance coverage as is provided from time to time for the City's full-time paid police officers.
- L. Any expenses related to the Reserve Officer Program may be incurred only to the extent that funds are available for such purposes in the Police Department's annual budget.