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| **POLICE DEPARTMENT**  |  **GENERAL ORDERS** |
| **SUBJECT: Auxiliary Police Officers** |  **NUMBER: 3-1** |
| **EFFECTIVE DATE:** **4/16/2013** |  **REVIEW DATE: Annually** |
| **AMENDS/SUPERSEDES: 03/28/13** |  **APPROVED: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** **Chief of Police** |
| **VLEPSC STANDARD:** **ADM.12.01** |  |

**NOTE:**

This rule or regulation is for internal use only, and does not enlarge an officer's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by this department, and then only in a non-judicial administrative setting.

###### POLICY

 The Auxiliary Police Force is authorized under the provisions of the City/Town of --------Code,

 [**City/Town ordinance – If there is a City/Town ordinance allowing the creation of auxiliary forces, place it here.]**

 Auxiliary Forces are also authorized by the following statutes under the Code of Virginia:

§ 15.2-1731. Establishment, etc., authorized; powers, authority and immunities generally.

A. Localities, for the further preservation of the public peace, safety, and good order of the community, may establish, equip, and maintain auxiliary police forces that have all the powers and authority and all the immunities of full-time law-enforcement officers, if all such forces have met the training requirements established by the Department of Criminal Justice Services under § 9.1-102.

B. Notwithstanding any other provision of this section, an auxiliary officer shall be exempted from any initial training requirement established under § 9.1-102 until a date one year subsequent to the approval by the Criminal Justice Services Board of compulsory minimum training standards for auxiliary police officers, except that (i) any such officer shall not be permitted to carry or use a firearm while serving as an auxiliary police officer unless such officer has met the firearms training requirements established in accordance with in-service training standards for law-enforcement officers as prescribed by the Criminal Justice Services Board, and (ii) any such officer shall have one year following the approval by the Board to comply with the compulsory minimum training standards.

(1968, c. 157, § 15.1-159.2; 1987, c. 421; 1988, c. 864; 1997, c. 587; 2012, c. 827.)

**I. Requirements and Selection**

1. Each member of the Auxiliary Police shall be governed by the policies and procedures of the Department.
2. The Auxiliary Police officer may have law-enforcement powers equivalent to those of paid officers. Membership in the Auxiliary Police will be open to all individuals who meet the same minimum qualifications as full-time officers under 15.2-1705. There shall be no discrimination based on race, color, creed, national origin, age, sex, or religious affiliation in selection or assignment of Police Auxiliary officers.
3. The Auxiliary Police program in its entirety is the responsibility of the Chief of Police or his designee, and under the supervision of the supervisor on-duty.
4. Applicants for the Auxiliary Police will go through the same hiring process as that for paid officers **[optional]**

**II. Levels of Auxiliary Officers**

1. **Level One:** Certified police officer that has met all training requirements in accordance with the attached matrix, *Auxiliary Police Officer Training Requirements.*

 *Level One Auxiliary Officers shall not be permitted to carry or use a firearm while serving as an auxiliary police officer unless such officer has met the firearms training requirements established in accordance with in-service training standards for law-enforcement officers as prescribed by the Criminal Justice Services Board.*

1. **Level Two:** Sworn with limited duties, may be armed with firearm(s) and has met all training requirements in accordance with the attached matrix, *Auxiliary Police Officer Training Requirements.*

*Level Two Auxiliary Officers shall not be permitted to carry or use a firearm while serving as an auxiliary police officer unless such officer has met the firearms training requirements established in accordance with in-service training standards for law-enforcement officers as prescribed by the Criminal Justice Services Board.*

1. **Level Three:** Sworn with limited duties, may be armed with less-than-lethal weapon(s)) and has met all training requirements in accordance with the attached matrix, *Auxiliary Police Officer Training Requirements.* Auxiliary Officers of this level are strictly prohibited from carrying a firearm, whether department or personally owned, while serving as an auxiliary police officer.

**III. Training Requirements -** *See the attached matrix*

1. Auxiliary Police Officers shall have all of the powers and authority and all the immunities of regular law enforcement officers once they have fulfilled the training requirements of the Department of Criminal Justice Services (DCJS) under Code of Virginia §9.1-102.
2. Auxiliary Police Officers shall have one (1) year from the date of appointment to complete the DCJS-mandated training requirements for their designated level of responsibility in accordance with the attached matrix, *Auxiliary Police Officer Training Requirements.*
3. Required training for Level Two and Level Three Auxiliary Police Officers that is conducted within the Department, as well as the maintenance of those training records, is the responsibility of the Chief of Police.

**IV. Volunteer Status**

1. All Auxiliary Police Officers will serve at the discretion of the Chief of Police
2. Auxiliary Police Officers may be suspended or terminated by the Chief of Police.
3. Auxiliary Police Officers maintain the status of volunteers.

**V. Service Requirements**

1. [Agencies may specify time commitments in this section]
2. Failure to perform, without cause, shall be reason for termination
3. **Use and Assignment**

1. Auxiliary Police Officers, who have completed all DCJS-mandated training requirements, are vested with all the authority granted by statute to members of duly constituted police agencies. (Code of Virginia §15.2-1731).
2. Auxiliary Officers have the same obligation to testify in court, as do full-time officers. In addition, the preparation and submission of appropriate reports shall be the responsibility of each Auxiliary Police Officer who initiates any police action that requires documentation. The Auxiliary Police Officer shall inform the Chief of Police or his/her designee of all pending court appearances.
3. Auxiliary Police Officers shall not take any action which is contrary to, or in any manner interferes with, the duties of any member of the Department, sworn or non-sworn.

**VII. Calling into service**

Statutory Authority

§ [15.2-1734](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+15.2-1734). Calling auxiliary police officers into service; police officers performing service to wear uniform; exception.

A. A locality may call into service or provide for calling into service such auxiliary police officers as may be deemed necessary (i) in time of public emergency, (ii) at such times as there are insufficient numbers of regular police officers to preserve the peace, safety and good order of the community, or (iii) at any time for the purpose of training such auxiliary police officers. At all times when performing such service, the members of the auxiliary police force shall wear the uniform prescribed by the governing body.

B. Members of any auxiliary police force who have been trained in accordance with the provisions of § [15.2-1731](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+15.2-1731) may be called into service by the chief of police of any locality to aid and assist regular police officers in the performance of their duties.

C. When the duties of an auxiliary police officer are such that the wearing of the prescribed uniform would adversely limit the effectiveness of the auxiliary police officer's ability to perform his prescribed duties, then clothing appropriate for the duties to be performed may be required by the chief of police.

(1968, c. 157, § 15.1-159.5; 1987, c. 421; 1988, c. 190; 1997, c. 587.)

1. All Auxiliary Police Officers shall provide their home and work telephone numbers to the Chief of Police. **[add cell phones, if appropriate]**
2. When called into service, Auxiliary Officers shall have the powers, authority and all the immunities of paid law-enforcement officers.
3. Unless called into service, Auxiliary Officers shall have no arrest powers or police authority other than those granted an ordinary citizen. This includes the carrying of concealed weapons. Auxiliary Officers shall carry a concealed weapon only when called into service. If an Auxiliary Officer is authorized to carry a concealed weapon by permit issued by the Circuit Court, the Auxiliary Officer shall not carry under such permit a department issued firearm.
4. Members of the Auxiliary Police Force are considered called into service under the following conditions:
5. At the discretion of the Chief of Police.
6. To attend scheduled training and meetings.
7. When marked on and prior to marking off-duty for normal work schedule.
8. When reporting for special assignments with the Department.
9. When reporting to and from court and while attending court to give testimony in cases arising out of their duties as Auxiliary Officers.
10. Auxiliary Police Officer (Levels 1, 2 and 3) may ride with regular officers on patrol duty or assist with other assignments that include but are not limited to administrative duties.
11. Level One Auxiliary Officers may be considered to work in a solo capacity under the supervision of regular supervisory personnel once they have completed all training has met the minimum compulsory training for law-enforcement officers as set forth in 6VAC20-20-21.
12. An Auxiliary Officer may only work alone when approved by the Chief of Police or his/her designee.
13. When possible, the Auxiliary officer should not be dispatched or designated as the primary responding officer on crime-in-progress calls.
14. Auxiliary Police Officers may participate in plain-clothes assignments under the direct supervision of regular supervisory personnel with the approval of the Chief of Police or his/her designee.
15. When Auxiliary Officers are called into service, they must complete and submit a Daily Activity Report to their supervisor at the end of shift. **[Department specific]**

**VIII. Uniforms and Equipment**

1. The Auxiliary Police uniform is identical to that of a paid officer with the exception of the word “Auxiliary” on the badge instead of Officer. **[the Department may choose to utilize a small patch that appears under or above the shoulder patch that states “Auxiliary Police” instead of a different badge]**
2. Auxiliary Police Officers may be issued the same equipment as paid officers, when such equipment is available and authorized by the Chief of Police or his/her designee.
3. Any non-issued equipment must be approved for wear or carry by the Chief of Police or his/her designee.
4. **Rules and Regulations**
5. Auxiliary Police officers shall conform to the policy and procedures of the Police Department.
6. Auxiliary Police officers shall conform to the Code of Conduct of the Police Department and **[City/Town/locality]**.
7. Auxiliary Police Officers may have access to confidential records, such as criminal histories, DMV records, and current investigations, as their duties dictate. However, they are not authorized to release this information to anyone outside the Police Department. Disclosure of any confidential information, verbal or written, shall be grounds for immediate dismissal and possible criminal prosecution.
8. Auxiliary Police Officers shall receive annual refresher training on the Department’s lethal/less-than-lethal use of force policy(s). All documentation of use of force training shall remain on file with the Department.
9. **On-Duty Injuries**

If a resolution has been adopted by the local political subdivision to provide workers’ compensation coverage for Auxiliary Police Officers, then workers’ compensation coverage applies. The Auxiliary Police Officer must check with their local political subdivision to see if a resolution exists. If workers’ compensation coverage applies, the Auxiliary Police Officer will immediately report the all injuries incurred on the job, no matter how minor it may appear, to the Shift Supervisor and Chief of Police. The Chief of Police or his/her designee will then complete a Report of Injury within 24 hours and offer the Auxiliary Police Officer a Workers' Compensation panel of physicians for treatment.

The Auxiliary Police Officer must follow the workers’ compensation procedures for their local political subdivision.

