

**TITLE 6**

**LAW ENFORCEMENT**

**CHAPTER**

1. POLICE AND ARREST.
2. WORKHOUSE.
3. SPECIAL DEPUTY RESERVE OFFICERS PROGRAM.

**CHAPTER 1**

**POLICE AND ARREST<sup>1</sup>**

**SECTION**

- 6-101. Composition and organization of the police department.
- 6-102. Responsibilities of the chief and assistant chief.
- 6-103. Responsibilities of policemen generally.
- 6-104. Policemen to be armed, uniformed, etc.
- 6-105. Arrest powers; interference with policemen.
- 6-106. Authority of police to use force.
- 6-107. Attendance at board meetings.
- 6-108. Police to report defective streets, new buildings, defective street lights, etc.; to inspect businesses.
- 6-109. Record to be kept of persons arrested.
- 6-110. Daily record to be kept.

**6-101. Composition and organization of the police department.**

The police department shall consist of the chief of police, an assistant chief of police, and such number of subordinate officers and personnel as the board of commissioners may provide for by this chapter, or as the city manager shall appoint with the approval of the board of commissioners.

The chief of police shall have control of the patrolmen and other officers and employees constituting the police force and the police department and all policemen and members of the police department shall obey and comply with such orders and administrative rules and regulations as the police chief may officially issue. (1984 Code, § 1-401)

**6-102. Responsibilities of the chief and assistant chief.** The chief of police shall devote his entire time to the maintenance and preservation of the peace, good order, and cleanliness of the city. He shall aid, to the fullest extent of his ability, in the enforcement of all special laws relating to the city and all

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<sup>1</sup>Municipal code reference

Traffic citations, etc.: title 15, chapter 7.

ordinances thereof. He shall have general charge of the city jail and the prisoners therein. He shall keep an account of the duties performed by each member and note all absences from duty and the cause of same. He shall report all violations of rules and regulations of the police department to the city manager, together with the names of the witnesses to the facts. He shall render a monthly report to the city manager showing in detail the operations of his department. In the absence of the chief of police, the assistant chief of police shall act in his stead and shall have the same duties and responsibilities. (1984 Code, § 1-402)

**6-103. Responsibilities of policemen generally.** It shall be the duty of the chief of police, the assistant chief of police, the patrolmen, and other members of the police department, to prevent crime, to detect and arrest offenders, to suppress riots, to protect the rights of persons and property, to guard the public health by seeing that nuisances are removed, to restrain disorderly, bawdy, and gambling houses, to assist, advise, and protect strangers and travelers upon the streets, to execute any and all manner of processes upon persons or property, to arrest upon sight any person who shall be guilty of a breach of the ordinances of the city or a crime against the laws of the State of Tennessee, to assist the city court during the trial of cases, to promptly serve any legal processes issued by the court, and to do whatever else may be required of them by the board of commissioners. (1984 Code, § 1-403)

**6-104. Policemen to be armed, uniformed, etc.** All members of the police department, when on duty, shall wear such uniforms, hats, and badges as the city manager may determine, and shall carry a service pistol and billy club at all times while on duty, unless otherwise expressly directed by the chief for a special assignment, and shall, in general, deport themselves in keeping with their positions. (1984 Code, § 1-404)

**6-105. Arrest powers; interference with policemen.** In making arrests, policemen and other members of the police department shall be clothed with the same powers and governed by the same restrictions as state officers in like cases. If any person resists or obstructs an officer, by force or threat, in the discharge of his duties, such person shall be subject to a penalty under the general penalty clause for this municipal code. (1984 Code, § 1-405)

**6-106. Authority of police to use force.** To make an arrest, either with or without a warrant, or to investigate disturbances, a policeman or other member of the police force may break open any outer or inner door or window of a dwelling house or other building if, after notice of his official authority and purpose, he is refused admittance, provided that all arrests shall be made without using boisterous or abusive language and without violence unless the use of force is necessary to make the arrest. (1984 Code, § 1-406)

**6-107. Attendance at board meetings.** The chief of police or, in his absence, one of the policemen, shall be present at the meetings of the board of commissioners and whenever requested by the board or by the city manager. (1984 Code, § 1-407)

**6-108. Police to report defective streets, new buildings, defective street lights, etc.; to inspect businesses.** It shall be the further duty of each member of the police force to make a report to the city manager of all defective and dangerous sidewalks, streets, bridges, or obstructions in streets, alleys or parkways, and to report all new buildings under construction or street lights or contractor's signals not burning, all new taxable businesses started, and to make said reports as soon as possible. When required by the city manager, they shall make an inspection of all businesses being conducted in the city which are subject to privilege taxes. (1984 Code, § 1-408)

**6-109. Record to be kept of persons arrested.** The chief of police shall see that every person arrested for violating any ordinance of the city gives to the department a description of himself or herself, which said description shall include the name, age, address, and height and any other information necessary. This description shall be numbered and placed on file in the department. (1984 Code, § 1-409)

**6-110. Daily record to be kept.** It shall be the duty of the chief of police to keep in the city hall a police blotter and comprehensive and detailed daily record showing the following:

(1) All known or reported offenses and/or crimes committed within the corporate limits.

(2) All arrests made by policemen, the name of each person arrested, the offense, the name of the witnesses, and whether the accused has been committed to jail or bail taken.

(3) All police investigations made, funerals convoyed, fire calls answered, and other miscellaneous activities of the police department. (1984 Code, § 1-410)

**CHAPTER 2****WORKHOUSE****SECTION**

6-201. County jail to be used.

6-202. Inmates to be worked.

6-203. Compensation of inmates.

**6-201. County jail to be used.** The county jail is hereby designated as the municipal workhouse, subject to such contractual arrangement as may be worked out with the county. (1984 Code, § 1-601)

**6-202. Inmates to be worked.** All persons committed to the workhouse, to the extent that their physical condition shall permit, shall be required to perform such public work or labor as may be lawfully prescribed for the county prisoners. (1984 Code, § 1-602)

**6-203. Compensation of inmates.** Each workhouse inmate shall be allowed five dollars (\$5.00) per day as credit toward payment of the fines assessed against him. (1984 Code, § 1-603)

CHAPTER 3

SPECIAL DEPUTY RESERVE OFFICERS' PROGRAM -  
MOUNT PLEASANT POLICE DEPARTMENT

SECTION

- 6-301. Mount Pleasant Police Department's special Deputy Reserve Officers' Program – description and purpose – ratification.
- 6-302. Method of appointment and qualifications of membership.
- 6-303. Training requirements.
- 6-304. Provision for equipment and/or gear to each special deputy reserve officer.
- 6-305. Requirements of the special deputy reserve officers.
- 6-306. Authority and duties.
- 6-307. Term of duty.

**6-301. Mount Pleasant Police Department's Special Deputy Reserve Officers' Program – description and purpose – ratification.** The special deputy reserve officers program designated the "Mount Pleasant Police Department Special Deputy Reserve Officers Program" composed of not more than a maximum of nine (9) officers at any given time is hereby ratified. The Mount Pleasant Police Department will consist of at least four (4) special deputy reserve officers at all times. Special deputy reserve officers shall be considered as volunteers and special deputies as further defined in Tennessee Code Annotated, § 38-8-101(6)(A) and (B) and by the Peace Officers Standards and Training Commission (POSD), section 1110-8-.01(2) as any person who is assigned specific police functions as to the prevention and detection and crime and general laws of this state on a volunteer basis, whether working alone or with other police officers, who works on a volunteer basis only and receives no pay or benefits, except for honorariums, and may be utilized for an unlimited number of hours. Reserve police officers shall be under the control and supervision of the chief of police and shall serve at his pleasure. The special deputy reserve officer program is a completely voluntary program and special deputy reserve officers shall not receive any wages, vacation time, sick days, retirement benefits and/or any other specific remuneration. Provided, any special deputy reserve officer, after serving six (6) or more months in the program, who is hired full-time by the Mount Pleasant Police Department will receive one (1) week vacation and three (3) sick days beginning on the hire date and must take the one (1) week vacation within the first seven (7) months of the hire date.

**6-302. Method of appointment and qualifications of membership.** No person shall assume duties as or hold himself out to be a special deputy reserve police officer until after being duly appointed by the Mount Pleasant

Chief of Police. Each special deputy reserve officer shall meet the following minimum requirements:

- (1) Be at least twenty-one (21) years of age;
- (2) Be a citizen of the United States;
- (3) Be a high school graduate or possess the equivalent. (No waiver will be granted for minimum education requirements);
- (4) Not have been convicted of, or plead guilty to, or entered a plea of nolo contendere to any felony charge or to any violation of any federal law, state law, or city ordinance relating to force, violence, theft, dishonesty, gambling, liquor or controlled substances. (Notwithstanding the above, a waiver may be granted for a misdemeanor violation if the officer has satisfied the requirements of the court of conviction and is no longer on probation or under the supervision of any court or court officer including without limitation the offense of driving under the influence);
- (5) Shall not have been released or discharged under any criteria other than honorable discharge from any of the armed forces of the United States;
- (6) Have his/her fingerprints on file with the Tennessee Bureau of Investigation;
- (7) Have passed a physical examination by a licensed physician; and
- (8) Have been certified by a Tennessee licensed health care provider qualified in the psychiatric or psychological fields as being free from any disorder, as set forth in the current edition of the DSM that would, in the professional judgment of the examiner, impair the subject's ability to perform any essential function of the job. (as added by Ord. #2013-967, Dec. 2013)

**6-303. Training requirements.** Every special deputy reserve officer is or will be required to attend and pass a twelve (12) week program designated by the Mount Pleasant Chief of Police. Special deputy reserve officers will, upon successful completion of the twelve (12) week program, be required to ride with a full-time law enforcement officer with the Mount Pleasant Police Department for thirty-two (32) hours before the special deputy reserve officer will be allowed to ride alone and must have these thirty-two (32) hours completed within the first year. Each special deputy reserve officer must have at least eighty (80) hours of training their first year and forty (40) hours every year thereafter designated by the Mount Pleasant Police Chief. All training records will be kept by the Mount Pleasant Police Department under the care of the departmental training officer. All special deputy reserve officers must have at least eight (8) hours of firearms and child abuse training, and two (2) hours of emergency vehicle training each year, with the exception of the first year where all special reserve officers must have at least twelve (12) hours of firearms training in addition to the aforementioned training. OC pepper spray training and X26 taser training must be completed by the special deputy reserve officer before the officer is allowed to carry pepper spray or the X26 taser and/or its equivalent. (as added by Ord. #2013-967, Dec. 2013)

**6-304. Provision for equipment and/or gear to each special deputy reserve officer.** By way of illustration, the Mount Pleasant Police Department may generally furnish the following equipment and/or gear to all special deputy reserve officers and all special deputy reserve officers will be responsible for the care of such equipment and/or gear:

- (1) Glock 40 caliber firearms;
- (2) Walkie-talkie (radio);
- (3) Breast badge;
- (4) Collar pin;
- (5) OC pepper spray (Freeze Plus P);
- (6) Handcuffs;
- (7) Holster level 3;
- (8) Ammo;
- (9) Bullet-proof vest;
- (10) Duty belt;
- (11) Uniform patches.

All special deputy reserve officers will be individually responsible for obtaining the following equipment and/or gear:

- (1) Uniforms;
- (2) Trouser belt;
- (3) Boots;
- (4) Name plate; and
- (5) The cost of physical and psychiatric tests.

No equipment will be assigned to any special deputy reserve officer until he and/or she successfully completes the first twelve (12) week training program and completes the physical exam and psychiatric tests before the eighth (8th) week of training. (as added by Ord. #2013-967, Dec. 2013)

**6-305. Requirements of the special deputy reserve officers.** All special deputy reserve officers will be required to accompany a full-time Mount Pleasant police officer at least sixteen (16) hours a month once the officer has successfully completed the twelve (12) week program. All special deputy reserve officers will be assigned a SOP manual and general order book which they are required to read and adhere to the requirements stated therein. All special deputy reserve officers will adhere to the policies and procedures of the Mount Pleasant Police Department and will be under the supervision of the chief of police or the shift supervisor or supervisor in charge of special events that a reserve officer has been assigned. The shift supervisor will assign the special deputy reserve officer to a full-time officer or patrol unit. No special deputy reserve officer will accompany another officer without the prior approval of the shift supervisor or assistant chief. No special deputy reserve officer will be allowed to ride with the K-9 unit/officer. (as added by Ord. #2013-967, Dec. 2013)

**6-306. Authority and duties.** The authority of reserve police officers shall be limited solely to those times when authorized to act in such capacity by the chief of police and/or his designated supervisors. Each reserve deputy upon completion of all required training hereunder shall have those responsibilities, powers and authority granted to all regular police officers as designated under the Mount Pleasant Municipal Code, §§ 6-103, et. seq. (as added by Ord. #2013-967, Dec. 2013)

**6-307. Term of duty.** Abuse of authority or indicia of office. The Mount Pleasant Police Department or a special deputy reserve officer may terminate their agreement to serve as a volunteer without prior notice. Upon termination any assigned equipment/gear issued by the Mount Pleasant Police Department to a special deputy reserve officer must be returned to the chief of police's office by the end of the business day upon termination of any agreement by the department or the special deputy reserve officer. Any special reserve police officer may be relieved of reserve officer status by the chief of police at any time or for any reason or no reason under the sole discretion of the chief of police. Termination of reserve officer status by the chief of police is mandatory if such reserve police officer:

- (1) Uses his position at any time when not so authorized;
  - (2) Wears or displays a uniform, insignia or identification at any time when not assigned or when not traveling to or from such duty station;
  - (3) Violates any rule, regulation or general order of the police department; or
  - (4) Violates any section of this chapter or any provision of state law.
- (as added by Ord. #2013-967, Dec. 2013)