	GENERAL ORDER	Effective: 3-25-2022	# 01-04
	Section: Establishment & Organization	Replaces or Modifies: Previous Reserve Deputy Policies	
	Title: Reserve Deputy Division		
Issued by: Chief Deputy Mattie Provost			

I. General

A. Purpose


The purpose of the Reserve Division shall be to support and assist the Fort Bend Sheriff’s Office (the “Sheriff’s Office”), under the orders and directions of the Sheriff. The Reserve Deputies shall render volunteer law enforcement service on any occasion when, in the opinion of the Sheriff, such services are justified. In addition, the Reserve Division shall augment the full-time Deputies in the interest of promoting the public welfare and safety.

B. Statutory Authority

The Sheriff, with approval of the Commissioners Court, may appoint Reserve Deputies pursuant to the Texas Local Government Code, Chapter 85.004.

C. Definitions

1. “Reserve Deputy” shall mean a Deputy commissioned by the Sheriff’s Office and not on the Fort Bend County payroll as a full-time Deputy.
2. “Reserve Division” shall mean a collective reference to the Reserve Deputies.
3. “Chief Deputy” shall mean the Chief Deputy of the Fort Bend Sheriff’s Office.
4. “Captain - Reserve Division” shall mean such Reserve Deputy designated by the Sheriff with responsibility for the overall command and operation of the Reserve Division.
5. “Reserve Division Policies and Procedures” shall mean the policies and procedures applicable to the Reserve Division as set forth herein.
6. “Sheriff” shall mean the Sheriff of Fort Bend County; however, references herein to actions or directions of the Sheriff shall include such actions and directions of the Chief Deputy of the Sheriff’s Office and any other member of the Sheriff’s Office Command Staff to whom the Captain – Reserve Division may report.


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D. Applicability of the Sheriff’s Office Policies and Procedures

1. Policy and Procedure Accountability. Each Reserve Deputy shall read and become familiar with all policies and procedures of the Sheriff’s Office, including the Reserve Division Policies and Procedures. Violations of the Sheriff’s Office policies and procedures may lead to removal from the Reserve Division.
2. Sheriff’s Office Policies and Procedures Remain Applicable. All policies of the Sheriff’s Office apply to Reserve Deputies, and each Reserve Deputy shall be held accountable for adherence to any and all rules, policies and regulations of the Sheriff’s Office.
3. Conflicting Policies. In the event of any conflict between the Reserve Division Policies and Procedures and the policies and procedures of the Sheriff’s Office generally applicable to all Deputies, the specific terms of the Reserve Division Policies and Procedures shall govern. Any directive from the Sheriff, the Chief Deputy or the Captain - Reserve Division shall overrule any Sheriff’s Office policy or procedure.
4. Interpretation. The Captain - Reserve Division shall, subject to directives of the Sheriff, interpret and apply the Reserve Division Policies and Procedures.

E. Organization

1. Captain - Reserve Division. The Captain - Reserve Division shall be responsible for the overall command and operation of the Reserve Division.
2. Administration and Structure. The administration of the Reserve Division shall be the responsibility of the Captain - Reserve Division. The Sheriff may designate any position of command or responsibility deemed necessary or appropriate for the administration of the Reserve Division.
3. Chain of Command. The Chain of Command within the Reserve Division shall be: (1) Sheriff; (2) Chief Deputy; (3) Assistant Chief Deputy – Operations Bureau; and (4) Captain - Reserve Division.

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4. Reserve Division Rank. A Reserve Deputy appointed a rank shall perform those duties associated with such appointment to the extent they apply to the Reserve Division. While on assignment within a particular subject area (for example, patrol, criminal investigation, emergency management) or on a project in conjunction with full-time deputies, a Reserve Deputy regardless of rank shall report to the full-time, first-line supervisor, as applicable, for such subject area.

F. Personnel

1. Fully Certified. Applicants for the Reserve Division must be fully certified (an active peace officer license) with the Texas Commission on Law Enforcement.
2. Minimum Standards. Applicants for the Reserve Division must meet equivalent standards for appointment as with full-time Deputies and are subject to a regular background investigation, psychological examinations, and other screening processes.
3. Required Training. Reserve Deputies must complete all TCOLE required training within designated time frames. The Sheriff's Office will assist Reserve Deputies in the training function, and Reserve Deputies may take additional law enforcement training.
4. Indefinite Period. Membership in the Reserve Division will be for an indefinite period. Reserve Deputies serve at the will of the Sheriff and may be dismissed with or without cause.
5. Without Compensation. Reserve Deputies shall serve in their capacity without compensation and are responsible for all expenses, which shall not be reimbursable by the Sheriff's Office unless indicated by the Sheriff or the Chief Deputy.

G. Communication

Reserve Deputies are required to have a reliable phone number and e-mail address where they may be reached. They are also required to keep their home address, business address, telephone numbers and e-mail addresses current with the Sheriff's Office. Reserve Deputies are to notify the Captain - Reserve Division and any applicable supervisors of a phone or address change.

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Reserve deputies shall maintain their assigned county email address and respond to requests and assignments communicated via the Fort Bend County electronic mail system.

II. Duties; Legal Parameters

A. General Duties

1. Authority. When serving on active duty at the call of the Sheriff or other competent authority, members of the Reserve Division will be entitled to all the powers and privileges of full-time Deputies and will be subject to all the duties, regulations and responsibilities thereof.
2. Required Duty Hours. All Reserve Deputies must work at least sixteen (16) hours per month. Duty time may be scheduled by a Reserve Deputy as directed by the Captain - Reserve Division or may be at the request of the Sheriff or other Sheriff's Office authority.
3. Leave of Absence. A Reserve Deputy may take a leave of absence upon approval of the Captain - Reserve Division. A Reserve Deputy on leave must turn in his badge and Sheriff's Office ID during the leave period.
4. Termination. Reserve Deputies resigning from the Sheriff's Office shall immediately notify the Captain - Reserve Division, in writing, of their intention to resign.
5. Meetings. Reserve Deputies are required to attend monthly meetings as directed by the Captain - Reserve Division. Absences may be excused, but only with prior notice to the Captain - Reserve Division or other supervisor.
6. Subject to Call Out. All Reserve Deputies are subject to call out for emergency situations.
7. Documentation. Reserve Deputies shall document all time worked as directed by the Captain - Reserve Division.
8. Prohibited Expenditures and Liability. No member of the Reserve Division may make an expenditure of money or incur liability in the name of Fort Bend County or the Sheriff's Office unless approved by the Sheriff, the Chief Deputy, Assistant Chief Deputy – Operations Bureau, or the Captain - Reserve Division.


**Fort Bend County Sheriff's Office General Order # 01-04
Reserve Deputies**

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9. Vehicle Identification. Reserve Deputies will be permitted to install emergency equipment on his or her personal vehicle with approval from the Captain – Reserve Division. A Reserve Deputy shall not install a two-way radio with Fort Bend County emergency frequencies in a personal vehicle without approval of the Sheriff or the Chief Deputy.
10. Failure to Report as Assigned. Whenever a Reserve Deputy is unable to fill an assigned duty, such Reserve Deputy must immediately notify a supervisor. Failure to report as assigned or failure to notify in advance of any assignment may result in disciplinary action.

B. Off Duty

1. Authority Off Duty. Subject to below and subject to any Reserve Deputy on provisional status, as Reserve Deputies in the Reserve Division are “peace officers” as described by Article 2.12, Texas Code of Criminal Procedure, and pursuant to Section 85.004 of the Texas Local Government Code, a Reserve Deputy may carry a weapon and act as a peace officer at all times, regardless of whether the Reserve Deputy is engaged in the actual discharge of official duties. However, such statutory authority is hereby limited as follows: Reserve Deputies do not have authority pursuant to their appointment as such to initiate non-emergency law enforcement action while off duty. If a Reserve Deputy while off duty encounters an incident, not an emergency yet requiring law enforcement intervention, he should contact an appropriate law enforcement agency to respond.
2. Emergency Circumstances. When a Reserve Deputy, while not on active duty, comes upon an emergency situation that requires immediate action, the Reserve Deputy immediately becomes on duty. A Reserve Deputy, if possible, will first contact appropriate law enforcement authorities and render whatever aid is necessary. On the arrival of appropriate law enforcement authorities, the Reserve Deputy (a) will identify himself and provide whatever information and assistance needed to support the responding law enforcement agency and (b) notify a Sheriff’s Office supervisor as soon as possible.
3. Conduct Off Duty. A Reserve Deputy may carry a weapon, and Sheriff’s Office identification, either concealed or unconcealed while off duty, however the Reserve Division preference is to carry concealed, and repeated and ongoing unconcealed display of either a weapon or identification may arise to grounds for dismissal.

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C. Regular Employment

The Sheriff's Office appreciates the valuable service provided by the Reserve Division. Many Reserve Deputies have regular employment as a source of income. Due to the high level of public trust and confidence associated with appointment as a peace officer, the following shall be strictly enforced. Interpretation and application of these policies are within the purview of the Sheriff, the Chief Deputy, the Assistant Chief Deputy of the Operations Bureau, and the Captain - Reserve Division; while it is not possible to list every specific area of concern, examples are provided for edification.

1. Regular Employment That Creates an Inherent Conflict. No person may be a member of the Reserve Division if such person has regular employment that (a) is incompatible with appointment as a Reserve Deputy or (b) may place such person in a position of conflicting loyalties. Examples of regular employment that would bar membership in the Reserve Division include appointment to or employment with the Fort Bend County Commissioners Court; with any local judicial body, or as a criminal defense attorney.

2. Permitted Regular Employment. A Reserve Deputy may not act in any capacity as a Reserve Deputy, or enjoy the benefit of authority or privilege as a Reserve Deputy, to further the interests of any person, entity or employer (other than the Sheriff's Office). As a way of example only, possible conflicts may include the following:
 - a. Regular Employment as a Security Officer, Process Server, Private Detective, Personal Protection Guard, or Attorney. A Reserve Deputy with regular employment in any field closely related to law enforcement must take extra care to avoid any appearance that his actions in furtherance of such regular employment do not relate to or implicate the Sheriff's Office. During the course of such employment, a Reserve Deputy may not display a Sheriff's Office ID or badge or act under color of authority granted by the Sheriff's Office.

 - b. Use of Law Enforcement Information. The use of law enforcement restricted information for any purpose other than Sheriff's Office duties is prohibited.

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- c. Displaying of Sheriff’s Office Identification or Weapon. The unconcealed display of a weapon, carried under authority as a Reserve Deputy, or of Sheriff’s Office identification while engaging in regular employment is not permitted outside of emergency circumstances.
- d. Regular Employment as a Peace Officer with Another Agency. A Reserve Deputy who has an appointment as a Peace Officer with another law enforcement agency shall not exercise authority as a Reserve Deputy during the course of such employment.
- e. Other Restrictions. The Sheriff, the Chief Deputy, Assistant Chief Deputy of the Operations Bureau, or the Captain - Reserve Division may provide further restrictions to a Reserve Deputy or to the Reserve Division.

D. Extra Job – Security

Texas law does not permit a Reserve Deputy to work extra jobs as peace officer without proper licensing from the Texas Commission on Private Security, with the exception of roadwork and traffic control extra jobs. Reserve Deputies must obtain approval prior to working these types of extra jobs. General Order 04-05 Outside Employment and Public Office and Off-Duty/Outside Employment Policy Reserve Personnel must also be followed.


III. Provisional Status

A. Provisional Status

Based on the experience level of a Reserve Deputy, a Reserve Deputy may be placed on provisional status at the discretion of the Sheriff or the Captain - Reserve Division. In addition, a Reserve Deputy may be placed on provisional status for reasons including, but not limited to, inconsistent or inadequate performance, voluntary leave of absence, or failure to report as assigned.

B. Provisional Status

- 1. Newly Appointed Reserve Deputy. The Captain - Reserve Division shall review the experience level of each Reserve Deputy and may require conditions to being placed off provisional status, at the design discretion of the Captain - Reserve Division, appropriately tailored based on the experience of each newly appointed Reserve Deputy.

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2. Minimum Requirements. Typical conditions for removal of provisional status for a newly appointed Reserve Deputy without prior law enforcement experience shall include as a minimum:
 - a. appointment as a Reserve Deputy for at least six months and satisfactory completion of at least 150 hours of duty time, incorporating a diversity of assignments and tasks; and
 - b. completion of at least 40 hours of TCOLE training since initial appointment (over and above a basic peace officer certification class).

C. Limitations While on Provisional Status

A Reserve Deputy on provisional status:

1. may not ride alone and must ride along with a full-time Deputy or another Reserve Deputy (who is not on provisional status);
2. may not work assignments without supervision, unless directed by the Sheriff, the Captain - Reserve Division or other commanding officer;
3. may not rely on his status as a Reserve Deputy to carry weapons off duty; and
4. may not engage in law enforcement action while off duty.

IV. Other Policies and Procedures

The Sheriff or the Captain – Reserve Division may promulgate additional policies and procedures, including organizational announcements, administrative procedures, and other instructions from time to time. Such additional policies and procedures are deemed to be incorporated herein. Specifically, the following supplemental policies have been adopted:

A. Reserve Division, Patrol Policies and Procedures

Any Reserve Deputy serving within the Patrol Division shall comply with the Reserve Division Patrol Policies and Procedures.

B. Organizational Chart – Detailed Chain of Command

Reserve Deputies may be sub-divided into groups for regular assignment reporting via organizational charts.