


# Memorandum

**TO: Rules Committee**

**FROM: Councilmember Pierluigi Oliverio**

**SUBJECT: Utilize Police Reserves  
For the SJPD**

**DATE: August 28, 2012**



8-28-12

Approved:

Date:

## **Recommendation:**

- 1). Agendize for discussion and action at the upcoming September Study Session regarding the San Jose Police Department on the utilization of Reserves for the San Jose Police Department.
- 2). Direct the Administration to meet with the Police Union (POA) to discuss the potential of utilizing the Reserves. If the POA agrees, then the Administration will bring forth the recommendation of what the next steps will be regarding utilization of the Reserves for a council vote at the Study Session. If the POA does not support the use of Reserves, then the Administration will provide the POA's reasons for the council/public record.

The meeting with the POA is a priority and the Administration should make every effort including rescheduling other meetings to accommodate the POA's schedule to meet with them. In order to move forward, the council needs necessary information from the POA that can only be acquired through a meeting with the Administration and the POA. Since it is the Administration's responsibility to inform council, I want direction to staff to include the meeting with the POA (for the above mentioned purpose) as a priority.

## **Background**

There are over 80 Reserve officers that are currently available to provide police services to the City of San Jose.

San Jose Municipal Code Section 8.12 authorizes not only the Reserve Unit, but the use of the Reserves. Although the reserves are available, the City is not utilizing their ability. The use of the Reserve officers could offer valuable assistance to the City since they are fully sworn and have the authority of a regular officer under CA Penal Code Section 832.6(a).

If the city requested the reserves, we could potentially put an extra 20 officers on the street tomorrow. There are currently over 80 Reserves on the roster. If only 25% responded the City would have 20 additional sworn officers available to patrol our neighborhoods. I realize that this is a meet and confer issue and there is the possibility that the POA may not be supportive; however, I am hopeful that the City and the POA could work collaboratively and bring forth a plan that would utilize the reserves.

Even if the plan was in the form of a pilot program and/or for a certain amount of time. For example, if the POA and the City could agree to use reserves for 1 year for specific purposes, etc. At the very least, we should try.

Currently, the Chief of Police mandates that Reserves can only work alongside a regular officer (in the same car). Quite often the Reserve is not even counted as being in the car, thus while there is physically two officers in the car, they are signed on as a one man car and can only be dispatched as a one man unit. If that practice were not allowed to continue we would see an immediate 800 hours per month. Every Reserve must currently do a 10 hour shift on patrol each month ( $80 \times 10 = 800$ ) of which I understand the vast majority of those hours the Reserve is not counted in the car.

If the Reserves that are qualified to work as solo officers (about 80 of them are) were allowed to work on their own they would add additional patrol cars on the streets, thus, making a more visible police presence. I have heard that current officers may resent the utilization of reserves and would rather not drive in the same car. If that is true, then the City and POA should allow Reserves to drive by themselves as most current officers do. If we allowed this, we might see many more Reserves volunteering more hours.

Reserves could also be utilized in other ways too. For example, they could provide prisoner transport; assist in back-up when officers are sick, in court, etc. Having Reserves be part of the SJPD team would also lower overtime costs and provide time for police officers to take a vacation. These ideas and problems have been brought forth to the Chief; however, neither he nor his predecessor has moved forward with utilizing the Reserves.

The Chief and the Command Staff know of the authority of the Reserves to back fill units because they already use the Reserves for the "Keith Kelly" Relief night (twice a year) as well as relief for the Police Olympics (one week a year). Therefore, there is a current and active precedence for using the Reserves for the SJPD backup.

Although the Reserves work for free, they are allotted \$1.00 per hour of work for their uniform allowance. Therefore, the City would incur an \$800.00 per month fee for uniforms for the Reserve. Like San Jose does for their current officers a police car should be made available for the Reserve on patrol.

San Jose needs to do the best we can and therefore we need to utilize all of our available resources. To only use the Reserves for police events and to not to extend their services to protect San Jose neighborhoods is wrong.