

ORDINANCE NO. 2020-05

AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
AMENDING ESCONDIDO MUNICIPAL CODE
CHAPTER NINETEEN, ARTICLE ONE, TO
ADDRESS RESERVE POLICE OFFICER
AUTHORITY

WHEREAS, California Penal Code section 830.6 authorizes the appointment of Reserve Police Officers who have completed the State of California Commission on Peace Officer Standards and Training (“POST”) courses commensurate with their assigned duties and level of supervision; and

WHEREAS, the Escondido Police Department has four (4) Reserve Police Officers who volunteer their time and provide a wide variety of services to the City of Escondido; and

WHEREAS, the Reserve Police Officers who successfully complete a Reserve Officer Level I POST course of instruction may operate independently and must meet the same training standards as regular police officers; and

WHEREAS, adoption of this ordinance would authorize Escondido Reserve Police Officers who have completed a POST Level I course of instruction, and any requirements established by the Chief of Police, to have full peace officer powers in accordance with California Penal Code section 830.6(a)(2), and

WHEREAS, the Escondido Reserve Police Officers who have not completed the POST Level I course of instruction and all training requirements established by the Chief of Police would retain limited peace officer powers commensurate with their training and assignment.

The City Council of the City of Escondido, California, DOES HEREBY ORDAIN
as follows:

SECTION 1. That the above recitals are incorporated as though set forth in
this section.

SECTION 2. That Escondido Municipal Code Chapter Nineteen, Article One,
Section 19-3, is amended to read as follows:

Section 19-13. Reserve police officers.

The Chief of Police may appoint Reserve Police Officers who have completed training certified by the State of California Commission on Peace Officer Standards and Training (POST). Reserve Police Officers will have limited peace officer authority that is commensurate with their training and assignment. However, the Chief of Police may grant full peace officer powers and duties, as provided in California Penal Code section 830.1, to those Reserve Officers who have completed an appropriate POST Level 1 course of instruction and all Escondido Police Department required training. The Chief of Police may suspend, limit or withdraw the appointment of Reserve Police Officer at any time for any reason.

SECTION 3. SEPARABILITY. If any section, subsection sentence, clause,
phrase or portion of this ordinance is held invalid or unconstitutional for any reason by
any court of competent jurisdiction, such portion shall be deemed a separate, distinct
and independent provision and such holding shall not affect the validity of the remaining
portions.

SECTION 4. That as of the effective date of this ordinance, all ordinances or
parts of ordinances in conflict herewith are hereby repealed.

SECTION 5. That the City Clerk is hereby directed to certify to the passage of
this ordinance and to cause the same or a summary to be prepared in accordance with
Government Code Section 36933, to be published one time within 15 days of its

passage in a newspaper of general circulation, printed and published in the County and circulated in the City of Escondido.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Escondido at a regular meeting thereof this 5th day of February, 2020 by the following vote to wit:

AYES : Councilmembers: DIAZ, MARTINEZ, MASSON, MORASCO, MCNAMARA

NOES : Councilmembers: NONE

ABSENT : Councilmembers: NONE

APPROVED:

DocuSigned by:

Paul McNamara

CAACE20782954D3
PAUL MCNAMARA, Mayor of the
City of Escondido, California

ATTEST:

DocuSigned by:

Zack Beck

A58535D0BDC1430
ZACK BECK, City Clerk of the
City of Escondido, California

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO : ss.
CITY OF ESCONDIDO)

I, Zack Beck, City Clerk of the City of Escondido, hereby certify that the foregoing ORDINANCE NO. 2020-05 passed at a regular meeting of the City Council of the City of Escondido held on the 5th day of February, 2020, after having been read at the regular meeting of said City Council held on the 15th day of January, 2020.

DocuSigned by:

Zack Beck

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ZACK BECK, City Clerk of the
City of Escondido, California

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