

ORDINANCE NO. _____

An ordinance adding Article 4, Sections 23.67 through 23.67.6 to Division 23, Chapter 3 of the Los Angeles Administrative Code to formally establish the Los Angeles Harbor Department Port Police Reserve Corps.

WHEREAS, the Charter of the City of Los Angeles Sections 651 and 657 provide that the Los Angeles Port Police shall remain under the independent and autonomous control of the Harbor Department, with the Board of Harbor Commissioners as its governing body;

WHEREAS, the Board of Harbor Commissioners has possession, management, and control of all navigable waters and all tidelands and submerged lands, whether filled or unfilled, situated below the line of mean high tide northerly and easterly of the United States government breakwater at Los Angeles Harbor and within the limits of the City of Los Angeles; and all harbor and port improvements, works, utilities, facilities and watercraft owned, controlled or operated by the department, as well as those properties purchased by the Department or granted to it by ordinance, commonly referred to as the Port of Los Angeles;

WHEREAS, the Port of Los Angeles is the premier gateway for international commerce, located in San Pedro Bay, 20 miles south of downtown Los Angeles, and is a thriving seaport with record-setting cargo operations and progressive security measures, diverse recreational and educational facilities, and an emerging waterfront visitor destination;

WHEREAS, the Port of Los Angeles encompasses 7,500 acres of land and water along 43 miles of waterfront, and features 24 passenger and cargo terminals, including automobile, breakbulk, container, dry and liquid bulk, and warehouse facilities that handle billions of dollars' worth of cargo each year;

WHEREAS, Port Police Reserve Corps members would provide additional surge capacity without reducing services currently provided by full-time sworn officers; would make available to the department specialized knowledge, skills, and abilities of individuals whose services would be beneficial to the department; and could perform a number of general and specialized law enforcement assignments, including, but not limited to uniformed patrol; investigations; marine/boat patrol; search and rescue; underwater operations; special events; translators; and instructors; and

WHEREAS, the Board of Harbor Commissioners desires to provide greater resources to police the Port of Los Angeles.

NOW, THEREFORE,

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. Article 4, Sections 23.67 through 23.67.6 are added to Division 23, Chapter 3 of the Los Angeles Administrative Code to read as follows:

(c) The Chief, Assistant Chief, or Deputy Chief, with or without cause, therefore, need not appoint and swear in any particular person as a member. This section, from its effective date forward, shall be the exclusive manner of appointing a Port Police Reserve Officer. Any prior Reserve Officers will cease to be authorized and must be re-appointed under the provisions and procedures of this section should they so qualify.

(d) The Chief, with or without cause, therefore, may terminate any member at any time and any member may resign as such at any time by written notification thereof to the Chief. Any member who shall cease to be such shall surrender, at the time they shall cease to be such, all property of the City which shall have been issued pursuant to the provisions of this article or otherwise.

(e) The Chief may increase or decrease the number of members of the Corps subject to such restrictions and limitations as may be imposed by the Board of Harbor Commissioners.

Sec. 23.67.3. Duties and Compensation.

(a) Each member of the Corps shall serve in an assignment for at least 16 hours per two pay periods, for which the member shall be paid, as reimbursement for expenses, and not as salary, wages, or compensation for services rendered the sum of \$25.00 per pay period. A pay period is two weeks.

(b) Each member who has been deputized or appointed and qualified as a Level I Reserve Officer pursuant to Penal Code sections 830.6(a)(2) and 832.6(a)(1), and who is assigned to the prevention and detection of crime and general enforcement of the laws of the State, shall have the full powers, authority, and duty of a peace officer as provided by Penal Code section 830.1, subject to restrictions as may be imposed by the Chief.

(c) Each member who has been deputized or appointed and qualified and serving as a Level II Reserve Officer pursuant to Penal Code Section 832.6(a)(2) shall have the power, authority, and duty of a peace officer while on duty and under the immediate supervision of a peace officer except as may be restricted by the Chief. At no other time shall a Level II Reserve Officer have the status as a police officer or as a peace officer; have any power, authority, or duty as a police officer or as a peace officer; or represent, identify, or hold themselves out to be a police officer or a peace officer. Level II Reserve Officers may be assigned to all law enforcement duties.

(d) Each member who has been deputized or appointed and qualified and serving as a Level III Reserve Officer pursuant to Penal Code Section 832.6(a)(3) shall have the power, authority, and duty of a peace officer while on duty and under the immediate supervision of a peace officer except as may be restricted by the Chief. At no other time shall a Level III Reserve Officer have the status as a police officer or as a peace officer; have any power, authority, or duty as a police officer or as a peace officer;

Sec. 23.67.6. Workers' Compensation Benefits.

(a) For the purposes of this section only, each member of the Corps shall be an employee of the City only while serving any assigned shift as a member or while receiving further training as such, and any person shall be an employee of the City only while receiving any required training to become a member of the Corps.

(b) If any such member or any such person were to suffer or sustain any illness or injury proximately caused by, arising out of, and in the course of, their service or training while an employee of the City, as hereinabove limited, they shall be entitled to all of those workers' compensation benefits, no more or no less, to which they, pursuant to the provisions of Division 4 of the Labor Code of the State of California but only upon the conditions therein provided therefor, would be entitled if they were a regular police officer receiving a monthly salary as such; provided, however, where such injury or illness occurs in the course of such member's activities as a Disaster Service Worker, as provided for in Chapter 10 of Part 1 of Division 4 of the Labor Code of the State of California, the provisions of that chapter with respect to compensation shall be controlling.

(c) If any such member or any such person were to die as a result of any illness or injury proximately caused by, arising out of, and in the course of, his or her service or training, those persons who, if the deceased had been a regular police officer receiving a monthly salary as such, would be entitled to any workers' compensation benefits, pursuant to the provisions of Division 4 of the Labor Code of the State of California, shall be entitled, but only upon the conditions provided therefor in said Division 4, to the same such benefits, no more or no less; provided however, where the illness or injury proximately causing the death of such member occurs in the course of said member's activities as a Disaster Service Worker, as provided for in Chapter 10 of Part 1 of Division 4 of the Labor Code of the State of California, the provisions of that chapter with respect to compensation shall be controlling.