

# OFFICE OF THE ATTORNEY GENERAL <sup>91-00190</sup>



JIMMY EVANS  
ATTORNEY GENERAL  
STATE OF ALABAMA

MAR 20 1991

ALABAMA STATE HOUSE  
11 SOUTH UNION STREET  
MONTGOMERY, ALABAMA 36130  
AREA (205) 242-7300

Honorable David Laney  
Sheriff, Cullman County  
500 2nd Avenue SW  
Cullman, AL 35055

Sheriffs - Law Enforcement -  
Reserve Police Officers - Peace  
Officers Standards and Training  
Act

Reserve law enforcement  
officers of a sheriff's  
department do not qualify under  
Act No. 90-302 as certified law  
enforcement officers.

Dear Sheriff Laney:

This opinion is issued in response to your request for an  
opinion from the Attorney General.

## QUESTION

Do reserve law enforcement officers of  
a sheriff's department qualify under the  
provisions of Act No. 90-302?

## FACTS AND ANALYSIS

Act No. 90-302, 1990 Regular Session, is codified at Code of Alabama 1975, § 11-43-210. It provides for the appointment of municipal reserve law enforcement officers and provides qualifications for and the powers which may be exercised by such officers. There is no provision in Act No. 90-302 for reserve law enforcement officers of a sheriff's department.

CONCLUSION

Reserve law enforcement officers of a sheriff's department do not qualify under Act No. 90-302 as certified law enforcement officers.

I hope this sufficiently answers your question. If our office can be of further assistance, please do not hesitate to contact us.

Sincerely,

JIMMY EVANS  
Attorney General  
By:

  
JAMES R. SOLOMON, JR.  
Chief, Opinions Division

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