

OFFICE OF THE ATTORNEY GENERAL



94-00066

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NOV 24 1993

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Honorable Robert E. Paden
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City of Bessemer
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Municipalities - Police
Officers - County Health
Departments

The City of Bessemer and the
Jefferson County Board of
Health may enter into an
agreement whereby a police
officer is assigned to the
county health department.

Dear Mr. Paden:

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

QUESTION

May the City of Bessemer Police
Department enter into an agreement with
the Jefferson County Board of Health to
assign a police officer to the County
Health Department on a daily basis?

FACTS, LAW AND ANALYSIS

The Jefferson County Board of Health and the City of Bessemer Police Department wish to enter an agreement whereby a police officer of the City of Bessemer would be assigned to the County Health Department on a daily basis to perform certain duties, such as security and traffic control. The County Board of Health would pay the Bessemer Police Department an amount equal to the salary of the police officer.

The Jefferson County Board of Health and Health Department were established pursuant to Code of Alabama 1975, § 22-3-1, et seq. A county board of health supervises the enforcement of the health laws of the state and municipalities in the respective counties. Code, § 22-3-3(1).

A city council, under Code of Alabama 1975, § 11-43-55, is authorized to establish and organize a police force under the supervision of a chief of police. As stated in Alexander v. State, 274 Ala. 441, 150 So.2d 204 (1963), the police chief, as well as police officers, are conservators of the peace which enforce state laws and municipal ordinances, all to the protection of the general public. A chief of police may assign police officers to accomplish these duties as he deems necessary. Thus, a police officer could be assigned to the county health department within the city even if the health department did not pay for these services. Therefore, there is nothing that prohibits the agreement discussed herein.

CONCLUSION

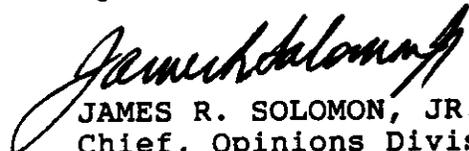
It is the opinion of the Attorney General that the City of Bessemer and the Jefferson County Board of Health may enter into an agreement whereby a police officer is assigned to the county health department on a daily basis to perform certain duties such as security and traffic control, with the police officer's salary being paid by the county health department. The agreement regarding the assignment of the police officer should be signed by the mayor on behalf of the city.

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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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