

**Resolution of Madison County Board of Supervisors Regarding the Use of Official Vehicle, Uniform and Service Revolver by Certified Madison County Law Enforcement Officers During Off-Duty Security Employment Events**

WHEREAS, the Mississippi Legislature amended §17-25-11 MS Code of 1972 (Annotated) to allow certified full-time and part-time law enforcement officials to use their assigned vehicles, service revolvers, weapons, and uniforms while in the performance of private security services during off-duty hours, and;

WHEREAS, the amended law is to take effect on July 1, 2021 after due consideration and approval of the “governing authorities” of the jurisdiction in which the certified law enforcement officers are employed, and;

WHEREAS, the amended law specifies that the individuals and private entities hiring the officers must do so with the understanding that the off-duty officers can only be contracted as “independent contractors” and that liability, costs, risks and damages during the performance of the private engagement are to be borne by the contracting individual and entity, and that Madison County, as the governing jurisdiction, and the Madison County Sheriff’s Office, as the employing authority, are to be “held harmless” in all respects, for the actions and omissions of the off-duty law enforcement officials while engaged as private security staff, and;

WHEREAS, the Sheriff of Madison County has promulgated specific procedures, rules and regulations regarding how the amended law should be implemented by the Madison County Sheriff’s Office, and that said procedures include notices to the certified law enforcement officers as well as to the prospective private security contractors informing them of their respective duties, responsibilities and limitations, including the need to place name Madison County as named insured on the person’s or entity’s general liability and automobile liability policy during the private security engagement event; and;

WHEREAS, Madison County Board of Supervisors is required to assert that allowing the law enforcement officers to participate as off-duty security officers is in the public interest and that it will not bring disrepute to the county, and so as to ensure the continuing integrity of the off-duty arrangement, the county has agreed to delegate to the Madison County Sheriff the responsibility of reviewing and approving each and every off-duty request of the law enforcement official in which his/her official uniform, weapon and vehicle is proposed to be used; and

WHEREAS, Madison County Board of Supervisors is satisfied and confident that the Madison County Sheriff will oversee, supervise and monitor the implementation of the private security arrangement to the benefit of and without risk to the county.

THEREFORE, the Madison County Board of Supervisors after due consideration does hereby approve and allow the use of the official uniform, service weapon and

vehicle by certified full-time and part-time law enforcement officers in the performance of off-duty private security engagements held within the confines of Madison County, and believes that such engagements are in the public interest of the county and, as such, will not bring disrepute to the county, and thereby the board delegates to the Sheriff of Madison County the duty and responsibility of monitoring, supervising, and overseeing all aspects of this program, including the management of risk to the county, having confidence in, and believing that the sheriff will require the contracting entities to assume all liability and responsibility for the actions and omissions incident to the off-duty security events, and ensuring that in all respects the county disclaims and will not assume any liability whatsoever for costs or damages to the officers' uniforms, weapons or vehicles, or liability as to injuries or deaths to persons that might result from such off-duty engagements, and that pursuant to §17-25-11 MS Code of 1972 (Annotated), Madison County declares that it will be "held harmless," in all respects, for costs, damages and for claims based upon the actions or omissions of the off-duty law enforcement officer during or incident to the performance of his/her duties during the private security events, and that this approval will be placed upon the official Minutes of the Madison County Board of Supervisors and provided to the Sheriff for notice to the public, to the law enforcement officers, and to the contracting entities in order to assist him in executing the intent of said amended statute, becoming effective on July 1, 2021.

Dated this the 30<sup>th</sup> day of June 2021.

Motion made by Supervisor \_\_\_\_\_ and seconded by  
Supervisor \_\_\_\_\_, the Motion was approved by the

Following recorded vote:

Supervisor Sheila Jones: \_\_\_\_\_;

Supervisor Trey Baxter: \_\_\_\_\_;

Supervisor Gerald Steen: \_\_\_\_\_;

Supervisor Karl Banks: \_\_\_\_\_;

Supervisor Paul Griffin: \_\_\_\_\_.