

Department-Owned and Personal Property

600.1 VERSION

Review Date	Effective Date	Approving Authority
02/06/19	07/09/18	Eric D. English, Chief of Police

600.2 POLICY AND PURPOSE

This policy addresses the care of department-owned property and the role of the Department when personal property, the property of another person or department-owned property is damaged or lost. Employees of the Harrisonburg Police Department shall properly care for department property assigned or entrusted to them. Department-owned property that becomes damaged shall be promptly replaced. Employees' personal property that becomes damaged during the performance of assigned duties will be reimbursed in accordance with this policy.

600.3 ACCOUNTABILITY STATEMENT

All employees are expected to fully comply with the guidelines and timelines set forth in this policy. Responsibility rests with the supervisor to ensure that any violations of policy are investigated and appropriate training, counseling and/or disciplinary action is initiated. This directive is for internal use only, and does not enlarge an employee's civil liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violation of this directive, if proven, can only form the basis of a complaint by this department, and then only in a non-judicial administrative setting.

600.4 DEFINITIONS

Department owned property – Tools, equipment and machinery having a value less than \$5,000 that are assigned to the various divisions within the Department to help them meet their specific job requirements.

Department owned capital asset - Machinery, equipment and vehicles having a value in excess of \$5,000. The City of Harrisonburg's Finance Department shall maintain an inventory of all Department-owned capital assets.

Stored agency equipment – Law enforcement equipment that is stored by the agency to include items such as special weapons, tactical tools, gear (SWAT, CNU, CDU, Bike, Canine, Motor, Traffic Unit, Forensics), surveillance/other investigative devices and equipment stored in vehicles; all of which would include items from both lists above. This equipment must be kept in a state of operational readiness for immediate deployment and inspected at least twice per year. These units will be responsible that all equipment is inspected and discrepancies reported.

600.5 DEPARTMENT-ISSUED PROPERTY

All property and equipment issued by the Department shall be documented in the appropriate property sheet or equipment log. Receipt of issued items shall be acknowledged by the receiving

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employee's signature. Upon separation from the Department, all issued property and equipment shall be returned. Documentation of the return shall be acknowledged by the signature of a supervisor.

600.5.1 CARE OF PROPERTY

Employees shall be responsible for the safekeeping, serviceable condition, proper care, proper use and replacement of department property that has been assigned or entrusted to them.

Intentional or negligent abuse or misuse of department property may lead to discipline including, but not limited to, the cost of repair or replacement.

- (a) Employees shall promptly report, through their chain of command, any loss, damage to, or unserviceable condition of any department-issued property or equipment.
 - 1. A supervisor receiving such a report shall conduct an investigation and direct a memo to the appropriate Commander, which shall include the result of the investigation and whether misconduct or negligence caused the loss, damage or unserviceable condition.
 - 2. A review by command staff should determine whether additional action is appropriate.
- (b) The use of damaged or unserviceable property should be discontinued as soon as practicable, and the item replaced with a comparable item as soon as available and following notice to a supervisor.
- (c) Except when otherwise directed by competent authority or otherwise reasonable by circumstances, department property shall only be used by those to whom it was assigned. Use should be limited to official purposes and in the capacity for which it was designed.
- (d) Department property shall not be thrown away, sold, traded, donated, destroyed or otherwise disposed of without proper authority.
- (e) A supervisor's approval is required before any attempt to repair damaged or unserviceable property is made by an employee.

600.6 RECEIPT AND STORAGE OF DEPARTMENT OWNED PROPERTY

- (a) Department Bureau Commanders shall ensure that their Division Commanders establish procedures for the receipt, storage and security of Department owned property and maintain the property in operational readiness through routine inspections and/or testing.
- (b) Division commanders will be responsible for creating and maintaining an updated list of Department owned property that is being used by and/or assigned to their command.
 - 1. Each Division will have an established procedure that requires:
 - (a) Documentation of the receipt and description of Department owned property received. In most instances a copy of the invoice order will suffice.

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- (b) Guidelines for the storage of the capital assets that include being stored in operational readiness.
- (c) Established security for the storage of exceptional, valuable or sensitive items of Department owned property, e.g. ammunition, firearms, emergency equipment, uniforms, police badges, etc.
- (d) Division commanders may designate an employee of their command to coordinate an inventory and maintain the readiness of stored Department property.

600.7 PERSONAL PROPERTY

Carrying and/or using personal property or equipment on-duty requires prior written approval by the Chief of Police or appropriate Commander. The employee should submit a request that includes a description of the property and the reason and length of time it will be used. Personal property of the type routinely carried by persons who are not performing law enforcement duties, and that is not a weapon, is excluded from this requirement.

The Department will not replace or repair costly items (e.g., jewelry, expensive watches, exotic equipment) that are not reasonably required as part of work.

600.7.1 FILING CLAIMS FOR PERSONAL PROPERTY

Claims for reimbursement for damage to, or loss of, personal property must be written in a memo to the employee's immediate supervisor.

The supervisor receiving the memorandum shall investigate and direct a correspondence to the appropriate Commander, which shall include the result of the investigation and whether reasonable care was taken to prevent the loss, damage or unserviceable condition.

Upon review by command staff and a finding that no misconduct or negligence was involved, repair or replacement may be recommended by the Chief of Police, who will then forward the claim to the City department responsible for issuing payments.

600.8 DAMAGE TO PROPERTY OF ANOTHER PERSON

Anyone who intentionally or unintentionally damages or causes to be damaged the real or personal property of another person while performing any law enforcement function shall promptly report the damage through his/her chain of command.

The supervisor receiving such a report shall conduct an investigation and direct a memorandum to the appropriate Commander, which shall include the result of the investigation and whether reasonable care was taken to prevent the loss, damage or unserviceable condition.

A review of the incident by command staff to determine whether misconduct or negligence was involved should be completed.

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600.8.1 DAMAGE BY PERSONNEL FROM ANOTHER AGENCY

Personnel from another agency may intentionally or unintentionally cause damage to the real or personal property of the City of Harrisonburg or of another person while performing their duties within the jurisdiction of this department. It shall be the responsibility of the department employee present or the employee responsible for the property to report the damage as follows:

- (a) A verbal report shall be made to the employee's immediate supervisor as soon as circumstances permit.
- (b) A written report shall be submitted before the employee goes off-duty or as otherwise directed by the supervisor.

The supervisor receiving such a report shall conduct an investigation and direct a memorandum to the appropriate Commander, which shall include the result of the investigation and whether misconduct or negligence caused the loss, damage or unserviceable condition.

600.9 INVENTORY

The Harrisonburg Police shall inventory the capital assets once per fiscal year, which will be done in June.