
Department Owned and Personal Property

700.1 PURPOSE AND SCOPE

Department employees are expected to properly care for department property assigned or entrusted to them. Employees may also suffer occasional loss or damage to personal or department property while performing their assigned duty. Certain procedures are required depending on the loss and ownership of the item.

700.2 CARE OF DEPARTMENTAL PROPERTY

Employees shall be responsible for the safekeeping, serviceable condition, proper care, use and replacement of department property assigned or entrusted to them. An employee's 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 assigned for their use.
- (b) The use of damaged or unserviceable department property should be discontinued as soon as practical and replaced with comparable Department property as soon as available and following notice to a supervisor.
- (c) Except when otherwise directed by competent authority or required by exigent 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) In the event that any Department property becomes damaged or unserviceable, no employee shall attempt to repair the property without prior approval of a supervisor.

700.3 FILING CLAIMS FOR PERSONAL PROPERTY

Claims for reimbursement for damage or loss of personal property must be made on a Property Replacement Form and submitted to the employee's immediate supervisor. The supervisor may require a separate written report or memorandum of the loss or damage.

The supervisor shall forward the form and any report or memorandum to the Professional Standards and Training Unit Lieutenant. The supervisor may include any results of his/her investigation whether the employee followed proper procedures. The supervisor's report or memorandum shall address whether reasonable care was taken to prevent the loss or damage.

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Upon review by staff and a finding that no misconduct or negligence was involved, repair or replacement may be recommended by the Professional Standards and Training Lieutenant who will then forward the claim to the Finance Department.

The Department will not replace or repair luxurious or overly expensive items (jewelry, exotic equipment, etc.) that are not reasonably required as a part of work. Claims for loss or damage to watches may not exceed one hundred dollars (\$100.00).

700.3.1 REPORTING REQUIREMENT

A verbal report shall be made to the employee's immediate supervisor as soon as circumstances permit.

A Property Replacement Form and any written report or memorandum shall be submitted before the employee goes off duty or within the time frame directed by the supervisor to whom the verbal report is made.

700.4 UNIFORMS AND CIVILIAN CLOTHING

The acceptance and replacement liability to uniforms will extend to articles damaged or lost in the line of duty under emergency or hazardous conditions. This is interpreted to imply damage or loss which occurred while the employee was engaged in official duties over which the employee had little or no control.

The value to be claimed shall be determined by the original value of the article, its age and the extent of depreciation at the time of damage. Uniform clothing articles will generally be considered to have a 36-month service life for this policy, and reimbursement will be pro-rated accordingly.

Civilian clothing worn by members during their tour of duty comes within the classification of uniform for the purpose of this policy.

700.5 LOSS OR DAMAGE OF PROPERTY OF ANOTHER

Officers and other employees intentionally or unintentionally may cause damage to the real or personal property of another while performing their duties. Any employee who damages or causes to be damaged any real or personal property of another while performing any law enforcement functions, regardless of jurisdiction, shall report it as provided below.

- (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 within the time frame directed by the supervisor to whom the verbal report is made.

700.5.1 DAMAGE BY PERSON OF ANOTHER AGENCY

If employees of another jurisdiction cause damage to real or personal property belonging to the City, it shall be the responsibility of the employee present or the employee responsible for the property to make a verbal report to his/her immediate supervisor as soon as circumstances permit.

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The employee shall submit a written report before going off duty or as otherwise directed by the supervisor.

These written reports, accompanied by the supervisor's written report, shall promptly be forwarded to the appropriate Division Commander.

700.6 RESCINDED POLICY

This policy rescinds San Leandro Operations Directive 87-14.