

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 a supervisor 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 supervisor approval.
- (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 and consistent with city policy.

700.3 FILING CLAIMS FOR PERSONAL PROPERTY

Claims for reimbursement for damage or loss of personal property are provided by the current Memorandum of Understanding.

The supervisor shall direct a memo to the appropriate Division Commander, which shall include the written results of his/her investigation and whether the employee followed proper procedures. The supervisor's report shall address whether reasonable care was taken to prevent the loss or damage.

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700.3.1 REPORTING REQUIREMENT

- (a) A verbal report shall be made to the employee's immediate supervisor as soon as circumstances permit.
- (b) A written memorandum detailing the circumstances of the loss and the extent of damage shall be submitted via the chain of command to the Division Commander before the employee goes off duty or within the time frame directed by the supervisor to whom the verbal report is made. If a disability prevents an officer from preparing the memorandum, the shift supervisor or designee shall complete the memorandum.
- (c) Prior to reimbursement, the employee will submit either the original receipt or replacement receipt for the article damaged or destroyed.
- (d) A claim for damage reimbursement shall be made as expeditiously as possible.
- (e) If the damage is sustained as the result of an arrest, the Division Commander shall request that the District Attorney petition the court to direct restitution.
- (f) If the damage is caused by another person and no arrest is made, the City Attorney may seek reimbursement.
- (g) Reimbursement claims will be reviewed by the Division Commander. The Division Commander will authorize or deny the claim for reimbursement.

700.4 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. The supervisor shall contact Risk Management and advise of the potential liability.
- (c) Employees should advise a potential claimant to contact Risk Management.
- (d) City employees shall not admit liability or commit the City of Redding for payment of any claim.
- (e) Department employees shall cooperate with Risk Management personnel to help ensure that claim investigations are completed in an expeditious manner.
- (f) Risk Management personnel may contact the Chief of Police or his designee to arrange for interviews with police employees. Every effort will be made to conduct interviews during the employee's on-duty time.

700.4.1 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

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property to make a verbal report to his/her immediate supervisor as soon as circumstances permit. 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 via the chain of command.