

Rules and Procedures

Rule 322

January 28, 2003

Rule 322 - DEPARTMENT PROPERTY

This rule is being issued to establish the duties and responsibilities of Police Department employees concerning Police Department property. It is effective immediately, superseding all previously issued directives.

Sec. 1 All property, as defined in Sec. 2, owned or controlled by the Police Department, whether for general purposes or in use by individual members, shall be managed by the Commanding Officer of the Office, Bureau, District, Division, or Unit occupying or using such property; such custody over the headquarters building and the property therein shall be exercised by the Commissioner.

Sec. 2 Department Property and the Issuing Authorities are defined as follows:

Equipment	Issuing Authority
Department Issued Firearm & Holster Ammunition & Magazines	Department Range
Badge OC Spray & OC Spray Holder Body Armor Handcuffs Gas Masks Helmets Batons Emergency Equipment Bag Issued Uniforms & Clothing	Central Supply Division
Radios/Chargers Pagers Cell phones	Telecommunications Unit
Laptop Computers	Informational Technology Division
Vehicles and Equipment	Fleet Management Division
Department Identification Cards	Human Resources Division

Sec. 3 Property supplied by the department to individual members shall be furnished by the Issuing Authority, as defined in Sec 2. The Issuing Authority is charged with the responsibility of keeping accurate records relating to the acquisition, issuance, disposition and return of such property.

Sec. 4 Every employee will be required to sign a receipt from the Issuing Authority for department property which is issued for use while the employee is a member of the department. Employees are responsible for ensuring that Department property assigned to them is secured at all times. If Department property is left in a motor vehicle it must be stored in the trunk or another secure location out of sight of passers by.

Sec. 5 When a department employee is transferred from one Office, Bureau, District, Division, or Unit to another they shall retain all the department property in their possession unless the Commander directs otherwise. The Commander shall ensure that all department equipment and property that was specifically issued for use by the employee while assigned to the Unit/Division is returned to the Issuing Authority. An employee surrendering any department property in their possession to a Commander shall receive a copy of department form 2980 as a receipt for such property surrendered. It shall be the responsibility of the employee to insure that any property surrendered by them is properly and completely identified on the form 2980 which they accept. Employees should maintain copies of receipts for their records.

Sec. 6 Commanders shall ensure that all department property is returned to the Issuing Authority upon the suspension for more than 7 days, retirement, termination of employment or death of an employee under their command and that Department Form 2980 has been completed and forwarded to the Human Resources Division.

Sec. 7 When any member of the force is disabled or hospitalized while on duty it shall be the responsibility of their immediate Superior Officer to take possession of their Department Issued Firearm, ammunition and magazines and store them in the district /unit gun locker.

Sec. 8 District and Unit Commanders are charged with the responsibility of taking possession of Department Issued Firearms, ammunition and magazines, department radios and chargers, OC spray and OC spray holders issued to an employee of their command and forwarding them to the Issuing Authority for custodial purposes under the following conditions:

- A. When an employee has been reassigned to the Human Resources Divisions' Medically Incapacitated Section.
- B. When an employee, in the opinion of the Commander, is suffering from an emotional illness or condition which renders them unfit for duty.

Sec. 9 District and Unit Commanders are charged with the responsibility of taking possession of the employees' Badge and Department Identification Card, Department Issued Firearm, Ammunition and magazines, Department Radio and charger, OC spray and OC spray holder, and forwarding them to the Issuing Authorities;

- A. When a member of their command has been reassigned to the Human Resources Divisions'
- Administrative Leave Section
 - Extended Leave Section
 - Leave of Absence Section or,
 - Suspended Section

Sec. 10 District and Unit Commanders may take possession of other Department property issued to employees absent from duty because of any of the foregoing reasons when they determine that it is in the Department's best interest. When a Commander takes possession of Department property, under the conditions outlined in Sections 6, 7, 8 or 9 they shall forward them to the Issuing Authority for custodial purposes, complete Department Form 2980 and forward to the Human Resources Division.

Sec. 11 The Issuing Authority shall not re-issue Department property, taken into custody under the provisions of the previous sections of this Rule, without consent of the Commander who forwarded the property with the exception of the Department Issued Firearm which shall be returned only with the approval of the Police Commissioner.

Sec. 12 Prior to retiring from, or terminating their service with the Department, officers shall deliver their Department Issued Firearm, Ammunition and Magazines to the Department Range and their OC spray and OC spray holders and other issued equipment as defined in Sec. 2 to the Central Supply Division where Department Form 2980 shall be initiated. They shall also deliver all other Department property which has been issued to them to the Issuing Authority where Department Form 2980 shall be completed. Employees shall maintain a copy of their Department Form 2980, the original shall be submitted to the Human Resources Division.

Sec. 13 The Human Resources Division of this Department shall not certify any employee for retirement or termination of service until the original copy of Department Form 2980 has been received in the Human Resources Division. A copy of the completed form 2980 shall be attached to all retirement or termination of service paperwork being processed through the Department.

Sec. 14 Whenever any Police Department property which has been issued to an employee, which is in the custody of an employee or under their control or is being utilized by said employee, is lost, stolen, damaged or destroyed, the employee shall report promptly and in writing to their Commander a complete statement which shall contain all of the facts concerning the property. The Commander shall forward their report, together with their recommendations as to who shall bear the expense occasioned by such loss, theft, damage or

destruction of Department property, to the Chief of the Bureau of Administration and Technology.

Sec. 15 When the determination has been made that an employee is liable for the loss, damage or destruction of Department property and the recommendation has been made that the employee shall bear the expense of replacing or repairing the property, the Director of Finance shall forthwith send the officer or employee a bill specifying the amount of money to be paid to the Police Department.

If such bill is not paid within sixty (60) days thereafter or arrangement for payment has not been negotiated, the Finance Division shall forward written notification of that fact to the Bureau Chief and the Commander of the employee involved. The Chief, Bureau of Administration and Technology, after consultation with the Department Legal Advisor, shall notify the Bureau Chief of the employee involved to institute immediate disciplinary action.

Notes: Amended by SO 07-016, issued April 2, 2007, update the organization names to reflect the new BPD organizational structures. Section 2, 14 and 15.