

Department-Owned and Personal Property

700.1 PURPOSE AND SCOPE

The policy addresses the care of department-owned property and the role of the Department when personal property, the property of another or department-owned property is damaged or lost.

700.2 DEFINITIONS

Definitions related to this policy include:

Personal property - Items or equipment owned by, provided by or purchased totally at the expense of the department member. This definition includes optional equipment identified in the Uniform Regulations Policy

700.3 POLICY

It is the policy of the Fargo Police Department that members shall properly care for department property assigned or entrusted to them. Those who suffer loss or damage to personal or department-owned property while performing their assigned duties should be reimbursed appropriately.

700.4 DEPARTMENT-ISSUED PROPERTY

Selected property and equipment issued by the Department shall be documented in the appropriate quartermaster equipment tracking system; receipt shall be acknowledged by the employee at the time of issuance by a means determined by the Administrative Division Commander. Upon separation from the Department, all issued property and equipment shall be returned, unless approved by the Chief of Police or Division commander. Employees may be financially liable for any damaged or missing equipment upon separation from employment with the department.

700.4.1 CARE OF PROPERTY

Members shall be responsible for the safekeeping, serviceable condition, proper care, 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) Members 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.
 1. A supervisor receiving such a report shall conduct an investigation and direct a memo to the appropriate Division 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.

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- (b) The use of damaged or unserviceable department property should be discontinued as soon as practicable and notice given to a supervisor. The item should be replaced with a comparable item as soon as available.
- (c) Except when otherwise directed by a command officer 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.

700.5 PERSONAL PROPERTY

Carrying and/or using personal property or equipment on-duty requires prior approval by a command officer within the employees chain of command. The member should submit for approval 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.

700.5.1 FILING CLAIMS FOR PERSONAL PROPERTY

Claims for reimbursement for damage to, or loss of, personal property must be made through the proper chain of command.

The supervisor or unit commander receiving a claim for reimbursement shall investigate and direct a memo to the appropriate Division 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 respective Division commander, who will then forward the replacement request to the Chief of Police Administrative Assistant.

The Department will not replace or repair costly items (e.g., jewelry, exotic equipment, etc.) that are not reasonably required as a part of work. The department will reimburse employees for damage, or loss of, personal property up to \$50.

700.6 DAMAGE TO PROPERTY OF ANOTHER

Anyone who intentionally or unintentionally damages or causes to be damaged the real or personal property of another while performing any law enforcement function shall promptly report the damage through that individual's chain of command. The officer or civilian who **unintentionally** caused the damage shall promptly fill out and submit the Fargo Police General Liability Incident Report through the chain of command to the Administrative Division commander. The officer or civilian who intentionally caused the damage, when performing any legally justified law enforcement function, will not be required to fill out the Fargo Police General Liability Incident Report.

The supervisor receiving such a report shall investigate and direct a memo to the appropriate chain of command to the Administrative Division Commander, which shall include the result

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of the investigation and whether reasonable care was taken to prevent the loss, damage or unserviceable condition.

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

[See attachment: General Liability Incident Report \(other than auto\).pdf](#)

700.6.1 DAMAGE BY PERSONNEL OF ANOTHER AGENCY

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

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

The written memorandum, accompanied by the supervisor's written evaluation of the damage, shall be forwarded to the appropriate Division Commander. It shall be the responsibility of the other agency, whose employee intentionally or unintentionally caused the damage to the real property of the Fargo Police Department, to replace or repair the damaged property.

Attachments

General Liability Incident Report (other than auto).pdf

City of Fargo, North Dakota
Incident or Claim Report
(For Incidents or Claims - Other than Automobile)

Person Completing this report: _____ Phone #: _____

Department: _____ Date of this report: _____ Unit # _____

Date and Time of INCIDENT: _____

Injured Party/Claimant: _____ Phone #: _____

Address: _____ City: _____ State: _____ Zip: _____

Location of Incident: _____

Description: _____

(Use separate sheet if you need additional space.)

Any Witnesses? () Yes () No Name & Phone #: _____

Please email this report to Janet Rostad, jrostad@warnerandcompany.com

Warner and Company
318 Broadway, PO Box 1470
Fargo, ND 58107

Phone: 800-369-2501 or 701-237-6414
Fax: 701-239-0009

Instructions to Departments:

You are required to obtain the claim data related to bodily injury or property damage to others and send it directly to Warner & Company. The claims will be handled directly by our insurance carrier, North Dakota Insurance Reserve Fund. This form is to be completed immediately. DO NOT delay the filing of this report. A copy of the accident reporting form should also be sent to Kent Costin, Director of Finance at Kcostin@cityoffargo.com, or FAX to 701-476-6754. Richard Penning is the name of our local agent at Warner & Company.