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## Office-Owned and Personal Property

### 1204.1 PURPOSE AND SCOPE

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

### 1204.2 POLICY

Members of the Montgomery County Sheriff's Office shall properly care for office property assigned or entrusted to them. Office-owned property that becomes damaged shall be promptly reported and replaced. Members' personal property that becomes damaged during the performance of assigned duties may be reimbursed in accordance with this policy.

### 1204.3 DEPARTMENT/OFFICE-ISSUED PROPERTY

All property and equipment issued by the Office shall be documented in the appropriate property sheet or equipment log. Receipt of issued items shall be acknowledged by the receiving member's signature. Upon separation from the Office, all issued property and equipment shall be returned. Documentation of the return shall be acknowledged by the signature of a supervisor.

#### 1204.3.1 CARE OF OFFICE PROPERTY

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

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

- (a) Members shall promptly report, through their chain of command, any loss, damage to, or unserviceable condition of any office-issued property or equipment.
  1. A supervisor receiving such a report shall conduct an investigation and direct a memo to the appropriate Division Director or their designee, which shall include the result of the investigation and whether misconduct or negligence caused the loss, damage or unserviceable condition.
- (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, office 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) Office property shall not be thrown away, sold, traded, loaned, 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 a member.

# Montgomery County Sheriff's Office

## Policy Manual

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#### **1204.4 PERSONAL PROPERTY**

Carrying and/or using personal property or equipment on-duty requires approval by the Sheriff or appropriate designee. The member 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 that is of a nature approved to be carried or worn by members pursuant to agency policies, and that is not a weapon, is excluded from this requirement.

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

#### **1204.5 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 his/her chain of command.

The supervisor receiving such a report shall conduct an investigation and direct a memo to the appropriate Division Director or their designee, which shall include the result of the investigation and whether reasonable care was taken to prevent the loss or damage and a recommendation on whether reimbursement is appropriate.

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

##### **1204.5.1 DAMAGE BY PERSONNEL OF ANOTHER AGENCY**

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

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

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