General Order

Houston Police Department

ISSUE DATE:	NO.
October 27, 2015	400-18

REFERENCE: Supersedes all prior conflicting Circulars and Directives, and General Order 400-18, dated June 1, 2010

SUBJECT: RESPONSIBILITY FOR CITY AND OTHER GOVERNMENT PROPERTY

POLICY

All employees are responsible for the security of *City and other government property* and services. Employees shall protect such property as defined herein from loss, damage, destruction, or misuse. When City or other government property or services are lost, stolen, or damaged, employees shall report the matter to their immediate supervisor. Supervisors shall take appropriate steps to ensure City and other government property is protected from misuse.

Employees shall properly maintain department property and keep their offices, lockers, desks, and work areas clean and orderly.

Employees shall use or provide City and other government equipment or services for only official City business.

This General Order applies to all employees.

DEFINITIONS

City Property. For the purposes of this General Order, City property is any item belonging to the City that is not consumable or disposable by design.

Other Government Property. Other government property includes property not owned by the City, such as federal or state government property, and that is in the care, custody and control of an employee due to the nature or function of his or her assignment.

Value. The property's value as determined by the office or division responsible for issuing the property. Specifically, value refers to the replacement cost of the property.

1 REPORTING AND INVESTIGATING

Property Valued More than $200

If the value of lost, damaged, or stolen City property is more than $200, an investigation shall be conducted in accordance with the department's disciplinary system. In addition, employees shall do all of the following:

a. Report the incident immediately to their supervisor.

b. Ensure an incident report is generated that includes a complete description of the property (e.g., size, color, and model and serial numbers).

The employee's immediate supervisor shall issue a 48-hour notice to the employee and conduct a preliminary investigation. The supervisor's investigation shall include all of the following:

c. A copy of the incident report.

d. Employee's administrative letter to the division commander.

e. Supervisor's administrative letter to the division commander.

   The supervisor's administrative letter shall state the property's value and estimated replacement or repair cost.

The HPD division or unit purchasing or distributing the property shall determine the value or cost. The *Lost/Damaged Property*

Rating Matrix and *Reimbursement Agreement for Lost, Stolen, or Damaged City Property* forms shall be completed and shall state the amount to be paid by the employee. These forms are located on the department's Intranet Portal under Documents in General > Departmental Forms > IAD.

Property Valued More than $50 up to and Including $200

If the value of lost, damaged, or stolen City property is more than $50 up to and including $200, employees shall report the incident immediately to their supervisor. The concerned division may conduct a supervisory intervention if culpability exists, there are no *special circumstances* (see section 2, *Special Circumstances*), and the employee accepts responsibility and makes restitution (see section 5, *Payment of Restitution or Reimbursement.* An administrative letter prepared by the employee's supervisor shall be completed stating the amount to be paid by the employee.

Property Valued $50 or Less

If the value of lost, damaged, or stolen City property is $50 or less, employees shall report the incident immediately to their supervisor. The supervisor shall conduct a preliminary investigation to determine culpability. If there are no *special circumstances* (see section 2), the property may be replaced or repaired by the City at no cost to the employee and no further action shall be taken.

Property With No Value

Employees shall immediately notify their supervisor when City property has been lost, stolen, or damaged even if the property has no intrinsic value due to usefulness, condition, or life expectancy. The supervisor shall conduct a preliminary investigation to determine culpability. If there are no *special circumstances*, the property may be replaced or repaired by the City at no cost to the employee. No further action or discipline shall be taken.

Conducted Energy Device Equipment

If the lost, damaged, or stolen City property is a cartridge or holster for a conducted energy device (CED), then employees shall follow the applicable procedures above in section 1, *Reporting and Investigating* as well as the applicable procedures outlined in General Order 400-26, **Conducted Energy Devices**.

2 SPECIAL CIRCUMSTANCES

Regardless of the value of the lost, stolen, or damaged property, a supervisor may order a disciplinary investigation any time one or more of the following *special circumstances* is present. The incident:

a. Compromised security.

b. Caused significant embarrassment or harm to the Police Department.

c. Was part of a pattern of misconduct by the same employee.

d. Occurred because of negligent or flagrant circumstances.

e. Involved misuse or unauthorized use of City or other government property or services.

If one or more of these *special circumstances* exists, the employee is subject to the full range of discipline as indicated in the department's *Corrective Action Manual.*

3 BADGES, IDENTIFICATION CARDS, AND CHALLENGE COINS

General Order 400-02, **HPD Badges, Identification Cards, and Challenge Coins**, governs the loss, theft, damage, misuse,

and replacement of an employee's badge, hat shield, official Houston Police Department identification card, or challenge coin.

4 MAJOR AWARDS

Major awards and award pins (see General Order 200-20, **Awards and Commendations**) that are lost or stolen may be replaced for the employee receiving the award or a surviving spouse by contacting the department's awards coordinator.

5 PAYMENT OF RESTITUTION OR REIMBURSEMENT

Employees making restitution shall do so per the supervisor's administrative letter or *Reimbursement Agreement*, as applicable.

Employees making restitution via the single-payment reimbursement option shall be directed to contact the Office of Budget and Finance within 15 *calendar* days of receipt of the order to make an arrangement for payment. The supervisor's administrative letter for restitution or the *Reimbursement Agreement* form indicating the amount to be paid by the employee shall be presented to the Office of Budget and Finance. Single-payment reimbursements shall be accepted with only *exact* cash or check.

For reimbursement payments made via payroll deductions, employees shall follow the instructions in the *Reimbursement Agreement*. The City of Houston Administration and Regulatory Affairs (ARA) Department, Payroll Services will forward a reimbursement payment plan to the concerned employee, who shall then have 15 *calendar* days in which to contact Payroll Services to confirm a reimbursement payment plan.

6 REPLACEMENT OF PROPERTY

Divisions responsible for issuing property to employees may establish additional procedures regarding the replacement of lost, stolen, or damaged property. Such procedures shall be documented in the division's standard operating procedures and shall not conflict with this General Order. Employees shall comply with these additional procedures.

7 OTHER GOVERNMENT PROPERTY

When government property other than City property is lost or stolen, employees shall follow the procedures established by this department for City property valued at more than $200 regardless of the actual value of the property (see section 1, *Reporting and Investigating*). Restitution to the City shall not be an available option for other government property.

8 RELATED GENERAL ORDERS

200-03, **Investigation of Employee Misconduct**
200-20, **Awards and Commendations**
400-02, **HPD Badges, Identification Cards, and Challenge Coins**
400-14, **Control of Police Department Property**
400-26, **Conducted Energy Devices**
700-01, **Property/Evidence Control Regulations**

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