

Policy Series 300: Employee Relations
330 - Department-Owned Equipment - Privacy and Security

I. INTRODUCTION

For the mutual convenience of members and the department, members may be assigned, from time to time, department-owned equipment. Ownership of this equipment remains with the department. Due to recent court cases, this policy is being issued to ensure members are aware of their rights and the department's rights in regard to this equipment.

II. DEFINITION

Department-Owned Equipment - All equipment provided to members by the department, e.g., vehicles, lockers, desks, cabinets, police radios, computers, pagers, voice/paper/electronic mail boxes, cellular phones, etc.

III. POLICY

- A. All department members are advised that:
1. They have **NO** expectation of privacy when using department-owned equipment.
 2. The retention of any personal items in such equipment is at the member's risk. The Board, the department, commanders, and supervisors are not responsible for any losses.
- B. Any department-owned equipment is subject to entry, search, and inspection without cause or notice with approval of the division commander/manager. This includes any department-owned equipment that is protected by a personally owned lock, pass word, access code, or other authentication device. If the member is present, the member will be asked to unlock and remove a personally owned lock on the department-owned equipment. If the member is not present, a reasonable effort will be made to contact the member before breaking the lock unless exigent circumstances exist.
- C. Any privately owned property contained in such equipment (including the contents of closed, sealed, or encrypted items/containers) may also be opened and examined without notice or cause and without the member's permission.
- D. Data, voice, and E-mail boxes, pager memory banks, and any other electronic storage systems are not intended for private or personal use and may be "opened," "read," or inspected in the same manner as the contents of desks, lockers, and other equipment. The department reserves the right to monitor Internet usage as well as all E-mail messages sent or received by members. The Network Manager may conduct audits of Internet use.

- E. Members shall not use department-owned communications devices or electronic storage systems:
1. For private gain or profit, or to solicit for political, religious, or other non-business purposes.
 2. To violate the privacy of others. Members must remain aware that Internet news group postings, certain E-mail messages, Web sites, and various other communications on the Internet are public record and subject to inspection by the news media and other members of the public.
 3. For using or transmitting unlawful, offensive, harassing, defamatory, obscene, or other inappropriate language, images, or materials.
 4. For deliberately or intentionally interfering with or disrupting any department network or Internet user, program, or equipment. Disruptions include, but are not limited to, propagation of computer worms, viruses, or other debilitating programs, and using the network to make unauthorized entry to any other machine accessible through the network or the Internet. **Deliberate attempts to degrade or disrupt system performance will be viewed as criminal activity under applicable state and federal laws.**
 5. To deliberately access pornographic or Internet gambling sites. **Exception:** Does not apply to investigative elements conducting official investigations.

F. Internet Access

1. Members shall use the Internet in accordance with all applicable laws and regulations. This includes compliance with copyright and license laws governing programs, as well as data and written materials accessed, obtained, or provided to others via the Internet.
2. Members authorized Internet access will be provided with an "Internet Access Account" and are responsible for the account. Disclosure of Internet passwords, access codes, or other authentication devices must be kept to an absolute minimum and done only when justified for official reasons.

- G. Any member who observes any use of department-owned equipment which violates the provisions of this policy or who receives unusual or inappropriate material will notify their supervisor/commander immediately. The supervisor/commander will take appropriate action.

Richard D. Easley
Chief of Police

Adopted by the Board of Police Commissioners this _____ day
of _____, 2000.

Jeffrey J. Simon
President