
	<b>ANDOVER POLICE DEPARTMENT GENERAL ORDER</b>		Number: O2906
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			Distribution: All
Title: Expectations of Privacy		Section: Communications	
Issued: 07/30/2019	Effective: 08/07/2019	Revised:	
Rescinds: All Previous		Amends:	
CALEA References: COM 1.2.2 a, c-e; 6.8.4c			
Review: Annual	Authority: Chief Michael A. Keller 		

## I. Purpose

It is the purpose of this General Order to provide information to employees of the Andover Police Department regarding the level of privacy they should expect while utilizing Department equipment or facilities.

## II. Policy

It is the policy of the Andover Police Department to respect and protect the privacy of its employees and the community while maintaining the Departments integrity; however, Department equipment and facilities remain the sole property of the Department and employees do not have an expectation of privacy while utilizing such equipment or facilities. Therefore, the Department reserves the right to conduct inspections and searches in accordance with the law.

## III. Definitions

- A. Kansas Open Records Act (KORA)** – the Kansas statute requiring disclosure of public records upon request, K.S.A. 45-215, *et seq.*


## IV. Regulations

(This field is intentionally left blank.)

## V. Procedures

### A. Telephone Calls/Faxes

Any Telephone calls or faxes made to or from the Department's telephones or faxes may be monitored at any time without the knowledge of either the caller or the person who receives the communication, with prior authorization of the command staff. Communications of any description (including facsimiles [faxes] and electronic mail [e-mails]) sent or received by the department are the exclusive property of the Andover Police Department (COM 1.2.2c).

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**B. Agency Property**

Employees are responsible for the proper care of all departmental property and/or equipment assigned to them and shall maintain such property or equipment in a state of operational readiness. All agency-owned equipment or property is subject to inspection at all times by supervisory personnel. The Police Department may enter and search any agency property, including, but not limited to offices, vehicles, personal desks, mobile devices, computers, and computerized and paper files at any time. The users of such property shall have no expectation of privacy when the inspection involves city owned property or equipment. (COM 1.2.2d).

**C. Lockers**

All lockers of any description maintained by the department in any departmental facility are the exclusive property of the Andover Police Department. Lockers are subject to inspection at all times by supervisory personnel. When practical, employees will be notified prior to their lockers being inspected. If employees cannot be contacted, or circumstances dictate immediate access, the supervisor is authorized to remove the lock (COM 1.2.2e).


1. Lockers will be kept closed and should be locked when not in use.
2. Other than the locker name and number assigned to them, inappropriate, offensive, and/or permanent decorations, stickers, etc. are prohibited from being affixed to the outside of any locker.
3. Employees will adhere to the locker assignment given them and will be responsible for the upkeep of the locker.

**D. Video/Audio Monitoring**

Spaces within Police Department facilities, and the exterior areas surrounding them, are the exclusive property of the Department and are subject to video and/or audio monitoring through the use of Closed Circuit Television (CCTV) cameras and/or microphones. Video and audio surveillance is within public and employee accessible areas in which employees or visitors have no expectation of privacy. Areas in which individuals may have an expectation of privacy, such as restrooms and locker rooms, are not and will not be monitored by CCTV or audio surveillance. Audio and video recordings are subject to monitoring and are digitally stored on a department server for a defined period of time.

**E. Public Records Laws**

1. All records could be subject to KORA. Any information sent or received via any department devices or use of equipment such as fax machines, or computer, may be disclosed by the public (COM 1.2.2.a).

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**F. Personal Property**

1. There is no individual “Expectation of Privacy” to store, keep or use personal or private property on department premises or vehicles.
2. Personal or private property on department premises and/or in vehicles are subject to inspection without notice by the Chief of Police or their designee.
3. Such inspections include, but is not limited to agency offices; desks; files; computers; vehicles; closets; lockers; mailboxes; mail; correspondence and any electrical or communication methods (COMS 1.2.2b).