



PARADISE VALLEY POLICE GENERAL ORDER

Use, Ownership and Examination of Town Property and Employee Personal Property Brought onto Town Premises

Order Number

26.2

Date

11-04-19

26.2 Use, Ownership and Examination of *Town* Property and *Employee* Personal Property Brought onto *Town* Premises

26.2.1 *Town/Department* Electronic Information; Use of Electronic Equipment (Computers, Cell Phones, etc.) and other Communications

- A. *Town* electronic information is solely the property of the *Town*, regardless of physical location or how maintained; users have no personal property, privacy, or other rights in it.
- B. All memos, messages, e-mails and related materials prepared, read or stored on any *Town* owned electronic equipment or being processed through a *Town* system, including paper internal mailing systems, are subject to examination by the *Town/Department* at any time and without prior notice. In addition, all communication related to the business of the *Town*, whether created or stored on *Town* owned equipment or privately owned equipment (whether electronic or not), is considered to be *Town* communication and is subject to examination by the *Town/Department* at any time.
- C. The *Town's* communication systems are intended primarily for business use. Incidental use of *Town's* electronic equipment (sending or receiving) for personal, non-business purposes is permitted under the following conditions:
 - 1. Personal use *may* not interfere with the productivity of the authorized user or his or her co-workers;
 - 2. Personal use is not appropriate during the provision of services to the public or in an area (such as a public lobby) where use *may* interfere with the provision of services to the public;
 - 3. Personal use *may* not involve any prohibited activity;



PARADISE VALLEY POLICE GENERAL ORDER

Order Number

26.2

Date

11-04-19

Use, Ownership and Examination of Town Property and Employee Personal Property Brought onto Town Premises

4. Personal use *may* not disrupt or delay the performance of *Town* business; and
5. Personal use *may* not adversely deplete system resources available for business purposes.
6. *Employees must* recognize that such personal use *may* be subject to *Department* examination.
7. If personal use of Department/Town electronic equipment and/or communications systems results in a cost to the *Town*, the *employee* using the system *shall* reimburse the *Department/Town*.

D. Prohibited Uses

1. Any use of *Town* electronic equipment and/or communication systems that violates any law, regulation, ordinance, policy or procedure of the *Town* is forbidden.
2. *Employees may* not load any software on *Town* electronic equipment, including freeware and shareware available from Internet sites, nor may employees manipulate or alter current software running on agency-owned mobile, desktop or handheld computers, tablets, or cell phones. Similarly, employees may not connect any non-Town provided discs or drives to the Town's electronic equipment, or any portion of the system supporting electronic equipment, without written authorization.
3. *Employees shall* not register their *Town* e-mail address at Internet sites unless necessary to conduct *Town* business.
4. *Town* electronic equipment and communication systems *shall* not be used in any way that is offensive, harmful, or insulting to any person. Examples of forbidden *electronic communications* include, but are not limited to:



PARADISE VALLEY POLICE GENERAL ORDER

Use, Ownership and Examination of Town Property and Employee Personal Property Brought onto Town Premises

Order Number

26.2

Date

11-04-19

- a. threatening, harassing, obscene or profane nature, or that would reasonably be considered to be offensive or disruptive or to infringe on the personal privacy of others;
 - b. gambling;
 - c. ethnic or racial slurs;
 - d. unsolicited "junk mail," "for profit" messages, or chain letters;
 - e. sexually explicit photography, messages or jokes/cartoons;
 - f. unwelcome propositions, or any other use that violates the *Town's* nondiscrimination and harassment policies;
 - g. signed or identified as coming from an individual other than the actual sender, unless the sender is authorized to send that type of electronic communication on behalf of the other individual (e.g., a secretary's e-mail meeting notice in a *supervisor's* name, when authorized by the *supervisor*);
 - h. support of or connection with the authorized user's own outside employment or business activity (e.g., commercial consulting for pay; solicitation or sales of goods or services; administration of the business or employment).
5. *Town* electronic equipment and communication systems *shall* not be used to copy, send or receive copyrighted materials, trade secrets, proprietary financial information, or similar materials without appropriate authorization.
 6. Employees shall not release any Town or Department electronic information to any non-employee.



PARADISE VALLEY POLICE GENERAL ORDER

Use, Ownership and Examination of Town Property and Employee Personal Property Brought onto Town Premises

Order Number

26.2

Date

11-04-19

7. *Employees shall not access, nor attempt to access, any Town electronic information without authorization.*
- E. Release of *Department* electronic information to a member of the public, including both release in response to public records requests and the categorization of *Department* electronic information as publicly accessible electronic information, *shall* require the approval of the *Police Chief* or the *Chief's* designee and *shall* be in accordance with *General Orders* and the provisions of the Arizona Public Records Act. All questions concerning release of *Department* electronic information *should* be directed to the *Town Attorney's* office.
- F. *Town* electronic equipment and communication systems *shall* not be used to transmit political messages, on behalf of or against a candidate for election or retention or in support of or opposition to an initiative, referendum or recall or any other measure or proposition.
- G. *Employees* are prohibited from undertaking any unauthorized access, reading, modifying, copying, transferring, or deleting any other *employee's electronic communications* or information, electronic equipment, or security controls.
- H. Any attempt to bypass, change configurations, or otherwise interfere with *Town* electronic equipment/network security controls is forbidden.
- I. *Town* electronic equipment or communication systems *shall* not be used to conduct any labor organization business except as specifically authorized by written approval of the *Police Chief*.
- J. Criminal investigators who need to set up false accounts or to access the Internet in ways that would otherwise violate *General Orders* *shall* do so only with the written permission of the *Chief* or designee.



PARADISE VALLEY POLICE GENERAL ORDER

Order Number

26.2

Use, Ownership and Examination of Town Property and Employee Personal Property Brought onto Town Premises

Date

11-04-19

26.2.2 Work Areas and Vehicles

- A. A work area is defined, for purposes of the *General Order*, as any portion of *Town* owned property which is or *may* be used by *Town employees* for *Town* business. It specifically includes offices, desks, desk drawers (locked or unlocked), file cabinets (locked or unlocked), audio and video recording devices and recordings, computers, tablets, internet usage, offices, files, *Town* owned cellular telephones (*electronic communications* and text messages), lockers (locked or unlocked, including those secured by a personally owned lock), and voice mail.
- B. A work area *may* be monitored or *searched* for any legitimate business purpose, including the operational efficiency of the *Department*. An administrative investigation of an allegation of a violation of *Town* or *Department* rules and policies is considered a legitimate business purpose.

26.2.3 Personal Property on *Department* Premises

- A. Personal property brought onto *Town/Department* property or premises, including personal vehicles, bags and briefcases *may* be subject to *search* during an administrative investigation, but only if the *search* is not being done for criminal investigative purpose and the *search* is work related.
1. A *search* is work related if it is non-investigatory (looking for a pencil in a desk drawer or looking for a file in a file drawer), or if it is done to investigate work-related misconduct.
 2. Work related *searches*, whether non-investigatory or for work-related misconduct, *must* be reasonable in scope:
 - a. A non-investigatory *search must* have a work-related purpose and be limited in scope to that purpose (looking in a person's desk for a pencil; stop when the pencil is found).



PARADISE VALLEY POLICE GENERAL ORDER

Use, Ownership and Examination of Town Property and Employee Personal Property Brought onto Town Premises

Order Number

26.2

Date

11-04-19

- b. A workplace misconduct related *search must* have an administrative purpose at the outset, *must* be based on a *reasonable suspicion* of misconduct and a reasonable belief that relevant information or *evidence will* be found, be reasonable given the severity of the issue, and *must* be limited to the information sought.
- c. A workplace misconduct related search of personal cell phones, computers or tablets *requires* consultation with the *Department's Legal Advisor* and/or *Town Attorney*.
- 3. Misconduct related *searches* of personal property require the approval of the *Police Chief* or *Chief's* designee.
- 4. Possession or use of personally owned electronic communication or recording devices or computers of any type during duty hours or use for *Town* business when *off duty may* subject the records associated with the device, and the device itself, to examination by the *Department* or public records requests or subpoenas for disclosure by involved individuals or their attorneys during criminal and civil litigation.
- B. Personal property *may* not be *searched* during a criminal investigation except as provided by law. *Searches may* be performed based on a *search warrant*, an exception to the warrant requirement or consent.