


# TEXARKANA POLICE DEPARTMENT

## GENERAL ORDERS MANUAL

<b>SUBJECT</b>	<b>Employees' Expectation of Privacy</b>		
<b>NUMBER</b>	<b>1101.21</b>	<b>EFFECTIVE DATE</b>	<b>October 01, 2008</b>
<b>Scheduled Review Date</b>	<b>June 27, 2021</b>	<b>ISSUE DATE</b>	<b>October 01, 2008</b>
<b>Date Reviewed</b>	<b>June 27, 2019</b>	<b>REVISION DATE</b>	<b>March 18, 2011</b>
<b>APPROVED BY</b>		<b>(Reserved for Expansion)</b>	<i>Formerly 1102.29</i>

### I. Purpose and Scope

- A. The purpose of this policy is to provide employees with the Texarkana Police Department specific guidelines that govern an employee's expectation of privacy as it relates to the utilization of Department equipment and facilities. This policy shall apply to all members of the Texarkana Police Department.

### II. Policy

- A. It shall be the policy of the Texarkana Police Department to development, implement and control a set of established guidelines that serve to govern issues surrounding expectations of employee privacy as they relate to Department facilities and Department equipment. All members of the Department shall recognize and adhere to the guidelines set forth within this policy.

### III. Procedure

#### A. Telephones and Fax Machines

1. With prior authorization from the command staff of the Department, all inbound and outbound telephone calls and/or faxes utilizing Department telephones, fax machines and communication lines may be monitored at any time without the knowledge of the caller or the person receiving the communication.
2. All communications of any description—including facsimiles—which are sent or received by the Department shall remain the exclusive property of the Texarkana Police Department. For more information regarding the use of telephones, refer to [General Order 1109.05---Telephone Use](#).
3. Expectation of privacy under Arkansas FOIA law.
  - a. An employee who receives a stipend from a government entity in Arkansas for their personal cell phone subjects themselves to having that personal phone open to FOIA law.
  - b. Phones that are paid for by the city in whole or in part, are subject to FOIA law.
  - c. FOIA law is also about the content of the emails, texts, messages, or records and whether the content shows a performance, or lack of performance of a government function.

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**B. Computers**

1. With prior authorization from the command staff of the Department, information sent across the computer network may be audited without knowledge of the sender or receiver.
2. All communications of any description sent or received by the Department shall remain the exclusive property of the Texarkana Police Department. For more information regarding the use of computer equipment, refer to [General Order 1109.01---Use of Computer Equipment](#).

**C. Agency Owned Property**

1. Employees are responsible for the proper care of all Department property and/or equipment assigned to them. Employees shall maintain such property and/or equipment in a state of operational readiness as required by the Department.
2. All Agency owned property and/or equipment shall remain subject to inspection at all times by supervisory personnel. The Texarkana Police Department may have reasonable grounds to enter into Agency owned vehicles, personal desks, files or filing cabinets at any time to conduct inspections. Employees of the Department utilizing such equipment shall not have any expectation of privacy connected to their use of this property and equipment during such inspections.

**D. Lockers**

1. All lockers of any description maintained by the Department and located within any Agency facility shall remain the exclusive property of the Texarkana Police Department. Lockers are subject to inspection at all times by supervisory personnel.
2. Employees of the Texarkana Police Department are authorized to secure their assigned locker with a personally owned lock; however, employees can be required to allow supervisory access into the locker upon a supervisor's request. Employees will be notified prior to an inspection of their locker whenever practical. If an affected employee cannot be contacted and the circumstances necessitate immediate access, supervisors are authorized to remove the lock.
  - a. Employees will not store any gear or equipment outside, on top or beneath any locker.
  - b. Lockers will be kept closed and locked when not being utilized.
  - c. The exterior portions of all lockers shall not contain personal notes, decorations, emblems or stickers. All such material is prohibited.
  - d. Employees shall adhere to the locker assignment given to them and will remain responsible for the locker's upkeep and maintenance.

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