

ILLINOIS STATE POLICE EQP-009, DAMAGE OR THEFT CLAIMS

RESCINDS: EQP-009, 2017-067, revised 10-24-2017.	REVISED: 10-06-2020 2020-017
RELATED DOCUMENTS: Applicable ISP/Union Labor Agreements	RELATED CALEA STANDARDS: 41.3.2

I. POLICY

The Illinois State Police (ISP) will reimburse an employee for the reasonable cost to repair or replace, as necessary, personal property that the Department recognizes as being necessary to the performance of an employee's duties, where such property is damaged, destroyed, or stolen in the course of the performance of such duties, except where the employee was negligent.

II. PROCEDURES

II.A. Request for use of personal equipment

- II.A.1. Employees who wish to use personal equipment (including cellular telephones, lap-top computers, and other technical equipment), other than as required by policy, in the performance of work-related tasks must submit a request to the District/Zone Commander/Bureau Chief/Lab Director/Unit Commander.
- II.A.2. The District/Zone Commander/Bureau Chief/Lab Director/Unit Commander may approve such requests upon a determination that the requested item(s) is necessary for the performance of the employee's job duties.
- II.A.3. Officers may not install, add to, modify, or alter any telecommunications equipment, in-car video camera recording equipment, or emergency lighting (whether personally purchased, purchased by the ISP, or by the Illinois State Toll Highway Authority (ISTHA)) without the written permission of the respective Deputy Director/District Commander/Bureau Chief, and the Bureau Chief of the Radio Network Services Bureau, Office of the Statewide 9-1-1 Administrator (9-1-1), or designee.
- II.A.4. Employees will not be reimbursed for expenses related to the use of such personal equipment except in accordance with any applicable law or collective bargaining agreement.

II.B. Reimbursement for damaged, destroyed, or stolen property

- II.B.1. Employees wishing to seek reimbursement for personal property or clothing that has been damaged, destroyed, or stolen in the performance of duties must notify their immediate supervisor within 48 hours of the time the employee knew or should have known of the loss or damage, except when extenuating circumstances prevent him or her from doing so.
- II.B.2. Within seven days of the incident, or as soon as practical if injured, the claimant must complete Block 1 of form ISP 2-301, "Claim for Damage to Employees Personal Property Reimbursement Authorization" (this form is available from the ISP Document Library at <https://isp.portal.illinois.gov/generalinfo/Lists/Document%20Library>). The claimant should forward the completed form through the chain-of-command, as indicated on the form, for review and evaluation along with the damaged article(s) (where physically possible) and supporting documentation including, but not limited to:
 - II.B.2.a. Field/case report (for sworn employees) or memorandum (for code employees)
 - II.B.2.b. Witness statements
 - II.B.2.c. Police report documenting the actual reported incident (if applicable)
 - II.B.2.d. Copies of invoices, receipts, and/or estimates establishing values
 - II.B.2.d.1) An estimate signed by an optometrist or optician is required if reimbursement is for eyeglasses or contact lenses.
 - II.B.2.d.2) Signed estimates will also be required from the appropriate practitioner for damaged dentures or other special items that require a professional exam and fitting.

- II.B.3. The supervisor will complete the appropriate portion of the form and forward the claim and attachments, including the damaged articles (where physically possible), within two working-days to the next appropriate authority listed on the ISP 2-301.
 - II.B.3.a. The supervisor will evaluate the facts and circumstances surrounding the incident and determine whether the damage or theft was due to negligence of the employee.
 - II.B.3.b. A District/Zone Commander/Bureau Chief/Lab Director/Unit Commander may submit a photograph that they have verified for authenticity in place of the damaged articles.
- II.B.4. The claims authorization form will not be terminated at any point of the review process due to disapproval. The final disposition will be at the discretion of the employee's Deputy Director, or designee. For Director's Office employees, final disposition will be at the discretion of the First Deputy Director.
- II.B.5. In the event the reimbursement claim is denied by the Department due to negligence, the Department shall specifically identify to the employee, all reasons known at the time the determination of negligence was made.
- II.C. The amount of reimbursement will be based upon a reasonable cost for repair or replacement of the item. The original purchase price of stolen or damaged property may be considered in the determination of a proper replacement item.
 - II.C.1. Reimbursement claims for damage to personal items approved for use with prior written approval by the District/Zone Commander/Bureau Chief/Lab Director/Unit Commander of the employee, or for damage to prescription eyeglasses, contact lenses, watches, dentures, and clothing worn by the employee will generally be favorably considered.
 - II.C.2. Reimbursement claims for damage to jewelry and personal items for which no prior approval was obtained from the District/Zone Commander/Bureau Chief/Lab Director/Unit Commander will not generally be considered except in accordance with any applicable law or labor agreement. Reimbursement for eye examinations or for the oiling and cleaning of watches will not be approved.
- II.D. Articles approved for repair or articles disapproved for reimbursement will be returned to the employee.
- II.E. Reimbursement approved
 - II.E.1. If the reimbursement for replacement is approved, the damaged property will be turned in to the Department.
 - II.E.2. If the property is repairable, but is not returned to the employee, it may be repaired and donated to charity. Otherwise, it will be destroyed.
 - II.E.3. After the employee has replaced the property, the final disposition portion of the ISP 2-301 will be completed.
- II.F. The ISP Legal Office pays Employee Personal Property and Tort Fund claims. After approval by the employee's Deputy Director, or designee, and the final disposition portion of the ISP 2-301 has been completed, the employee shall forward the original paperwork to the Legal Office for processing of the payment.
- II.G. In the event of a conflict between this policy and a collective bargaining agreement, the collective bargaining agreement shall control.

| Indicates new or revised items.

-End of Directive-