

EMPLOYEE LOCKERS AND STORAGE SPACES

AUTHORITY:	Administrative Directive California Government Code Section 3309 California Code of Regulations, Title 15, Article 3, Section 1326 Welfare & Institutions Code 1001.5
RESCINDS:	Procedure Manual Item 1-4-117, dated 2/25/21
FORMS:	None
PURPOSE:	To provide guidelines for conducting searches of lockers and storage spaces owned or leased by the Department in accordance with legal mandates; to clarify staff's expectation of privacy in the context of their employment as a Probation Department employee.

I. GENERAL INFORMATION

- A. Lockers and certain storage spaces (e.g. containers, desks, and cabinets), may be provided to Probation Department employees to secure County property and equipment (e.g. case files, petty cash, safety equipment, weapons, computers, cell phones, etc.), in order to ensure the security of said property.
- B. Assigned lockers and storage spaces are owned/leased by the Department and are furnished for the mutual convenience of the employees.
- C. Retention of any personal items in Department owned/leased lockers and storage spaces is at the employee's own risk, and the Department will not be responsible for any losses/damages.
- D. The Department has an obligation to maintain an accurate inventory of County-assigned property and equipment. Therefore, lockers and certain storage spaces assigned to Department employees may be accessed periodically to conduct an inventory of departmental property and equipment, in accordance with legal mandates.
- E. Employees are responsible for operating and maintaining County equipment properly and securely, as well as reporting any damage, malfunction, or loss to their immediate supervisor in a timely manner.
- F. Pursuant to the applicable provisions of Government Code (GC) Section 3309, lockers and storage spaces of peace officers may be searched by a supervisor with the approval of their Chain of Command, under one of the following circumstances: 1) in the employee's presence, 2) with the employee's consent, 3) pursuant to a valid search warrant, or 4) where the employee has been notified that a search will be conducted. Once the supervisor obtains approval from their Chain of Command, they must also get approval from the Assistant Division Director (ADD) or Division Director (DD) assigned to the Professional Standards Division Internal Affairs (**PSD-IA**) unit before a search is conducted.

The above protocol applies to all Department staff, sworn and professional.

- G. In the event that a locker search is to be conducted as part of an internal or criminal investigation. Prior to conducting the search, the Association of Orange County Deputy Sheriffs (AOCDS) shall be notified of the intent to search the locker. AOCDS shall be permitted to have a representative accompany Probation management during the search, provided that their participation does not result in a significant delay that compromises the integrity of the investigation or hinders its timely progress. Determination of such delay shall be at the discretion of the investigating authority, with appropriate documentation.**
- H. Exceptions to GC § 3309 may occur when emergency situations arise in which the safety and security of staff and/or facilities could be jeopardized.

II. PROCEDURE

- A. Supervisors are responsible for maintaining a record of employees who are assigned Department owned/leased lockers and storage spaces.
- B. County-issued property and/or equipment stored in Department owned/leased lockers and applicable storage spaces will be inventoried on a periodic basis or searched, for administrative purposes, in accordance with GC § 3309 above.
- C. An equipment-inventory schedule of County owned/leased lockers and storage spaces will be provided to employees in advance whenever practicable.
- D. Supervisors who provide a locker to employees will also provide a Department-issued lock to secure the locker. A Department-approved method to secure other assigned storage spaces will be provided to employees.
- E. Personal locks are not permitted for use on Department owned/leased lockers; the existence of a personal lock affixed to a Department-issued locker/storage space does not affect the legality of a search.

REFERENCES:

Policies:	G-1	Appropriate Use of Facilities Occupied by Departmental Staff
	G-7	Distribution and Use of County Services, Supplies, and Equipment

A. Skiles

APPROVED BY: