

CITY OF SAN DIEGO
ADMINISTRATIVE REGULATION

SUBJECT MANAGEMENT OF LOSS TO CITY PROPERTY DUE TO CRIMES OR NEGLIGENCE	Number	Issue	Page
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Effective Date July 17, 2015			

1. PURPOSE

- 1.1. To establish and maintain the City's program to manage, reduce, and recover for *Losses* caused by vandalism, theft, intentional destruction, or negligent abuse of or *Damage* to City property, as well as injury to City employees.
- 1.2. To establish a uniform reporting procedure for all *Loss* of or *Damage* to City property.

2. SCOPE

- 2.1. This Administrative Regulation (A.R.) applies to all mayoral departments. All other departments are encouraged to participate in order to better manage, reduce, and recover for their *Losses or Damages to City property*.

3. DEFINITIONS

- 3.1. *Damage(s)* – the estimated money equivalent for detriment of City property or injury sustained by City employees.
- 3.2. *Injuries* – harm or damage sustained by City employee(s)
- 3.3. *Loss(es)* – City's detriment, disadvantage or deprivation as a result of damage to City property or injury to its employee(s)

4. POLICY

- 4.1. The City shall seek to minimize the impact of *Losses* or *Damage* due to crimes or negligence by establishing effective recovery programs.
- 4.2. The City shall seek to recover the costs related to any *Losses* or *Damage*.

(Supersedes Administrative Regulation 45.80, Issue 3, effective December 1, 2004)

Authorized

[Signature on File]
CHIEF OPERATING OFFICER

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5. RESPONSIBILITY

5.1. Department Sustaining *Loss or Damage* –

- 5.1.1. Every employee shall be responsible, upon discovery of evidence of *Loss*, a *Loss* in progress, or abuse of or *Damage* to City property to report same to his/her supervisor. The supervisor will contact Police Communications immediately, providing sufficient information to allow for a reasoned Police evaluation as to priority and means of response.
- 5.1.2. In the case of a similar event resulting in *Injury* to a City employee, the employee’s supervisor shall report the *Injury* via the City’s injury reporting process, i.e. place an immediate call to the Injury Call-in Center at 1-800-427-7980. This call will initiate a Workers’ Compensation claim, including recovery of City’s costs by the Risk Management Department, Public Liability Division’s Loss Recovery Section, if appropriate.
- 5.1.3. As soon as practicable (and after clearing with Police Department and Risk Management Department, Public Liability Division’s Loss Recovery Section to assure that evidence is not destroyed) initiate a Work Request/Assignment requesting repair work when appropriate.
- 5.1.4. Provides Public Liability Division’s Loss Recovery Section with estimates of damages or itemization of repairs costs for damaged City property, if applicable.
- 5.1.5. Completes “Cost schedule” as required by Public Liability Division’s Loss Recovery Section.

5.2. Police Department -

- 5.2.1. Takes appropriate action to pursue the criminal investigation of the incident and apprehends or identifies the perpetrators or suspects.
- 5.2.2. Provides to the Risk Management Department, Public Liability Division’s Loss Recovery Section copies of investigative reports ARJIS2, Crime Report as accumulated during the course of investigation.
- 5.2.3. Notifies prosecuting authorities that the City’s Public Liability Division’s Loss Recovery Section intends to seek monetary restitution, and informs Public Liability Division’s Loss Recovery Section of such notice.

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5.3. Risk Management Department, Public Liability’s Loss Recovery Section -

- 5.3.1. To maintain a *Loss* management effort and develop the methods and procedures necessary to assure Citywide compliance with this A.R.; to promote a close working relationship between the departments sustaining *Losses* or *Damage*, the Police Department, and the Risk Management Department’s Public Liability Division’s Loss Recovery Section.
- 5.3.2. To provide assistance in criminal investigations by compiling costs associated with *Loss* of or *Damage* to City property or injuries sustained by employees.
- 5.3.3. To assure the preservation of evidence necessary in the criminal investigation and in subsequent risk analysis, either by photograph, physical retention, or written or recorded report.
- 5.3.4. To assure the vigorous pursuit of the perpetrators of such intentional or negligent acts (or their legal guardians), and to effect monetary restitution to the City, either through civil action, criminal judicial order, or condition of probation.
- 5.3.5. Takes appropriate action to recover on *Losses* or *Damage* to City property or injury to City employees.
- 5.3.6. Maintains statistical and cost data and provides recovery reports to departments.

APPENDIX

Legal Reference

California Civil Code, Section 1714.1 - liability of parent for willful misconduct of minor
 California Penal Code, Section 484 et seq - Theft
 California Penal Code, Section 503 et seq -Embezzlement
 California Penal Code, Section 528 et seq - Fraud
 California Penal Code, Section 594 et seq - Malicious Mischief

Forms

ARJIS 2, Crime Report
 Work Request/Assignment
 Cost Schedule Worksheet

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