

PINE BLUFF POLICE DEPARTMENT POLICY & PROCEDURES MANUAL

	SUBJECT:	POLICY NUMBER 116
	CELLULAR TELEPHONES	ISSUE DATE 02/19/2008
	CHAPTER: ADMINISTRATION & PERSONNEL	EFFECTIVE DATE 02/19/2008
	ISSUED By: Chief of Police John E. Howell	TOTAL PAGES 6

I. PURPOSE

The purpose of this policy is to provide full time law enforcements officers, part time law enforcement officers, civilian staff, and volunteers, with guidelines for the proper use of cellular phones.

II. POLICY

It is the policy of this law enforcement agency to use cellular telephones in the course of police operations to enhance departmental communication. Cellular phones may be used by officers to conduct official business when the use of radio communication or hard line telephones is inappropriate, unavailable, or inadequate to meet communication needs and when the cellular phone is used in accordance with this policy.

III. DEFINITIONS

DISRUPTIVE ACTIVITY: Any time that cellular phone operations would be considered disruptive, such as in meetings, trainings sessions, court, or public places when their use would reasonably be deemed annoying and intrusive.

DISTRACTION: Any time the use of a cellular phone would unnecessarily or unreasonably divert the attention of an officer from official duties and/or cause a potentially hazardous situation.

IV. PROCEDURES

A. DEPARTMENT OWNED CELLULAR PHONES

1. Cellular phones are authorized for official police business. Exceptions may be made for family situations or personal matters that require attention and where alternative forms of communication are not suitable or easily available.
2. Cellular phones may be used in off-duty capacities only for the conduct of police-related business or during departmentally managed off duty law enforcement assignments.
3. Cellular telephones are an augmentation to the department's communication system not a substitute for radio communication designated for transmission through the department's emergency communication center, Mobile Data Terminals or office telephones. Approved cellular telephone usage includes but is not limited to the following types of communications:
 - a. Conveyance of sensitive or restricted information
 - b. Undercover operations
 - c. Lengthy communication with supervisors or headquarters personnel
 - d. Communication beyond normal radio range
 - e. Incidents in which direct contact with an officer and the public is critical
 - f. Incidents in which use of a hard line telephone would be appropriate but where one is not available.
4. Unless specifically authorized by the Chief of Police or his designee, cellular telephones that have a camera and/or video imaging capability are prohibited inside:
 - a. Any correctional facility
 - b. Detective office
 - c. Narcotics Office
 - d. In proximity to or inside crime scenes.
5. The limitations as described in Paragraph 4 above in no way preclude or inhibit personnel from using authorized like equipment in the performance of their duties. (For example, but not limited to: Crime Scene Technicians)
6. Cellular phone numbers should not normally be provided to members of the public. Exceptions may be made when immediate future contact between an officer and a victim, witness, or other person may be critical.
7. Personnel may not provide the cellular phone number of any member of this agency to a member of the public without the cell phone user's authorization.
8. Officers should not use the department owned cellular phone for car-to-car communication when other means are available and appropriate.
9. Police reports may not be taken using the cellular phone. The phone may be used to contact the victim or complainant and arrange a meeting time and place but not to expedite service.

10. Officers may not operate patrol vehicles while using cellular phones unless emergency circumstances exist and other means of communication are not available or suitable. When possible, officers should pull off the highway in a safe location when using cellular phones unless hands-free operational devices are authorized and available.
11. Cellular telephone accessories and downloads require approval from the Administrative Services Division Commander or his designee.
12. Any financial charges incurred by cellular phone use should be limited and clearly linked to the necessity to use cellular phones when other alternatives are not available or inappropriate.
13. Random and periodic audits of both personal and departmentally issued cellular use may be made at the department's discretion.
14. All employees issued a cellular telephone by the Pine Bluff Police Department shall:
 - b. Ensure the phone is charged.
 - c. Keep the phone on at all times except in those circumstances where it may be considered disruptive or distracting.
 - d. Keep the phone on their persons or close enough to their person to answer a call.
 - e. Respond to all calls related to city operations within a reasonable length of time.
 - f. Be responsible for the accountability and proper care of the cellular telephone as well as the proper usage, and any accessories that the employee is issued associated with the cellular telephone.
15. Cellular telephones issued to department employees by other agencies, jurisdictions, or entities, shall for all intents and purposes be governed by the same policy and procedures as one issued from this department.

B. PERSONAL CELLULAR PHONES

16. Use of personal cellular phones either in voice or data transmission while on duty should be restricted to essential communications and should be limited in length. Engagement in multiple or extended conversations unrelated to police business or similar use that interferes with the performance of duty is prohibited.
17. Use of personal cellular telephones is governed by the same safety restrictions as provided for departmentally owned cell phones.
18. Personal or departmentally issued cellular phones should not be used if they may be disruptive to others. Photo messaging capabilities are prohibited unless they can be clearly linked to the conduct of official police business.

19. Employees utilizing personal cellular telephones while on duty are reminded that their personal cellular telephone is not an approved department communication device for law enforcement purposes. Personal calls should be limited and restricted to emergency calls only. Officers should tell their family and friends not to call unless it is an emergency. This includes text massaging.
20. It is each supervisor's responsibility to insure that communications utilized within their area of influence is conducted only on approved department communication devices. Supervisors as well as employees may be subject to disciplinary actions for violation of this policy.
21. Unless specifically authorized by the Chief of Police or his designee, personal cellular telephones that have a camera and/or video imaging capability are prohibited inside:
 - a. Any correctional facility
 - b. Detective office
 - c. Narcotics Office
 - d. In proximity to or inside crime scenes.
22. The limitations as described in Paragraph 8 above in no way preclude or inhibit personnel from using authorized like equipment in the performance of their duties. (For example, but not limited to: Crime Scene Technicians)

C. USAGE GUIDELINES FOR CONDUCTING DEPARTMENT BUSINESS

2. Members will use good judgment when using cellular telephones for legitimate police business. Cellular telephones should only be used when more conventional, cost effective means of communication are not readily available. Members will use standard telephone service (landline) in lieu of cellular telephone service, when available.
3. Members should strive to limit the duration of department business related cellular telephone calls to no longer than five (5) minutes per call. Members should attempt to use an alternative form of telecommunication if the call is anticipated to be longer than five (5) minutes. This does not apply to emergency situations or those instances when effective and efficient delivery of police services would be adversely affected by attempting to use an alternative method.
4. Members will check for voice mail messages on a daily basis at a minimum, or as their work schedule dictates, to ensure that any outstanding messages are returned in a timely manner.
5. Members shall not use the department issued cellular telephone for calls to directory assistance except when exigent circumstances dictate otherwise.
6. Members shall not use the department issued cellular telephone for calls related to the member's private gain, profit or personal business enterprise.
7. Members shall not use the department issued cellular telephone for calls that could be considered as prank calls, obscene, threatening, demeaning, harassing, annoying or otherwise offensive in nature.

D. USAGE GUIDELINES FOR CONDUCTING PERSONAL BUSINESS

1. Personal use of department issued cellular telephones for both incoming and outgoing calls should be limited to infrequent, incidental and/or emergency use. **Members are reminded that cellular telephone records are subject to public disclosure under Arkansas' Freedom of Information Act.**
2. Members should first seek alternatives for necessary personal telephone calls including land telephone lines or using a personal cellular telephone.
3. Members shall not use the department issued cellular telephone for placing calls to 900 numbers, movie links, and call-in sports or talk radio shows, etc.
4. Members of this department shall not utilize department issued cellular telephones in any manner, on or off duty, which brings public criticism and causes management or supervisory personnel to conduct an investigation that confirms the violations did occur and the employee is culpable of the offense.
5. Members of this department shall not utilize department issued cellular telephones that are inconsistent, incompatible or in conflict with the values established by this agency negatively affect its reputation and that of its officers.

E. REVIEW AND MONITORING OF CELLULAR TELEPHONE USAGE

1. The Office of the Chief of Police shall be responsible for reviewing all monthly cellular telephone invoices, including the detailed billing records, for accuracy and to ensure each cellular telephone is billed on the correct service plan.
2. The Office of the Chief of Police shall determine whether a particular department issued cellular telephone needs to be changed from one service plan to another service plan based on review of those detailed billing records. Members and their supervisor/commander will be advised of any resulting changes in their service plan.
3. The Office of the Chief of Police shall prescreen monthly billing records for any cellular telephones with questionable charges and forward the detailed billing records for all telephones to the Office of Professional Standards for additional review.
4. The Office of the Chief of Police's Executive Secretary may recommend:
 - a. Changing the plan
 - b. Reimbursement

5. The Office of Professional Standards shall review the monthly detailed billing records to determine whether a particular cellular telephone or telephones reflect questionable charges to include, but not limited to, the following:
 - a. Telephone calls that are extremely excessive in length such as a single, uninterrupted call thirty (30) minutes in length.
 - b. Excessive personal and/or unauthorized calls.
 - c. The identification of telephone calls made to inappropriate entities such as 900 numbers, call-in sports or talk-radio programs, etc.
 - d. The repeated use of directory assistance at a cost to the police department.

6. Any billing record sent out to the Chief of Police for review by the Office of Professional Standards for questionable charges will require a memorandum outlining the reason for recommendations such as:
 - a. No further action
 - b. Discipline action
 - c. Training

7. The memorandum from both the Office of the Chief of Police and the Office of Professional Standards will be forwarded to the Chief of Police for disposition. Any request for a change in the service plan will be forwarded to the Office of the Chief of Police for determination.

F. ANNUAL REVIEW OF CELLULAR TELEPHONE ASSIGNMENTS

The continued need for each department issued cellular telephone will be reviewed annually.