



HUNTERSVILLE POLICE DEPARTMENT

Directive 9.05 Cell Phones

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Approved: Cleveland L. Spruill
Chief of Police

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A. POLICY/PURPOSE

1. The Huntersville Police Department will utilize cellular telephone technology as a means of facilitating patrol and investigative functions, enhancing the ability of supervisors to provide line personnel with operational direction, and as a means of logistical communications support during special operations and major incidents.
2. The purpose of this Directive is to establish a written directive which describes departmental policy and procedures for the use of cellular telephones owned or leased by the Huntersville Police Department, as well as personal phones owned or leased by agency members

B. DUTIES & RESPONSIBILITIES OF USERS AGENCY OWNED/LEASED CELLULAR TELEPHONES

1. Members using cellular telephones shall comply with all applicable state and federal laws related to their use, and shall adhere to the rules and regulations for telephone service and facilities established by the North Carolina Utilities Commission.
2. Cellular telephones will be used in the transaction of official business. Members shall not allow unauthorized persons to make or receive calls on departmental cellular telephones.
3. Cellular telephones are intended to facilitate necessary communications when other forms of communication are not appropriate or available. Cellular telephones may be used for communication with Police Headquarters, officers in the field, supervisory personnel and other persons as required in the conduct of official business.
4. Members should remain aware that cellular telephones are not secure, and that interception and/or monitoring of cell phone conversations, while unlawful without a court order, can technically be accomplished.
5. Cellular telephone numbers should not be given out to the general public. Dissemination of cellular numbers will be limited to agency members, Town officials and staff, and other criminal justice officials as required to

conduct police business. A listing of cellular telephone numbers and the officer or vehicle assigned will be maintained in the Communications Center, Patrol Watch Commander and the Records Unit.

6. The cumulative time-used function may be utilized as a check and balance against monthly billing statements. Cost is assessed at a per-minute rate for both outgoing and incoming calls. Therefore, cellular call should be as brief as practical. If the call is expected to be lengthy, the officer should use a standard telephone if feasible.
7. Cellular telephones must be secured against unauthorized use or theft. It will be the responsibility of the officer to whom the telephone is assigned (or operator of the vehicle in which the phone is installed) to take reasonable measures to prevent unauthorized access or theft. External cell phone antennas mounted on vehicles should be removed from the base prior to entering an automatic carwash.

C. REPAIRS TO CELLULAR PHONES

1. All repairs to cellular telephones will be made by a service provider authorized and approved by the Department, and in accordance with normal city purchasing procedures. Members should not attempt any field repair or disassembly of cellular equipment.

D. ACCOUNTABILITY

1. The officer to whom the telephone is assigned (or operator of the vehicle in which the phone is installed) will be held accountable for the proper use and care of such equipment in accordance with this Directive. Any loss, theft, damage, or unauthorized use of a cellular telephone must be promptly reported in writing to the appropriate supervisor. The supervisor will ensure the timely notification of the appropriate cellular provider that the phone has been compromised and request immediate deactivation.
2. Bureau Commanders are to periodically audit the use of cellular telephones assigned to personnel under their area of command. The purpose of this audit is to ensure accuracy in the billing process and compliance with the provisions of this Directive.

E. ISSUANCE AND APPROVAL OF AGENCY OWNED CELLULAR TELEPHONES/PAGERS

1. Bureau Commanders may issue a departmental pager/cell phone to an employee based on the need and only after approval from the employee's chain of command, with final approval by the Chief of Police. Seeking approval from the employee's chain of command is the employee's responsibility. When approval is granted from chain of command, the Chief of Police will forward the approval to the Personnel, Training and Fleet Division Commander to issue the pager or cell phone.
 - (a) Should the need for a pager/cell phone no longer exist, the employee transfers, or resigns, etc., the pager/cell phone will be returned to the Personnel, Training and Fleet Division Commander.
 - (b) Pagers/cell phones are issued to individual employee and units in which they are assigned. However, if a pager/cell phone is used for a specific function such as a detective, and the employee leaves that position, the pager/cell phone will be returned to the Personnel, Training and Fleet Division Commander. The pager/cell phone may then be issued to the new employee assuming the job function and responsibilities of the previous employee assigned. The pager/cell phone numbers remain the same.

F. OPERATION OF CELLULAR PHONES WHILE OPERATING POLICE VEHICLES

1. To ensure the safe usage of cellular phones by Huntersville Police Department employees in the course and scope of their work duties, the following procedures shall be observed when using cellular telephones.

- (a) Employees using cellular phones while driving Huntersville Police Department vehicles, or while driving personal vehicles for Huntersville Police Department business shall follow the guidelines listed below:
- (1) Take all appropriate steps to insure that he/she is not distracted by the cellular phone to the point that safety is compromised;
 - (2) Whenever possible, he/she will safely pull over to the side of the road in order to answer and incoming call, look up numbers, or dial the phone;
 - (3) If the operator is in a situation where he/she cannot safely pull over and stop, he/she will use extreme care when answering or dialing the cellular phone to insure that safe vehicle operation is not compromised by the dialing process, or conversation on the phone.
 - (4) Use care to insure that phone-related activities do not interfere with the employee's safe operation of the Huntersville Police Department vehicle;
 - (5) If so equipped, he/she will use hands free accessories when using cellular phones;
 - (6) If the employee must make notes during the phone call, he/she will safely pull over to the side of the road before making said notes;
 - (7) Employees using *personal cellular telephones for personal calls* during work hours and operating Department vehicles will safely pull over to the side of the road and make their call.

G. PERSONAL CELLULAR PHONES CARRY AND USE BY ON-DUTY MEMBERS

1. Officers/employees are permitted to carry personal cellular telephones while on duty during work hours. If an officer/employee elects to carry a personal cell phone while on-duty and working and working, the ringer of such personal cell phone will be placed on silence and/or vibrate mode at all times.
2. The use of personal cellular telephones by officers/employees while on duty during work hours for personal and non-police related business is authorized by the Department, but such use must be in accordance to the following guidelines.
 - (a) Officers/employees must comply with Section F-1, a, (7) of this Directive.
 - (b) Such use of personal cellular telephone for personal business is strongly discouraged as officers/employees are expected to pay full attention to their work and job responsibilities. However, it is understood that in today's world of technology that a very limited amount of personal business may need to addressed by the officer/employee with other family members and similar situations. In such cases, these conversations should be reasonable in terms of length of conversation, interference with job responsibilities, disruptions of the work place, disturbing meetings and other such circumstances.
 - (1) Cellular telephone calls of personal business while on duty should be very short, concise and not distract the officer/employee from completing their duties.
 - (c) Officers/employees are prohibited from carrying and using personal cellular telephones in order to conduct the business of a private company, off-duty employment while on-duty.
 - (d) Officers/employees found in violation of the guidelines of this Directive may be subject to disciplinary action, which may include the loss of cellular phone privileges as determined by the Chief of Police.

H. CELLULAR TELEPHONE USE FOR POLICE RELATED BUSINESS

1. Officers must not use Department issued or personally owned cellular telephones to conduct police business that should be conducted over the police radio for the purpose of ensuring the information is recorded and available for use as evidence.
2. Officers/employees should use Department land line telephones when available to conduct police related business in lieu of Department issued cell phones.
3. Employees will not utilize any personal cell phone, camera, or other electronic device to photograph or record any images or sounds of incidents encountered during the course of their duties. In unusual circumstances where evidence is collected on any personal cell phone, camera or other electronic device, such photographs, audio, and video recordings made at a crime scene or other incident shall always be evidentiary in nature, and will be processed and stored in accordance with established department procedures.

I. CARRY OF PERSONAL CELLULAR TELEPHONES IN RELATION TO UNIFORMS AND PERSONNEL APPEARANCE

1. Personal cell phones carried by uniformed members must be of a professional appearance that blends with the member's issued uniform. Personal cell phones carried by uniformed members should be black or gray in color.

By Order of:



Cleveland L. Spruill, Chief of Police