

USE OF CELL PHONES

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MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: 81.2.10	REVISION DATE:

I. GENERAL CONSIDERATIONS AND GUIDELINES

The purpose of this policy is to provide law enforcement employees with guidelines for the proper use of cell phones while on duty. We must set the proper example for citizens. Using a cell phone while operating a department vehicle does not set a good example and is distracting which may result in a collision.

While Massachusetts does not prohibit the use of cell phones while operating a motor vehicle, there are penalties for improper operation resulting from use of a cell phone and failure to pay attention.

II. POLICY

It is the policy of this department to:

- A. Use cell phones in the course of police operations to enhance departmental communication; and
- B. Limit cell phone use by employees to conducting official business when the use of radio communication or hard line telephones is inappropriate, unavailable, or inadequate to meet communication needs, and when the cell phone is used in accordance with this policy.

III. POLICY GUIDELINES FOR USE OF CELL PHONES

A. Department Owned Cell Phones

Cell phones are authorized for official police business and pressing personal business.

1. Any additional financial charges incurred by cell phone use should be limited and clearly linked to the necessity to use cell phones when other alternatives are inappropriate or not available. Employees will be responsible for any additional charges incurred for personal use.

B. Personal Cell Phones

1. AUTHORIZATION: Employees electing to carry personally owned cell phones while on duty must notify their immediate supervisor and provide him or her with the telephone number.
2. LIABILITY:
 - a. The department is not responsible for loss or damage to personal cell phones while on/off duty.
 - b. Use of personal cell phones is governed by the same safety restrictions as provided for departmentally-owned cell phones.

C. USE OF CELL PHONES WHILE ON DUTY [81.2.10]

1. GENERALLY
 - a. Cell phones should not be used if they may be disruptive to others.
 - b. Ringer: Cell phone rings should be set to silent or vibrate in situations where a cell phone ring could be disruptive, such as meetings, court, etc.
2. ATTRIBUTES:
 - a. Officers should not have ringtones that violate the spirit of the department's core mission, values and code of conduct.
 - b. Phones should be carried or used in such a way that they do not interfere with the operation of any police issued equipment.
3. DISTRACTION: A cell phone shall not be used when it would unnecessarily or unreasonably divert the attention of an employee from official duties and/or cause a potentially hazardous situation.
4. COMMUNICATIONS
 - a. Cell phones 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 recorded lines.

- b. Approved cell phone usage includes but is not limited to the following types of communications:
 - 1) Conveyance of sensitive or restricted information;
 - 2) Lengthy communication with supervisors or headquarters personnel;
 - 3) Undercover operations;
 - 4) Communication beyond normal radio range;
 - 5) Incidents in which direct contact with an employee and the public is critical; and,
 - 6) Incidents in which the use of a hard line telephone would be appropriate but where one is not available.
- c. Employees should not use cell phones for car-to-car communication when other means are available and appropriate, unless such use is specifically authorized or encouraged by applicable department policy.
- d. Use of personal cell 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.
- e. Police reports may not be taken using the cell phone unless such reporting over a land line phone would be authorized. The phone may be used to contact the victim or complainant and arrange a meeting time and place.

5. CELL PHONE NUMBERS

- a. Cell phone numbers should not normally be provided to members of the public. Exceptions may be made when immediate future contact between an employee and a victim, witness, or other person may be critical, or it is designated to facilitate police service in a timely manner.
- b. Personnel may not provide the cell phone number of any member of this department to a member of the public without the cell phone user's authorization.

6. IMAGES

- a. The use of photo messaging capabilities are prohibited unless they can be clearly linked to the conduct of official police business.

- b. Any images captured during the course of an employee's duties are considered to be department documents and may only be distributed in accordance with department policy. See the department policy on ***Records Management***.
- 7. VEHICLE OPERATION: Employees may not operate department vehicles while using cell phones unless emergency circumstances exist, and other means of communication are not available or suitable. When possible, employees should pull off the roadway in a safe location when using cell phones unless hands-free operational devices are authorized and available.
- 8. ON POST/ DETAILS: Employees may not use cell phones while standing on post or engaged in street details when their attention is supposed to be directed to roadway vehicular and pedestrian traffic, unless they are using hands free or Bluetooth technology.