



POLICY & PROCEDURE

STURGEON BAY POLICE DEPARTMENT

SUBJECT: **CELLULAR TELEPHONES**

SCOPE: All Department Personnel
DISTRIBUTION: Policy & Procedure Manual

REFERENCE:

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INDEX AS: Cellular Phones

PURPOSE: The purpose of this Policy & Procedure is to set procedures and guidelines for the Sturgeon Bay Police Department personnel regarding cellular phones.

This Policy & Procedure consists of the following numbered sections:

I. CELLULAR TELEPHONES

I. CELLULAR TELEPHONES

A. Cellular telephones in law enforcement have become more important in daily police business. Cell telephones can be of great value and use by line personnel in their everyday duties. Like most other things, standards must be prescribed for the use of cell telephones.

1. Department Issued Cellular Telephones While on Duty - The Department provides cellular telephones for its full-time personnel as a means of official communication for the officer on and off duty. These phones are the sole property of the Department issued for official use and as such all phone use is monitored by the Department.

- a) Although personal use is permitted, making or receiving personal calls, messaging by email or texting should be limited for emergencies and immediately important family matters while on duty. Receiving or making personal calls while on duty is discouraged and shall not in any way interfere with the officer's duties or any operations of the Department.
 - b) Officer's use of cellular phones is limited to the minutes prescribed by the Department's cellular plan. Officers exceeding their allotted minutes shall reimburse the City for any personal calls outside of the plan.
 - c) Officers issued cellular phones are responsible for the safe keeping of their assigned cellular phones and are subject disciplinary actions in addition to the full replacement costs for damages due to neglect or abuse.
2. Department Issued Cellular Telephones While Off Duty – Officers are subject to calls to report for duty at all times in the event of an emergency. The Department cellular phones are issued so that the Department may recall its full-time officers to respond to such an emergency or need for immediate contact with an officer. As such, officers shall keep their cell phones available to them at all times unless on a leave status.
- a) This Policy & Procedure shall not constitute on-call status. It is also understood that officers have the right to their free time and that during their off time the officer may be unreachable for any number of reasons, however, the officer shall make reasonable checks with the phone's messaging service for messages.
 - b) Officers issued cellular phones may use their issued phones for personal use while off duty. Officers are reminded that all phone use is monitored by the Department and that officers exceeding their allotted minutes shall reimburse the City for any personal calls outside of the plan.
3. Personally-Owned Cellular Telephones While on Duty - Officers may have in their possession their personal cellular telephones while on duty. Officers may check messages and use their personal cellular telephones while on break(s). The Department accepts no responsibility for loss or damage to personal telephones. The use of a personal cellular telephone may not interfere with an officer's official duties.
4. All Department Cellular Telephone Use Should Be Limited to Appropriate Uses Only. The use of the police radio (priority method of communication) shall take precedence over the use of Department cellular telephones in most cases.

Department personnel shall answer radio communications before answering their cellular telephones (radio communications always take priority).

Department cellular telephones are intended to provide a means for employees to communicate necessary official Department information when a police radio is unavailable or the use of the radio would be inappropriate. Employees shall not unnecessarily use the cellular telephone in place of the radio or laptop for normal police functions.

5. Text messaging/Email is Strictly Prohibited. Personal “text messaging” or “electronic mailing” (email) is strictly prohibited on personal or Department cellular telephones when employees are operating a Department vehicle.
6. Cellular Telephone Use While Driving/Moving. When possible and practical, officers should pull the squad car off the road and come to a complete stop prior to using the Department cellular telephones. Under no circumstances shall an officer text or email while operating a squad car or other City owned vehicle.
7. Department personnel shall not call an Officer on his/her squad cellular telephone for routine calls or to give information unless normal dispatching methods are not available. The Department radio and laptop shall always be utilized as a first resort or as the priority method of communication.
8. Cellular telephones that are equipped with a camera may used for that purpose in an emergency situation only. Officers are reminded that any use of a cellular telephone to record photographic images is evidence and is subject to Policy & Procedures, Chapter 11: Evidence/Property Integrity. The use of Department cellular telephones for personal photographs is strictly prohibited.
9. Cellular telephones that have Internet access are governed by Policy & Procedures 1.18: Computer Procedures and 1.21: Social Media. Officers are reminded that email messages are considered records and subject to the Open Records Law.

B. COMMENTARY:

1. When officers are interrupted and engaged in personal telephone calls while they are on duty, they are distracted from and neglecting their official duties. When an officer is engaged in official duties and his/her telephone rings, the distraction can cause a dangerous situation to occur, and injury may occur because the officer may not be fully paying attention or because of the interruption involved in retrieving and answering a personal cellular telephone or pager.
2. Officers may have many family members, friends, etc., who might have the officer’s cellular telephone number.

If family members, friends, etc., call a Department employee when he/she is on duty and supposed to be engaged in official duties, work productivity suffers, potential safety issues are significantly heightened, and a non-professional work image is presented to the public.

3. Therefore, employees are to use extreme caution and good judgment when using Department owned cellular telephones in their possession while on duty with the Department.

Arleigh R. Porter
Chief of Police

This Policy & Procedure cancels and supersedes any and all written directives relative to the subject matter contained herein.

Initial 06/30/2020