

Personal Communication Devices

702.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of Department-issued mobile phones and personal communication devices, and the on-duty use of such devices personally-owned by personnel.

Because of technical advances and varying manufacturer nomenclature, this policy shall generically refer to all Personal Communication Devices (PCD) as such, but is intended to include all mobile phones, Personal Digital Assistants (PDA), and other such wireless two-way communication and/or portable Internet access devices.

702.1.1 PRIVACY POLICY

Any Member utilizing any computer, internet service, phone service or other wireless service provided by or funded by the Department expressly acknowledges and agrees that the use of such service, whether for business or personal use, shall remove any expectation of privacy the Member, sender and recipient of any communication utilizing such service might otherwise have, including as to the content of any such communication. The Department also expressly reserves the right to access and audit any and all communications (including content) sent, received and/or stored using such service.

702.2 DEPARTMENTALLY ISSUED PCD

Depending on a Member's assignment and needs of the position, the Department may, at its discretion, issue a PCD. Such devices shall remain the sole property of the Department and shall be subject to inspection or monitoring (including all related records and content) at any time without notice and without reason.

702.2.1 INDIVIDUALLY OWNED PCD

Members may carry their own PCD while on duty subject to the following conditions:

1. Carrying an individually-owned personal communication device is optional.
2. The device shall be purchased, used and maintained at the Member's expense.

702.2.2 USE OF PERSONAL COMMUNICATION DEVICES

PCDs, whether provided by the Department or personally-owned, should only be used by on-duty Members for legitimate Department business except as provided for below. Members may use a PCD to communicate with other personnel in those situations where the use of the radio is either impractical or not feasible. PCDs however, should not be used to replace regular radio communications.

1. PCDs shall not be carried in a manner that allows them to be generally visible while in uniform.
2. PCD's may not be used to conduct personal business while on duty except when brief personal communications may be warranted by the circumstances (e.g., inform family

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of extended hours). While Member's may use personally owned PCDs for personal business during authorized breaks, such usage should be limited as much as practical to areas where the communication will not be seen or heard by members of the public.

3. Extended or frequent use of Department-issued PCDs or personally owned PCDs while on duty for personal use is prohibited and may be subject to discipline. Members may be responsible for reimbursing the Department for any charges incurred as a result of personal use.

702.2.3 USE WHILE DRIVING

The use of a PCD while driving can cause unnecessary distractions and presents a negative image to the public. Deputies operating emergency vehicles should restrict the use of these devices while driving to matters of an urgent nature and should, where practical, stop the vehicle at an appropriate location to complete their call.

Except in the case of an emergency, Members who are operating non-emergency vehicles shall not use cellular phones or other personal communication devices while driving unless the telephone is specifically designed and configured to allow hands-free listening and talking (Vehicle Code 23123 (a)). Such use should be restricted to business related calls or calls of an urgent nature.

702.2.4 OFFICIAL USE

The use of personal communication devices may be appropriate in the following situations. This list is not all inclusive:

1. Barricaded suspects.
2. Hostage situations
3. Mobile Command Post.
4. Catastrophic disasters, such as plane crashes, earthquakes, floods, etc.
5. Major political/community events.
6. Investigative stakeouts where regular phone usage is not practical.
7. Emergency contact with outside agency or outside agency field unit equipped with PCDs.
8. When immediate communication is needed and the use of the radio is not appropriate and other means are not readily available.