



Policy 1307

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COMMUNICATION DEVICES	
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By Order of the Police Commissioner

POLICY

In an effort to make use of technology to better serve the community, the Baltimore Police Department (BPD) provides Communication Devices to be used by its members in the course of their duties. Communication Devices are intended to supplement, not replace, police radios.

DEFINITIONS

Agency Communication Device – A Communication Device, as defined below, issued to members by the BPD.

Business Call – Any call made by an employee to conduct or address the official functions of the BPD.

Cellular Telephone, Smart Phone, or Cell Phone – Any device capable of sending and/or receiving voice, text, photographic, video, or other wireless communications which may be carried on or about a person.

Communication Device – Any device including, but not limited to: cell phones, pagers, wireless devices (tablets, smart phones, etc.) desktop or laptop computers, Bluetooth technology, devices with Voice-over-IP (VoIP) capability, vehicular wireless networks, and speakers.

Personal Call – Any call made by an employee which is solely for the benefit of the employee and not the BPD.

Personal Communication Device – Any Communication Device not issued to members by the BPD.

Text Messaging – The act of using any texting application (iPhone messaging, Evertell, or other forms of group messaging, social media, etc.) to send and receive messages that are text-based instead of verbal.

Voice-over-Internet Protocol (VoIP) – Communications transmitted via the internet, to include those from desktop phones, computers, radios, cellular devices, virtual assistants (Alexa, Google, Siri, etc.), or any website capable of cross-platform messaging or voice control.

GENERAL

Use of Agency Communication Devices

1. Agency Communication Devices must be turned on and kept on-person at all times during active work hours.

2. Personal use of Agency Communication Devices is permitted so long as it does not:
 - 2.1. Interfere with the performance of the employee's job responsibilities or transactions of agency business.
 - 2.2. Interfere with the activities of other employees of the BPD.
 - 2.3. Involve unprofessional behavior or violate any of the prohibitions listed in the "Directives" section of this policy.

Use of Personal Communication Devices

3. The BPD is not responsible for any damage, loss, or replacement of any Personal Communication Device, except Cell Phones, which might be reimbursable, per the Memorandum of Understanding between the BPD and the Fraternal Order of Police, Lodge 3.
4. Personal Communication Devices must not be a distraction from or interfere with the performance of an employee's duties. Restrictions include, but are not limited to:
 - 4.1. Use of the device during an investigation or call for service.
 - 4.2. Calls, texts, emails, or messages/transmissions of any kind (audio, video, or other) to conduct official BPD business.
5. Personal calls and text data transmissions must be kept to a minimum and must not interfere with work.

NOTE: Nothing in this policy prohibits a member from using their Personal Communication Device in a professional manner consistent with the directives of this policy during break and meal times.

DIRECTIVES

Prohibitions

The following are not permitted on any Communication Device, whether agency or personal, during active work hours:

6. The writing, sending, or reading of text or email messages when driving.
7. The use of any Communication Device, except for police radio or Communication Devices used in a hands-free capacity, by the driver while operating moving and/or in-gear motorized off-road equipment, water-based transportation, or motorcycles.
8. Conducting personal commercial business transactions while performing official business or work of the agency.
9. Creating, copying, observing, or distributing offensive or disruptive communications, including those which contain any sexual content or sexual implications, racial slurs, gender-specific comments, or any other content that offensively refers to a person's race, creed, religion, physical or mental disability, color, sex, national origin, age, occupation, marital status, political opinion,

gender/sexual orientation, or any other protected group status while performing official business or work of the agency.

10. Sending, receiving, copying, or distributing copyrighted materials, proprietary information or similar material without express authorization from the author or owner.
11. Using or attempting to use a Communication Device belonging or assigned to another member for purposes of engaging in prohibited conduct.
12. Copying or transmitting confidential personal information, or any private or non-public information, when not required by the official business or work of the agency.
13. Any call for the purpose of personal entertainment.
14. Any call of unreasonable duration.

NOTE: Agency Communication Devices must be carried and/or stored in a manner or location that does not unreasonably interfere with or impede the use of BPD-authorized and required equipment including, but not limited to: weapons, ammunition, handcuffs, and portable transceivers.

Use of Software or Hardware for Text Messaging

15. The Department shall designate authorized software or hardware for Text Messaging.
16. Personnel are prohibited from using Text Messaging software or hardware which has not been authorized by BPD.
17. Text Messaging is authorized for performing official business or work of the agency.
18. All Text Messaging is subject to discovery for legal purposes.
19. Text Messaging shall not be used for capturing and communicating information that violates the rights of citizens.
20. Text Messaging must not be a distraction from or interfere with the performance of a member's duties.

Privacy Advisory

21. Employees do not have any reasonable expectation of privacy when using any Agency Communication Device. The BPD retains the right to monitor the content and usage on any such device.
22. BPD supervisors may access without notice: data or text caches, pager memory banks, email and voicemail boxes or accounts, and other employer-provided electronic storage systems where there are reasonable grounds to believe a search is necessary for either non-investigatory work-related purposes, or for the investigation of work-related misconduct.

RESCISSION

Remove and destroy/recycle Policy 1307, *Personal Communication Devices* dated 8 August 2016.

COMMUNICATION OF POLICY

This policy is effective on the date listed herein. Each employee is responsible for complying with the contents of this policy.