



## ADMINISTRATIVE MANUAL

# ADM - 535 – CELLULAR PHONE USAGE

Amends/Supersedes: ADM-535 (08/23/2021)

Date of Issue: 11/17/2025

### I. GENERAL

- A. Personnel will follow the Virginia Freedom of Information Act ([§2.2-3700 through §2.2-3714](#) of the Code of Virginia) and [ADM-160 Privacy/Dissemination of Information](#), relating to the dissemination of information when using department cellular telephones ("cell phones") in the course of their work activities. [82.1.7]
- B. Employees have no expectation of privacy regarding any communication, either received or generated, while using department cell phones. The department reserves the right to access any information from any department-issued electronic resource and may require employees to provide passwords upon request.
- C. Department issued cell phones are the property of the city, intended for use in carrying out government business. The City of Newport News retains all personal property rights in any matter created, received, or sent via the city's electronic communications systems, and such matter is not the property of the employee.
- D. Employees shall use their issued cell phones responsibly and professionally and will not intentionally use them for any unlawful, or otherwise inappropriate purpose. Access to information and information technology is agency mission essential; however, the use of cell phones is a revocable privilege. Conformance with the acceptable use policy, unless specifically excepted, is required. (See also PAM-[1403 Use of Information Technology Policy](#)).
- E. Employees issued a department cell phone are required to use that cell phone for department purposes and are prohibited from forwarding that phone number to their personal cell phone. Officers will have their city cell phone available for department use, including taking photographs and accessing systems (i.e., Axon and Fusus). Supervisors should verify officers have these phones readily available during inspections.  
**NOTE:** Information recorded using a personal cell phone may be subjected to the rules of discovery, resulting in a temporary loss of use, or possession of, the device, and the download of all the phone's information.
- F. Employees are cautioned against relaying sensitive information over cell phones, which are less secure than "landline" telephones.

### II. DEFINITIONS

- A. *Use* refers to telephone calls, text messages, digital photographs, or any other communication transmitted via the cell phone.
- B. *Business use* is for department, city, or federal business.
- C. *Personal communication* is not for department, city, or federal business.

### III. USAGE REQUIREMENTS

- A. Operation
  - 1. The Public Safety Information & Technology unit (IT) regulates all applications on department issued cell phones. Employees are prohibited from modifying these settings. If an employee needs access to an unavailable application or feature, they must submit a request to IT.



2. Employees must submit a ticket to the department's IT unit immediately, if their city issued cell phone is missing, lost or stolen. Upon receipt of the ticket, IT will take action to attempt to locate or disable the line.
3. Motor Vehicle Operation - Employees are cautioned against making cell phone calls while operating a motor vehicle. It is recommended that employees pull over to a safe location to use any cell phone, whether issued or personal. While [§46.2-818.2](#) of the Code of Virginia does not prohibit emergency vehicle operators from using their cell phone when performing official duties, such usage contributes to unsafe operation or a vehicle crash. Text messaging, or other distracted driving activities that result in a vehicular crash will be documented in the vehicle crash investigation (see [OPS-330 Traffic Crash Investigations](#)) and may result in disciplinary proceedings (see [ADM-250 Police Vehicle Crash Review](#)).
4. Employees are prohibited from using wirelessly connected earpieces (i.e. Bluetooth devices) while on duty, unless the use is authorized by a supervisor for a job related purpose.
5. All usage requirements of [ADM-540 Agency Computer & Information Technology Usage](#) regarding internet use, emails, software applications, games, and security apply to the use of department issued cell phones.
6. Employees may use their department issued cell phone camera to capture images and recordings, both audio and video, related to criminal investigations. All images and recordings must be downloaded from the phone and transferred to both the DataWorks Digital Crime Scene System, per [OPS-485 Property & Evidence](#). If the digital file type is compatible, it should also be attached to the report in the records management system.

B. Personal Use

1. Employees are not required to reimburse the City of Newport News for personal use of department-issued cell phones; however, employees shall remain cognizant of all privacy and time management concerns and shall act in accordance with this policy and PAM-[1403 Use of Information Technology Policy](#).
2. Employees shall not use their department-issued cell phone to text, post to social media, or e-mail photographs or other information relating to investigations, or other department business, for unofficial purposes.

C. Abuse of Privileges

Employee abuse of cell phone privileges will be reported to the employee's supervisor and chain of command and may result in disciplinary action.

- D. Personal Cell Phones - Employees will not use any personally owned cell phone for department business regarding documenting evidence or taking investigation-related photos. [83.2.2(d)]

**Steven R. Drew**

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