

**PORTSMOUTH, NH POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE****T-404
CELLULAR PHONES****EFFECTIVE DATE: 11-11-04****REMARKS:****REVISIONS: 06-09-17; 05-08-19; 02-21-20; 04-10-25****I. PURPOSE**

The purpose of this policy is to provide guidelines to police department employees on the use of both department-issued cellular (cell) phones and privately owned cell phones.

II. POLICY

Cell phones, both department-issued and personally owned, may be used to conduct department business within the constraints of this policy.

III. PROCEDURE**A. Department Issued Cell Phones**

1. All Department issued cell phones are the property of the Portsmouth Police Department. They are authorized for official police business. Exceptions may be made for personal matters which require attention and where alternative forms of communication are not available.
2. Cell phones issued by the police department must be charged, available and in good working condition at the beginning of the employee's shift. The employee is responsible for having their issued cell phone for the duration of their duty hours.
3. Use of a department issued cell phone should be limited to police department business, to include:
 1. Calls; text message; or email transmissions
 2. Use of work-related application(s)
 3. Internet sites that are work related.
 4. Use of the cell phone camera
 5. Use of the recording capabilities to conduct interviews
4. Cell phones are not to be used to replace communications that typically are handled via cruiser/portable radio transmissions or the cruiser laptop computer.

5. Cell phones are a radio-type device. Officers and employees should take that fact into consideration when responding to a bomb threat or location of an explosive device.
6. Cell phones should normally be turned off during any court appearance, hearing, training or meeting. If the phone must remain on in any of these situations, or while the officer is on a call, any audible ringing should be turned off.
7. Cell phone transmissions can be monitored and are NOT to be considered secure. If a secure form of communication is needed, officers should use a land line telephone.
8. Employees issued a department cell phone that plan on traveling outside the country and using their phone during that time shall notify IT of their pending travel no later than 48 hours prior to departure, so adjustments can be made to the employee's cell phone plan.
9. Every employee acknowledges any device used to collect any form of evidence is susceptible to being searched in the court case discovery process.
10. Department issued cell phones should be available and utilized for work related matters when an officer who has been issued a department cell phone is working a traffic or outside work detail.
11. Downloading, purchasing, or installing unauthorized software (e.g., applications, games, ring tones, etc.) to any department issued cell phone is prohibited without prior approval.
12. Damaged, missing or lost department issued cell phones shall be reported as such to the employee's supervisor as soon as possible. A lost/damaged equipment form shall be filled out by the employee.

B. Personal Cell Phone Use

1. Employees may carry personally owned cell phones while on duty, however the department is not responsible for loss or damage to personal cell phones while on/off duty. Use of personal cell phones is governed by the same safety restrictions as provided for department issued cell phones.
2. Employees shall not use personal cell phones to collect any form of photographic, audio or video evidence.
3. Limited personal use of this equipment is acceptable provided the length and/or duration of the use does not interfere with the performance of the employee's duties.

C. Cell Phone Use While Operating a City Vehicle

1. The handheld use of a cellular device while operating a city vehicle is strictly prohibited unless the call is being placed to report an emergency as provided in RSA 265:79 C.
2. Should it become necessary to make use of a cell phone device while operating a city vehicle, employees shall use a Bluetooth device or pull to the side of the road prior to making or taking the call.
3. It is strongly recommended that all cellular phone conversations, Bluetooth or otherwise, cease during a code response.

D. Personal Use of Department Issued Cell Phones

1. Limited personal use of this equipment is acceptable provided the length and/or duration of the use does not interfere with the performance of the employees' duties and it does not incur a financial burden to the Department or the City.
2. If a personal call incurs a long-distance or roaming charge, you must notify your supervisor prior to making the call or as soon as is reasonable after the call. You must reimburse the city for the cost of that call.
3. Information Technology personnel will monitor your cell phone use and you will be held accountable for any inappropriate calls or charges.

E. Inappropriate Cell Phone Use

1. Any inappropriate use of a department-issued or personally owned cell phone may result in counseling followed by possible discipline for repeated behavior. Inappropriate uses would include, but not be limited to:
 - a. Conducting social conversations under the guise of police department business.
 - b. Excessive personal use.
 - c. Searching for or viewing inappropriate websites, personal social media or other internet material that is not pertinent to a case or investigation the officer is working on using a department issued cell phone.
2. Police department employees may elect to contact citizens and advise them of their expected arrival time, may communicate with the Emergency Communications Center in order to obtain incident information, and may use cell phones to expedite overall service delivery.

Mark D. Newport, Chief of Police

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