Policy 1307

PERSONAL COMMUNICATION DEVICES

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 personal communication devices to be used by its members in the course of their duties. Personal communication devices are intended to supplement, not replace police radios.

DEFINITION

Business Call – Any call made by an employee that is directly related to the BPD.

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

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 device including, but not limited to cell phones, pagers, text pagers, wireless devices (Blackberries, etc.), laptops, Bluetooth technology, and speakerphones.

Prohibited

The following are not allowed:

1. The writing, sending, or reading of text or email messages when driving.
2. The use of a personal communication device by the driver while operating moving and/or in–gear motorized off–road equipment.
3. Conducting personal commercial business transactions.
4. Creating, copying, or distributing any 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 addresses a person's race, creed, religion, physical or mental disability, color, sex, national origin, age, occupation, marital status, political opinion, sexual orientation or any other group status.
5. Sending, receiving, copying, or distributing copyrighted materials, proprietary information or similar material without express authorization from the author or owner.
6. Using or attempting to use a personal communication device, assigned to another person, for
purposes of engaging in prohibited conduct.

7. Copying or transmitting confidential personal information or to copy or transmit any private or non–public information when not required by the official business or work of the agency.

8. Any call for the purpose of personal entertainment, such as 900 numbers or movie links.


NOTE: A personal communications device must be carried and/or stored in a manner or location that does not unreasonably interfere or impede the use of BPD authorized and required equipment, including but not limited to a weapon, ammunition, handcuffs, and portable transceiver.

Personal Use Of Departmental Personal Communication Devices

1. Personal use is allowed so long as it does not:
   
   1.1. Interfere with the performance of the employee’s job responsibilities or transactions of agency business.

   1.2. Interfere with the activities of other employees of the BPD.

Use Of Personally Owned Personal Communication Devices

The BPD is not responsible for any damage, loss, or replacement of any personally owned personal communication device, except cell phones, which might be reimbursable, per the Memoranda of Understanding between the BPD and the Fraternal Order of Police, Lodge 3.

The Department does not encourage the possession of personally owned personal communication devices. However, their use is permitted under the following conditions:

1. Personally owned personal communication devices must not be a distraction from or interfere with the performance of the employee’s duties. Restrictions include, but are not limited to:
   
   1.1. Use of any personal communication device, while operating a vehicle.

   1.2. Personally owned personal communication devices must be turned off when answering calls for service or during investigations.

   1.3. Calls made for personal commercial gain during the employee’s workday.

2. 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 his/her personal communications device without restriction during break and meal times.

Privacy Advisory

1. Employees do not have any reasonable expectation of privacy when using any BPD issued
personal communication device. The BPD retains the right to monitor the content of all communications made on and the usage of any departmentally issued personal communication device.

2. BPD supervisors may access without notice: data or text caches, pager memory banks, email and voice mail 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 purpose or for the investigation of work-related misconduct.

RESCISSION

Remove and destroy/recycle General Order M-7 Personal Communication Devices, dated 22 August 2011.

COMMUNICATION OF POLICY

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