



POLICY & PROCEDURE

PORTAGE POLICE DEPARTMENT

SUBJECT: **CELLULAR TELEPHONES AND ELECTRONIC DEVICES**

SCOPE: All Department Personnel
DISTRIBUTION: Policy & Procedures Manual

REFERENCE:

NUMBER: 1.17

ISSUED: 02/07/2022

EFFECTIVE: 02/07/2022

RESCINDS

AMENDS

WILEAG 5TH EDITION

STANDARDS: N/A

PURPOSE: The purpose of this Policy & Procedure is to set procedures and guidelines for the Portage Police Department personnel regarding cellular phones and electronic devices.

This Policy & Procedure consists of the following numbered sections:

- I. CELLULAR TELEPHONES
- II. OTHER ELECTRONIC DEVICES

I. CELLULAR TELEPHONES

A. Cellular telephones vital tool in law enforcement operations.

1. Department Issued Cellular Telephones While on Duty - The department provides cellular telephones for its full-time personnel as a means of official communication for officers on-duty. These phones are the sole property of the department issued for official use and as such all phone use is monitored by the department.
 - a) Although personal use is permitted, making or receiving personal calls, messaging by email or texting should be limited for emergencies and immediately important family matters while on duty. Receiving or making personal calls while on duty is discouraged and shall not in any way interfere with the officer's duties or any operations of the department.

- b) Officers issued cellular phones are responsible for the safe keeping of their assigned cellular phones and are subject to disciplinary actions in addition to the full replacement costs for damages due to neglect or abuse.
2. Department Issued Cellular Telephones While Off-Duty – Officers are subject to report for duty at times in the event of an emergency while off-duty. The department cellular phones are issued so that the department may contact officers to respond to an emergency or need for immediate contact with an officer. As such, officers who are assigned take-home cell phones shall keep their cell phones available to them at all times unless on a leave of absence status.
- a) This Policy & Procedure shall not constitute on-call status. It is also understood that officers have the right to their free time and that during their off-time the officer may be unreachable for any number of reasons, however, the officer shall make reasonable checks with the phone's messaging service for messages.
 - b) Officers issued cellular phones may use their issued phones for personal use while off-duty. Officers are reminded that all phone use is monitored by the department.
3. Personally-Owned Cellular Telephones While on Duty - Officers may have personally owned cell phones with them while on duty. The department accepts no responsibility for loss or damage to personal telephones. The use of a personal cellular telephone may not interfere with an officer's official duties and should be within a reasonable amount of usage. The officer may not conduct outside employment business using a personal or department issued cell phone while on duty. Officers should be cautioned that cell phones can be subpoenaed when used during the course of the on-duty time and or during an investigation.
4. All Department Cellular Telephone Use Should Be Limited to Appropriate Uses Only. A balance of consideration should be given to using the cell phone or the radio to communicate for example to maintain the confidentiality of victims or to broadcast a suspect description.

Department personnel shall answer radio communications before answering their cellular telephones (radio communications always take priority).

Department cellular telephones are intended to provide a means for employees to communicate necessary official department information when a police radio is unavailable or the use of the radio would be inappropriate. Employees shall not unnecessarily use the cellular telephone in place of the radio or laptop for normal police functions.

5. Cellular Telephone Use While Driving/Moving. When possible and practical, officers should pull the squad car off the road and come to a complete stop prior to using the department cellular telephones. Under no circumstances shall an officer text or email while operating a squad car or other city owned vehicle.
7. Officers are reminded that any use of a cellular telephone to record photographic images is evidence and is subject to Policy & Procedures, Chapter 11: Evidence/Property Integrity.
8. Cellular telephones that have Internet access are governed by Policy & Procedures 1.15: Computer Procedures. Officers are reminded that all data are considered records and subject to the Open Records Law.

B. OTHER ELECTRONICS DEVICES

- 1) Any other electronic devices issued by the department shall be subject to the rules of this policy and all other applicable department polices.

Keith J. Klafke
Chief of Police

This Policy & Procedure cancels and supersedes any and all written directives relative to the subject matter contained herein.

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