

**ATASCADERO POLICE DEPARTMENT
GENERAL ORDER 0012
ELECTRONIC COMMUNICATION DEVICES**

I. POLICY

Electronic communication devices include but are not limited to Department telephones, Department cellular telephones, Department pagers, personal cellular telephones, and personal pagers. Such devices can provide essential communication between the Department and individual members on and off-duty; between members of the organization and the public; and between members of the organization and their families and friends.

The Atascadero Police Department has established policy and procedures to ensure that the use of electronic communication devices is in reasonable balance between the needs of the Department and the needs of the members of the organization.

The use of all electronic communication devices shall comply with all applicable rules and regulations specified in the City of Atascadero Personnel System Rules.

II. PROCEDURE

A. Department telephones

1. Department telephones are normally restricted to use for official Department business for reasonable and appropriate lengths of time based upon the specific circumstances for their use.
2. Department telephones may be used for outgoing personal local telephone calls that do not generate long distance or toll charges for reasonable and appropriate lengths of time that do not unreasonably interfere with the performance of a member's official duties. Unreasonable interference with the performance of official duties includes but is not limited to a reduction in or failure to conduct a member's duties or respond to calls for service in a reasonably timely or normal manner.
3. Department telephones may be used for outgoing personal telephone calls that generate long distance or toll charges for reasonable and appropriate lengths of time if those telephone calls are reasonably necessary due to emergency or unanticipated circumstances. Such circumstances include but

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are not limited to unanticipated overtime, sickness, injury, or other family or personal emergency.

4. Outgoing personal telephone calls on Department telephones that generate long distance or toll charges should not unreasonably interfere with the performance of official duties regardless of the reason.
5. The cost of long distance or toll charges for outgoing personal telephone calls on Department telephones that are not reasonably necessary due to emergency or unanticipated circumstances may be assessed against the responsible member.
6. Incoming personal telephone calls on Department telephones are normally restricted to official Department business for reasonable and appropriate lengths of time based upon the specific circumstances and reason for the call. Incoming personal telephone calls on Department telephones should not unreasonably interfere with the performance of official duties.

B. Department cellular telephones

1. Members may use Department cellular telephones to conduct official business when the use of police radio communication or hard line telephones is inappropriate, unavailable, or inadequate to meet communication needs and when the cellular telephone is used in accordance with the General Order. The use of Department cellular telephones for official business is restricted to reasonable and appropriate lengths of time based upon the specific circumstances and reason for their use and should not unreasonably interfere with the performance of official duties.
2. Department cellular telephones are an augmentation to the Department's communication system, not a substitute for radio communication designed primarily for transmission through the Dispatch Center. Approved use of Department cellular telephones includes but is not limited to:
 - a. Conveyance of sensitive or restricted information.

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- b. Undercover operations.
 - c. Tactical operations, e.g. barricaded suspects, hostage situations, mobile command post.
 - d. Catastrophic events, e.g. airplane crashes, earthquakes, floods, or fires.
 - e. Lengthy communication with supervisors in the field or personnel at the station.
 - f. Investigative stakeouts where regular telephone use or police radio use is not reasonably practical or would unreasonably jeopardize the investigative effort.
 - g. Contact with outside agencies or outside agency field units equipped with cellular telephones.
 - h. Communication beyond normal police radio range.
 - i. Returning/receiving Department/City business related telephone calls by personnel in the field during incidents in which direct contact between an officer and the public is critical and other means of communication are not readily available or reasonably feasible.
 - j. Incidents in which the use of a hard line telephone would be appropriate but where one is not available.
 - k. When communication is needed and the use of the police radio is not reasonably appropriate and other means of communication are not readily available or reasonably feasible.
2. Department cellular telephones may be used on a limited basis for reasonable and appropriate lengths of time for non-business related incoming or outgoing telephone calls if those telephone calls are reasonably and immediately necessary due to emergency or unanticipated circumstances and where alternative forms of communication are not suitable or reasonably easily available. Such circumstances include but

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are not limited to unanticipated overtime, sickness, injury, or other family or personal emergency. In addition, such personal telephone calls shall not unreasonably interfere with the performance of official duties.

3. The cost of long distance or toll charges for any personal telephone calls on a Department cellular telephone that are not justifiable under this General Order may be assessed against the responsible member. Any financial charges incurred by Department cellular telephone use should be limited and clearly linked to the necessity to use the cellular telephone when other alternatives are nor reasonably available or appropriate.
4. Department cellular telephone numbers should not normally be provided to the public. Exceptions may be made when immediate future contact between an officer and a victim, witness, or other person may be critical.
5. Personnel may not provide the Department cellular telephone number of any member of the Department to a member of the public without the cellular telephone user's authorization.
6. Department members should not use any cellular telephone for unit-to-unit communication when other means are available and more appropriate for reasons including but not limited to officer safety and Dispatch Center awareness of the status of the Department member. Cellular telephones should not be used for communication instead of the police radio unless reasonably warranted due to tactical or officer safety concerns.
7. Police reports should not normally be taken using any cellular telephone. The cellular telephone may be used to contact the victim or complainant and arrange an interview, but not to expedite service and/or avoid direct personal contact.
8. If they are carrying any cellular telephone members should ensure that the telephone is turned off in any situation during which a sounding telephone would unreasonably endanger public or officer safety or the successful resolution of an incident.

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9. Using any cellular telephone in a vehicle should not unreasonably interfere with the safe operation of the vehicle. When reasonably possible, Department members should pull off the roadway in a safe location when using any cellular telephone unless a hands-free operational device is available.
 - a. The exception to the use of a hands-free operational device is when privacy is required due to another person in the vehicle.
 10. The Department will comply with any applicable regulations on the use of cellular telephones in vehicles imposed by the California Vehicle Code.
 11. At the Department's discretion, random and periodic audits of all cellular telephone use may be made.
- C. Personal cellular telephones
1. Personal cellular telephones may be carried by on-duty members; however, the cost of any damage or loss of a personal cellular telephone must be assumed by the on-duty member unless the damage or loss occurred as a direct and reasonable result of use of the personal cellular telephone for official Department business and such use was specifically approved in advance by the Chief of Police or his/her designee.
 - a. While on duty a member shall assume responsibility for any charges for the use of a personal cellular telephone unless the on-duty use of the personal cellular telephone for Department/City business has been specifically authorized in advance by the Chief of Police or his/her designee.
 2. The use of personal cellular telephones for incoming or outgoing personal messages in either voice or data transmission should be restricted to essential communications for reasonable and appropriate lengths of time, other than during meal or break periods. Engaging in multiple or

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extended conversations on personal cellular telephones unrelated to official Department business or similar use that unreasonably interferes with the performance of duties and responsibilities, except personal communications that are reasonably necessary due to emergency or unanticipated circumstances, is prohibited. Such emergency or unanticipated circumstances include but are not limited to unanticipated overtime, sickness, injury, or other family or personal emergency.

3. A personal cellular telephone must be carried and/or stored in a manner or location that does not unreasonably interfere or impede the use of Department authorized and required equipment, including but not limited to a weapon and ammunition, handcuffs, and portable radio.
4. The manner and location in which a member carries a personal cellular telephone shall not unreasonably jeopardize the safety of any member, e.g. audible ringing of the cellular telephone during a tactical operation in which the position of the member should remain concealed.
5. Personal cellular telephones should not be used for communication instead of the police radio unless reasonably warranted due to tactical or officer safety considerations.
6. The use of personal cellular telephones in a Department vehicle is governed by the same California Vehicle Code safety requirements and restrictions described above in Section II B 9 and 10 that are imposed upon the use of Department cellular telephones.
7. Nothing in this General Order prohibits a member from using his/her personal cellular telephone without restriction(s) during break or meal times.

D. Department pagers

1. Department pagers may be issued to the following personnel in order to ensure their expedient response to urgent Department business:

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- a. Chief of Police
 - b. Police Lieutenants
 - c. Investigations Unit Sergeant
 - d. Detectives
 - e. K-9 officers
 - f. Special Response Team members
 - g. Narcotics Task Force Officer
 - h. Any other member of the Department at the discretion of the Chief of Police.
2. Personnel designated in Section II D 1 of this General Order shall carry their issued Department pagers while on-duty any time they are outside the police facility.
- a. The issued Department pager normally has an operational range that covers the entire State of California and western Nevada.
3. Personnel who receive a page on their issued pager concerning Department business should respond to the page as soon as reasonably possible.
4. Pager telephone numbers will be maintained in the Dispatch Center.
5. Dispatch shall not give out pager telephone numbers to any person not a member of the Department; however, a member of the Department issued a pager may provide that pager telephone number to an individual who is not a member of the Department for reasonable use.
6. Any request to page a member of the Department by a person who is not a member of the Department must be approved by a supervisor. The exceptions to this directive are as follows:

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- a. A member of another law enforcement agency, the District Attorney or a member of the court (excluding attorneys) who need to urgently contact an employee, or
 - b. The City Manager, City Department head or designee, or a member of the City Council.
7. No full-time non-management employee of the Department shall be required to carry a pager while off-duty unless specifically directed to do so by the Chief of Police or a Lieutenant, or their designees.
 8. Should a full-time non-management employee be directed to carry a pager during their off-duty hours, they shall be classified as "on-call" and will be compensated per the current Memorandum of Understanding between the Atascadero Police Officers Association and the City of Atascadero.
 9. Should there be a need to page a member while that person is off-duty, there should first be an attempt to contact that member at his/her residence or at a designated telephone number prior to using the pager.
 10. The use of a Department pager is not restricted to official communication involving members of the Department. The Department issued pager telephone number may be provided to non-Department members at the discretion of the member issued the pager.
 11. Members carrying a Department pager should ensure that the pager is turned off or set on a non-audible signal in any situation during which a sounding pager would unreasonably endanger public or member safety or the successful conclusion of the incident. Department pagers should not be used for communication instead of the police radio unless reasonably warranted due to tactical or member safety concerns.

E. Personal pagers

1. Personal pagers may be carried by on-duty members;

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however, the cost of any damage or loss of a personal pager must be assumed by the on-duty member unless the damage or loss occurred as a direct and reasonable result of use of the personal pager for official Department business that was specifically approved in advance by the Chief of Police or his/her designee.

2. A personal pager must be carried and/or stored in a manner or location that does not unreasonably interfere or impede the use of Department authorized and required equipment including but not limited to a weapon and ammunition, handcuffs, and portable radio.
3. Personal pagers should not unreasonably interfere with the performance of official duties and responsibilities.
4. Members carrying a personal pager should ensure that the pager is turned off or set on a non-audible signal in any situation during which a sounding pager would unreasonably endanger public or member safety or the successful conclusion of the incident. Personal pagers should not be used for communication instead of the police radio unless reasonably warranted due to tactical or member safety concerns.

III. CROSS REFERENCES

- A. City of Atascadero Personnel Rules and Regulations related to cellular telephone use.

Approved/Adopted: _____ Date: _____
John G. Couch, Chief of Police