



<b>University of Pennsylvania Police Department</b> 4040 Chestnut Street, Philadelphia, Pa 19104		 
<b>Directive:</b> 100	<b>Subject:</b> Use of Cellular Telephones	<b>Effective Date:</b> 02/01/2015
<b>Order of:</b> Gary Williams, Chief of Police		<b>Amended Date:</b> 08/01/2023

### I. Purpose

The purpose of this directive is to provide University of Pennsylvania Police (UPPD) officers with guidelines for the proper use of cellular phones while on-duty.

### II. Policy

It is the policy of the university of Pennsylvania Police Department to use cellular telephones in the course of police operations to enhance departmental communication. Cellular phones may be used by officers to conduct official business when the use of radio communication or hard line telephones is inappropriate, unavailable, or inadequate to meet communication needs and when the cellular phone is used in accordance with this policy.

### III. Scope

This directive shall affect all UPPD employees.

### IV. Definitions

- A. **Disruptive:** Any time that cellular phone would reasonably be deemed annoying and intrusive, such as in meetings, trainings sessions, court, or public places.
- B. **Distraction:** Any time the use of a cellular phone would unnecessarily or unreasonably divert the attention of an officer from official duties and/or cause a potentially hazardous situation.

### V. Procedures

#### A. Use of Cell Phone on Duty

1. Use of cellular phones either in voice or data transmission while on duty should be restricted to essential communications and should be limited in length. Engagement in multiple or extended conversations/communications unrelated to police business or similar use that interferes with the performance of duty is prohibited.

2. Officers will use good judgment when using cellular telephones for legitimate police business. Cellular telephones should only be used when more conventional means of communication, such as standard telephone service (landline) and e-phones are not readily available.
3. Cellular phones should not be used if they may be disruptive or cause a distraction in any manner.
4. Unless specifically authorized by the Chief of Police or designee, the use of cellular telephone cameras and/or video imaging in close proximity to or inside of crime scenes is prohibited.
5. Officers may not operate patrol vehicles while using cellular phones unless exigent circumstances exist and/or other means of communication are not available or suitable. When possible, officers should pull off the highway in a safe location when using cellular phones.
6. The use of portable hands free cellular telephone devices or similar technology is strictly prohibited while on duty.

#### B. Department Owned Cellular Phones

1. Department owned cellular phones are authorized for official police business. Exceptions may be made for family situations or personal matters that require attention and where alternative forms of communication are not suitable or easily available.
2. Department owned cellular phones may be used in off-duty capacities only for conducting police-related business or during departmentally managed off duty law enforcement assignments.
3. Department owned cellular telephones are an augmentation to the department's communication system not a substitute for radio communication designated for transmission through the department's emergency communication center or other means. Approved cellular telephone usage includes but is not limited to the following:
  - a. Undercover operations;
  - b. Communication with supervisors or headquarters personnel;
  - c. Communication beyond normal radio range;
  - d. Incidents in which direct contact with an officer and the public is critical;
  - e. Incidents in which use of a landline telephone would be appropriate but where one is not available.

- f. Incidents in which sensitive and/or confidential information must be conveyed.
4. Officers should strive to limit the duration of department business related cellular telephone calls to no longer than five (5) minutes per call. Officers should attempt to use an alternative form of telecommunication if the call is anticipated to be longer than five (5) minutes. This does not apply to emergency situations or those instances when effective and efficient delivery of police services would be adversely affected by attempting to use an alternative method.
5. Officers should not use the department owned cellular phone when other means are available and appropriate.
6. All employees issued a cellular telephone by the University of Pennsylvania Police Department shall:
  - a. Ensure the phone is charged.
  - b. Keep the phone on at all times, except where prohibited, or when it may be considered disruptive or a distraction.
  - c. Keep the phone on their persons or close enough to their person to answer a call.
  - d. Respond to all calls/messages related to UPPD operations within a reasonable length of time.
    - 1) Ensure timely response for purposes of recall and/or emergency operations contacts.
  - e. Ensure their telephone number is registered with the UPennAlert emergency notification system.
  - f. Be responsible for the accountability and proper care of the cellular telephone as well as the proper usage, and any accessories that the employee is issued associated with the cellular telephone.
7. Employees issued a cellular phone will check for voice messages on a daily basis at minimum, or as their work schedule dictates.
8. Employees shall not utilize department issued cellular telephones in a manner that is inconsistent, incompatible or otherwise in conflict with the values established by this agency or negatively affect its reputation and that of its officers. Department owned cell phones shall not be used either on or off duty in the following manner:
  - a. Use in any manner, which is considered to be disruptive and/or brings public criticism to the UPPD.

- b. Placing calls to directory assistance except when exigent circumstances dictate otherwise.
  - c. Communications related to the employees' private gain, profit or personal business enterprise.
  - d. Communications that could be considered as, obscene, threatening, demeaning, harassing, annoying or otherwise offensive in nature.
9. Cellular telephone accessories and downloads require approval from the Captain of Staff and Administrative Services or designee.
10. Any financial charges incurred by cellular phone use should be limited and clearly linked to the necessity to use cellular phones when other alternatives are not available or inappropriate.
- a. The limitations as described above in no way preclude or inhibit authorized personnel from using similar equipment in the performance of their duties.
11. Personnel may not provide the cellular phone number of any member of this agency to a member of the public without the cell phone user's authorization.
12. Random and periodic audits of departmentally issued cellular phones use may be made at the department's discretion.

C. Compliance

Violations of this directive, or portions thereof, may result in disciplinary action.

D. Officers Assigned to Other Agencies

Officers of this department assigned to or assisting other law enforcement agencies will be guided by this directive.

E. Application

This directive constitutes departmental policy, and is not intended to enlarge the employer's or employee's civil or criminal liability in any way. It shall not be construed as the creation of a higher legal standard of safety or care in an evidentiary sense with respect to third party claims insofar as the employer's or employee's legal duty as imposed by law. Violations of policy will only form the basis for departmental administrative sanctions. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting.