

**LANCASTER POLICE DEPARTMENT
GENERAL ORDERS MANUAL**

Effective Date August 26, 2015		Amended Date July 5, 2017		Directive 7.26.1	
Subject MCT and Cell Phone Use					
Reference			Approved  Chief of Police		
Distribution All Personnel City Manager City Attorney		TPCA Best Practices Recognition Program Reference None		Review Date July 5, 2017	
				Pages 4	

This Operations Directive is for internal use only and does not enhance an officer's civil or criminal liability in any way. It should not be construed as a creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this Operations Directive, if proven, may only form the basis for a complaint by this Department, and only in a non-judicial administrative setting.

SECTION 1 PURPOSE

The purpose of this directive is to establish procedural guidelines for the use of Mobile Computer Terminals (MCT) and cell phones while operating a city vehicle.

SECTION 2 POLICY

Distracted driving is any activity that could divert a person's attention away from the primary task of driving. Employees who use a Mobile Computer Terminal (MCT) or cell phone while driving expose themselves and others to a significant safety risk. It is the goal of the department to increase officer's awareness when operating a city vehicle by decreasing distractions that could divert a person's attention away from the primary task of driving.

SECTION 3 DEFINITIONS

- A. **MCT:** Mobile Computer Terminal
- B. **Official in Nature:** any act which is pertinent to a lawful order.
- C. **"APP":** an application or application program is a software program that runs on your computer. Web browsers, e-mail programs, word processors, games, and utilities are all applications. The word "application" is used because each program has a specific application for the user or a mobile application, also known as a "mobile app". This is a term used to describe software that runs on smartphones and mobile phones.

SECTION 4 PROCEDURES

A. USE, CARE AND MAINTENANCE OF EQUIPMENT

1. Care & Maintenance

- a. Employees will not alter or disassemble any equipment, device, or connection to an MCT without the consent of the Chief of Police or the System Administrator.

**LANCASTER POLICE DEPARTMENT
GENERAL ORDERS MANUAL**

Effective Date August 26, 2015	Amended Date July 5, 2017	Directive 7.26.1
Subject MCT and Cell Phone Use		

- b. No software or programs may be uploaded or downloaded to the MCT without permission of the Chief of Police or the System Administrator.
- c. Employees will not or allow any manipulation or alteration of software currently installed in the MCTs.
- d. Employees should exercise cautionary measures when using data disks or data USB devices.
- e. In the event of a suspected virus, the operator will shut down the computer immediately and inform the System Administrator.
- f. Employees utilizing a MCT will be responsible for the physical security and general upkeep of that MCT. Any requests for repair, maintenance, technical support, or training should be forwarded through appropriate channels to the System Administrator. The System Administrator will attempt to resolve and correct any problems that could affect officer safety or reduce department efficiency in a timely manner.
- g. No food or drink will be placed on or near an MCT where there might be spillage or leakage.
- h. The MCT should be physically turned off and if possible, the power disconnected if the vehicle must be jump started in order to protect the MCT's internal addressing/formatting.
- i. MCT's assigned to a specific vehicle will not be removed from that assigned vehicle and placed into another vehicle without the proper authorization.

2. General Use / Operation

- a. The safe operation of a vehicle takes priority over the operation of the MCT. Operation of the MCT does not serve as a mitigating justification in the event of a fleet accident. While undertaking MCT operations, personnel shall maintain a conscious awareness of their surroundings, remain alert to potential hazards, and practice safe tactics.
- b. Officers are responsible for operating a police vehicle in a safe manner at all times. If the safe operation of the vehicle is impaired by viewing, sending, or reading of the MCT screen during heavy traffic, school zones, adverse weather conditions, complex or multiple inquiries, etc. officers should attempt to move to a safe location and stop the vehicle to use the MCT.
 - i. Officers are encouraged to use one button or one touch responses while the vehicle is in motion unless exigent circumstances exist.
 - ii. These procedures do not strictly prohibit officers actively engaged in an undercover capacity from using mobile devices when such limitations may prove impractical or place the officer in danger.

LANCASTER POLICE DEPARTMENT
GENERAL ORDERS MANUAL

<i>Effective Date</i> August 26, 2015	<i>Amended Date</i> July 5, 2017	<i>Directive</i> 7.26.1
<i>Subject</i> MCT and Cell Phone Use		

- c. Instructions regarding functional operation of the MCT shall not be made by voice radio. This refers to "how to" information, such as how to log on or how to run inquiries, and also to the list of commands of operating the MCT. This is to prevent unauthorized persons from gaining working knowledge of the computer system.
- d. Personnel are charged with the responsibility of maintaining security of their password and may not divulge their password to another person. An individual's assigned password may not be used by another user. An exception would be in a two-officer unit where the secondary officer uses the MCT that the primary officer has signed on.
- e. Personnel are responsible for signing on at the beginning of their tour of duty and signing off at the conclusion of their tour of duty. The MCT will remain on during the officer's tour of duty.

B. MESSAGING

- 1. All rules and laws that govern radio transmissions are applicable during MCT operations. Departmental directives, policies, and procedures that contain applicable TCIC/NCIC guidelines apply to the operation of the information obtained by operation of the MCT is maintained as confidential information in accordance with the law. Care should be taken to ensure data displayed on an MCT is protected from unauthorized viewing.
- 2. Transmissions of data by MCT will be limited to that data which can be described as official in nature.
- 3. Queries made through the MCT will be limited to those pursuant to a lawful police function and for criminal justice purposes only.
- 4. There is **NO EXPECTATION OF PRIVACY** concerning sending or receiving messages via the CAD/MCT system.
- 5. MCT messages are recorded and may be retained as official records of the department. Inappropriate use of the MCT is prohibited. Periodic random audits of MCT messages by the Information Technology Department or Police Supervisors will occur to ensure compliance with this directive.
 - a. All MCT transmissions should be considered in the public domain and should be of a professional nature and acceptable as radio traffic on normal channels.
 - i. Employees shall not create messages on any computer on city premises or in city vehicles that could be considered obscene, derogatory, racially insensitive, demeaning or sexual.
 - ii. Employees shall have no expectation of privacy for information contained on any city owned computers on city premises or in city vehicles. Any computer system security feature such as passwords or message delete functions do not affect the right of supervisors, the System Administrator, or the Chief of Police to access information at any time for business purposes. When requested by a supervisor in their chain of

**LANCASTER POLICE DEPARTMENT
GENERAL ORDERS MANUAL**

<i>Effective Date</i> August 26, 2015	<i>Amended Date</i> July 5, 2017	<i>Directive</i> 7.26.1
<i>Subject</i> MCT and Cell Phone Use		

command, an employee shall disclose any password or codes necessary to access their computer.

C. CELL PHONE USE

1. While the vehicle is in motion, officers are encouraged to use discretion when using a cell phone regardless if it is owned by the employee or the city. Employees are encouraged to use hands free technology whenever possible or have frequently called numbers pre-programmed into the device: however, employees shall remove any cellular hands free devices such as headsets, Bluetooth, ear buds etc. during contact with the public.
2. Text messaging, posting blogs or tweets while operating a city vehicle is prohibited whether on or off duty.

D. SCOPE OF RESPONSIBILITY

1. All members of the department shall know and comply with all aspects of this directive.
2. All Division Commanders and supervisory personnel are responsible for ensuring compliance with the provisions and intent of this directive.