

	LANE COUNTY SHERIFF'S OFFICE POLICY	Number: G.O. 5.10
		Issue Date: March 21, 2005
		Revision Date: March 2, 2015; June 21, 2017
CHAPTER: Fiscal Management and Agency-owned Property		Related Policy: APM Chapter 1, Section 22; G.O. 5.09 Use of Computers
SUBJECT: Use of Cell and Landline Telephones		Related Laws: State v Ortiz 2009-NMCA-092

POLICY: Cellular and landline telephones are provided to employees to enable them to more effectively communicate and facilitate the performance of their duties in providing public safety services to the public.

RULE:

1. Cellular and landline telephones shall only be used in accordance with procedures detailed in this General Order.
2. Only County owned devices or those with a County Stipend will have access to County systems and these devices will have Mobile Device Management (MDM) installed on them by Lane County Information Services.

PROCEDURE:

I. General Purposes

- A. The use of cellular telephones and the associated cost require reasonable controls to regulate their use.
- B. Cellular telephones are intended to supplement, not replace, traditional modes of communication. The main advantages to issuing cellular telephones by the Office are to:
 1. Enhance communication between employees and the public;
 2. Facilitate communication between employees and dispatch;
 3. Provide a means for communication between deputies in the field when regular landline telephones are unavailable and when radio communication is not practical or appropriate.
- C. Cellular telephones must be kept in a protective case. The Sheriff's Office will provide a protective case for the employee to use.

1. The outward appearance of the protective case will not be modified from its original condition.
2. If an employee desires a different style of protective case, the employee is responsible for purchasing the protective case. The protective case must provide the same level of protection as the Sheriff's Office issued protective case and be approved by the division commander.
3. If employees purchase their own protective case, the Sheriff's Office will not provide replacement or reimbursement if the protective case becomes damaged.
4. The protective case must be professional in appearance and "themed" cases are prohibited.
 - i. Examples of "themed" cases are sports team or cartoon characters.

II. Business Use of Cellular Telephones

- A. Cellular telephone use is restricted to Sheriff's Office business that needs to be conducted at a remote or mobile location. Landline telephones and radio communications are to be used whenever feasible.
- B. Cellular telephones operate through radio transmission and are susceptible to monitoring. Transmittal of sensitive information shall be weighed against the need for expediency.
- C. To minimize costs, Sheriff's Office members are to ensure that the duration of cellular telephone conversations are as brief as possible.
- D. Calls from one Sheriff's Office cellular telephone to another are allowed, but are to be limited to calls where other options are not available or are not appropriate.
- E. The exceptional circumstance where employees need to notify family members of an unscheduled assignment shall be considered a business use.
- F. Use of the internet via cellular phone must be business related and adhere to Sheriff's Office policy regarding computer use.
- G. Any application that is downloaded, stored or used on a cellular phone must have a legitimate business purpose.

II. Personal Use of Cellular Phones

- A. Cellular telephones shall not be used for placing or receiving personal telephone calls.

An exception to this prohibition may be granted by a supervisor who may authorize an employee to use a Sheriff's Office cell phone to deal with the immediacy of a family emergency (serious illness, injury, death, missing child, etc.) requiring immediate action by an employee.

- B. Telephone calls to conduct LCPOA or AFSCME business are considered personal calls. Exceptions are limited to response to emergency situations and telephone contact with Sheriff's Office supervisors and managers.

III. Landline Telephones

- A. Landline telephones are provided for official Sheriff's Office business use. Limited personal use is allowed when necessary as long as there is no interference with official duties.
- B. Employees shall not incur any expense to the Sheriff's Office through personal use of telephones for long distance, directory assistance, or any other uses.
- C. Personal long distance calls placed by using a personal calling card/credit card or by other means that do not result in any charges to the Sheriff's Office are permitted.

IV. Stipend

- A. Use of employee owned wireless telephone for county business may be reimbursed with Department Director authorization. The amount shall be determined by the county.
- B. If a stipend is authorized the county may publish personal wireless phone numbers and/or e-mail address as needed.
- C. Records of calls made or received on a wireless phone for which the stipend is received may be subject to public records law.
- D. A new request and approval must be submitted each July 1. Failure to submit a request and approval to Financial Services will result in no payment of stipend.
- E. Wireless phone for which stipend is received must follow the parameters set forth in APM Chapter 1 Section 22.

(Notice: Records of personal wireless telephones that are not subject to stipend, if on your person during working hours may potentially be subject to subpoena and/or disclosure via court order in criminal and civil cases.)