



# SOUTH MIAMI POLICE DEPARTMENT

<b>GENERAL ORDER NUMBER:</b> 12.3	<b>DATE OF ISSUE:</b> July 31, 2011	<b>EFFECTIVE DATE:</b> May 14, 2014	<b>NUMBER OF PAGES:</b> 02
<b>CFA STANDARD:</b> 11 <b>SUBJECT:</b> <i>Disciplinary Procedures - CONDUCT, CELLULAR PHONES</i>	<b>NEW (X) RESCINDS (X)</b>  <b>AMENDS ( ) OTHER ( )</b>	<b>By Order Of:</b>    <b>Rene Landa, CHIEF OF POLICE</b>	

**CFA STANDARDS:** 11.01M, 11.02M

**SECTIONS:**

- 12.3.1 Cellular Phones**
- 12.3.2 Other Electronics**
- 12.3.3 Investigations Relative to Usage**

**RESCINDS:** Any other existing orders in conflict.

**PURPOSE:** To establish departmental policy and provide guidelines governing the behavior, and conduct of police department members; to establish a departmental standard for control of cellular phone usage. A departmental goal is to maintain professional standards of conduct for employees while remaining responsive to the citizens of the City of South Miami.

**SCOPE:** All departmental personnel.

**POLICY:** The philosophy of the department is to control cellular phone usage by uniform members assigned to the Uniform Patrol Division. Disciplinary action may be appropriate to rectify improper action or pronounced deviation from departmental directives.

**DEFINITIONS:**

**Disciplinary Action:** Initiated and recommended by a supervisor when positive corrective measures designed to train or effect behavior changes are unsuccessful in attaining satisfactory employee job performance. Also, action initiated when an employee commits a pronounced deviation regarding a directive, City ordinance, or law.

**Law Enforcement Officers' Bill of Rights:** Supervisors shall be aware of the content and applicability of the Law Enforcement Officers' Bill of Rights (F.S.S. 112) and adhere to its conditions.

**Violations:** Supervisors will cite a specific law, county or City directive, rule, order, policy or procedure when coaching or counseling an employee or initiating disciplinary action.

## **PROCEDURE:**

### **12.3.1 Cellular Phones**

- A. Members shall refrain from excessive cell phone usage or extended conversations while on duty. Negative perceptions are detrimental to the department and lack of citizen confidence when citizens see what they perceive as police officers having non-business related conversations while on patrol.
- B. Conversations with Supervisors, Dispatchers, Detectives, other Officers, State Attorneys, tow companies, MDPD units (such as warrants, ID, homicide, &c.) are necessary and are allowed.
- C. Emergency calls of a personal nature are allowed, but should be short and not made where the public can overhear or in public view.
- D. Violation of this section may result in disciplinary action.

### **12.3.2 Other Electronics**

- A. Recreational electronics such as personal computers, "iPods" or other communications devices should not be used in the public view or while on patrol, unless these devices are Departmentally issued or necessary to an investigation.

### **12.3.3 Investigations Relative to Usage**

- A. When questioned by a superior officer as to the content or nature of phone calls, members shall answer truthfully and completely, whether verbally or in writing.
- B. Members may be represented during such questioning, or may seek counsel prior to giving a verbal or written statement, as indicated in the Collective Bargaining Agreement between the City of South Miami and the Miami-Dade Police Benevolent Association, when questioning may result in discipline, per the Law Enforcement Officer's Bill of Rights (F.S.S. 112).
- C. Violation of this section may result in disciplinary action, up to and including termination.