



HOWARD COUNTY DEPARTMENT OF POLICE

# GENERAL ORDER ADM-41 SMART PHONE PROCEDURES

EFFECTIVE AUGUST 30, 2022

This General Order contains the following numbered sections:

- I. POLICY
- II. DEFINITIONS
- III. RESPONSIBILITIES
- IV. ACCESS, REVIEW, AND USE
- V. RETENTION AND RELEASE OF DATA

## **I. POLICY**

The Howard County Department of Police (HCPD) shall utilize smart phone devices to assist officers and appropriate civilian staff in the support of investigative, operational, and administrative missions. All sworn officers shall be issued a Smart Phone for use as their Departmental camera. This policy is not applicable for covert operations or for specific sections designated by the Chief of Police.

## **II. DEFINITIONS**

- A. Authorized Applications: Applications approved by the Department to be installed onto the Smart Phone. Installation or use of unauthorized applications are strictly prohibited.
- B. Digital Evidence: Any record of a digital file from an electronic source. This includes video, audio, and photographic, and its associated metadata.
- C. Smart Phone: A departmentally issued mobile computer device enabled with cellular connection, internet access, and an operating system capable of running downloaded applications.

## **III. RESPONSIBILITIES**

- A. All sworn members shall be issued a Smart Phone for use as their Departmental camera and shall utilize the Smart Phone in accordance with General Order ADM-67, Evidence.com.
- B. The Body Worn Camera Division shall be responsible for the distribution, training, and maintenance of all Smart Phones.
- C. The Information Management Division shall be responsible for responding to Freedom of Information Act (FOIA) requests, Maryland Public Information Act (MPIA) requests, and subpoenas in compliance with all federal, state, and local laws regarding public record release.
- D. The Body Worn Camera Division may conduct random administrative security checks of Smart Phones to ensure compliance with all necessary security procedures.
- E. The Internal Affairs Division may review Smart Phone data to ensure compliance with General Order ADM-40, Computer Operations, and the use of Communications Systems section of the Howard County Employee Handbook.
- F. Members shall surrender their Smart Phone upon request in accordance with this policy for inspection, maintenance, and/or HCPD records retrieval.
- G. Officers issued Body Worn Cameras shall utilize their Smart Phone in conjunction with their BWC devices. Reference General Order ADM-31, Body Worn Cameras.
- H. The safe operation of a police vehicle shall always be the driver's primary responsibility. Collisions involving the use of the Smart Phone will be handled through the Department's disciplinary process. Reference General Order ADM-02, Internal Investigations.

- I. Damage to the Smart Phone shall be reported in a timely manner in accordance with General Order ADM-48, Line Inspections and Equipment Protocols.
- J. Supervisors shall perform monthly inspections in compliance with General Order ADM-67, Evidence.com.


**IV. ACCESS, REVIEW, AND USE**

- A. All electronic data stored on, sent from, or received by the Smart Phone shall be the property of the HCPD and may be disclosable in criminal and civil discovery, or pursuant to subpoena, court order, the Freedom of Information Act (FOIA), or the Maryland Public Information Act (MPIA), where applicable.
- B. Members shall only utilize the Smart Phone for official law enforcement purposes consistent with HCPD training, County guidelines, and HCPD policy.
- C. Any unauthorized attempts by any member to gain access to another member's Smart Phone is strictly prohibited.
- D. Sharing of all Digital Evidence shall be in compliance with General Order ADM-67, Evidence.com.
- E. This policy does not prohibit the Forensic Sciences Division and decentralized mobile examiners from transmitting data to and from authorized entities.
- F. Text Messages shall be handled in accordance with General Order ADM-67, Evidence.com.
- G. Digital Evidence
  - 1. Members shall use the Axon Capture application to take photographs, video recordings, and/or audio recordings.
  - 2. All data recorded shall be uploaded through the Axon Capture application into Evidence.com in accordance with General Order ADM-67, Evidence.com.
- H. Members may be issued cards that grant access to the Government Emergency Telecommunications Systems (GETS). GETS is a U.S. Homeland Security program that prioritizes calls over phone networks. Members may only utilize GETS for official business and during an emergency when normal calling methods are unsuccessful due to network congestion or a compromised infrastructure.

**V. RETENTION AND RELEASE OF DATA**

- A. Members shall not edit, alter, erase, duplicate, copy, or share Smart Phone data outside of HCPD unless authorized by General Order ADM-67, Evidence.com.
- B. Retention of Smart Phone data shall comply with the Retention Periods set forth in General Order ADM-67, Evidence.com

AUTHORITY:

  
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Gregory J. Der  
Chief of Police