



POLICY STATEMENT
Commonwealth of Pennsylvania • Department of Corrections

Policy Subject: Social Media		Policy Number: 1.1.8
Date of Issue: February 4, 2011	Authority: Signature on File John E. Wetzel	Effective Date: February 11, 2011

I. AUTHORITY

The Authority of the Secretary of Corrections to direct the operation of the Department of Corrections is established by Sections 201, 206, 506, and 901-B of the Administrative Code of 1929, 71 P.S. §§61, 66, 186, and 310-1, Act of April 9, 1929, P.L. 177, No. 175, as amended.

II. APPLICABILITY

This policy is applicable to all facilities operated under the jurisdiction of, or conducting business with the Department of Corrections.

III. POLICY

Social networks and blogs are an increasingly popular means of communication on the Internet. These sites include, but are not limited to, Facebook, MySpace, Flickr, Twitter, YouTube, as well as personal websites and blogs. These sites enable users to communicate in a public forum and/or share content on the World Wide Web. This policy outlines the use of these services by Department employees.

IV. PROCEDURES

All applicable procedures are contained in the procedures manual that accompanies this policy document.

V. SUSPENSION DURING AN EMERGENCY

In an emergency or extended disruption of normal facility operation, the Secretary/designee may suspend any provision or section of this policy for a specific period.

VI. RIGHTS UNDER THIS POLICY

This policy does not create rights in any person nor should it be interpreted or applied in such a manner as to abridge the rights of any individual. This policy should be interpreted to have sufficient flexibility to be consistent with law and to permit the accomplishment of the purpose(s) of the policies of the Department of Corrections.

VII. RELEASE OF INFORMATION AND DISSEMINATION OF POLICY

A. Release of Information

1. Policy

This policy document is public information and may be released upon request.

2. Confidential Procedures (if applicable)

Confidential procedures for this document, if any, are not public information and may not be released in its entirety or in part, without the approval of the Secretary of Corrections/designee. Confidential procedures may be released to any Department of Corrections employee on an as needed basis.

B. Distribution of Policy

1. General Distribution

The Department of Corrections' policy and procedures shall be distributed to the members of the Central Office Executive Staff, all Facility Managers, and Community Corrections Regional Directors on a routine basis. Distribution of confidential procedures to other individuals and/or agencies is subject to the approval of the Secretary of Corrections/designee.

2. Distribution to Staff

It is the responsibility of those individuals receiving policies and procedures, as indicated in the "General Distribution" section above, to ensure that each employee expected or required to perform the necessary procedures/duties is issued a copy of the policy and procedures either in hard copy or via email, whichever is most appropriate.

VIII. SUPERSEDED POLICY AND CROSS REFERENCE

A. Superseded Policy

1. Department Policy

This document establishes policy on this subject.

2. Facility Policy and Procedures

This document supersedes all facility policy and procedures on this subject.

B. Cross Reference(s)

1. Administrative Manuals

2.3.1, Information Technology

2. ACA Standards

a. Administration of Correctional Agencies: None

b. Adult Correctional Institutions: None

c. Adult Community Residential Services: None

d. Correctional Training Academies: None

3. Other

a. Management Directive 205.34, Commonwealth of Pennsylvania Information Technology Acceptable Use Policy

b. Management Directive 205.40, Commonwealth Branding and Social Networking



PROCEDURES MANUAL
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Release of Information:

Policy Document: This policy document is public information and may be released upon request.

Procedures Manual: The procedures manual for this policy may be released in its entirety or in part, with the prior approval of the Secretary/designee. Unless prior approval of the Secretary/designee has been obtained, this manual or parts thereof may be released to any Department employee on an as needed basis only.

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Section 1 – General Procedures

A. An Employee Acting as an Agency Representative

1. Use of social media on behalf of the Department is restricted to only the Secretary of Corrections and the Department's Press Secretary or a designee explicitly designated by the Secretary or the Department's Press Secretary ("authorized users").
2. When using social media on behalf of the Department, the authorized user must:
 - a. indicate his/her position within the Department and that he/she represents the Department of Corrections;
 - b. not disclose any Department material unless specifically authorized to do so by the Department's authorized user(s) and/or the Governor's Office of Press and Communications;
 - c. follow the Administration's position on issues applicable to each Department at all times;
 - d. be mindful of intellectual property and confidentiality considerations;
 - e. only use Commonwealth approved social media sites; and
 - f. not comment on litigation, legal matters or personnel or security issues.
3. Subject to the above, an authorized user may use social media in furtherance of the Department's communication strategy.
4. An employee who is not an authorized user and who uses social media in a manner that would indicate that he/she represents or is acting on behalf of the Department shall be subject to appropriate disciplinary action, up to and including termination.

B. An Employee Using Commonwealth Resources

1. As described in **Subsection A. above** only an authorized user is allowed to use social media on behalf of the Department or any other Commonwealth agency. A Commonwealth employee who uses Commonwealth IT resources (i.e., Commonwealth computers, blackberries, e-mail accounts, etc.) to use or access social media are also subject to the restrictions set forth in **Management Directive 205.34, Commonwealth of Pennsylvania Information Technology Acceptable Use Policy**. MD 205.34 is available at the Office of Administration's website at www.oa.state.pa.us.
2. A Department employee who uses Commonwealth information technology resources should be aware that every record of computer use, including, records of internet activity and/or E-mail communication (sent, received, or stored), temporary documents and files,

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cookies, and other metadata information, conducted on Commonwealth IT resources are the property of the Commonwealth and is subject to access by appropriate Commonwealth staff at any time. In addition, the employee should review and be familiar with the terms and conditions of applicable Department Internet Use Agreements in accordance with Department policy **2.3.1, “Information Technology.”**

3. An employee who misuses Commonwealth IT resources by inappropriately accessing or using social media shall be subject to disciplinary action, up to and including termination. Such misuse includes, but is not limited to:
 - a. using Commonwealth IT resources to post information on social media sites in a manner that indicates that the employee is an Agency Representative, or that the post is sanctioned by the Department, when in fact the employee lacks appropriate authorization to make such posts; or
 - b. accessing and posting to social media sites with Commonwealth IT resources, when such activity is not related to the employee’s job responsibilities.

C. An Employee Acting in a Private Capacity Using Private Resources

1. Given the nature of corrections work, a Department employee may choose not to refer to his/her employment when using social media in his/her personal life. However, if an employee chooses to refer to his/her employment when using social media in a private capacity, the employee must make clear that his/her activity is as a private individual and not as a representative of the Commonwealth of Pennsylvania, the Department, or a facility, bureau or office thereof. A statement such as the following, located in a prominent position, would be an appropriate disclaimer [bracketed language should be modified to each individual’s particular use]:

This site [blog, account, etc.] is operated by [insert name of employee] as a private individual and not as a representative of the Commonwealth of Pennsylvania, the Department of Corrections, or any facility, bureau or office thereof. None of the statements, representations, viewpoints, images or other media contained herein has been sanctioned, approved or endorsed by the Commonwealth or the Department. Nothing contained herein should be deemed to represent the official views of the Commonwealth or the Department.

2. Material posted on a social network can be viewed by the public and misconstrued to represent the official position of the Department. Therefore, an employee must take every precaution to ensure that his/her activity in a social media forum does not lead the public to reasonably believe that the employee is acting on behalf of the Department.
3. At no time shall a Department employee acting in his/her private capacity engage in the following activities in any social media networks, personal web pages or blogs:
 - a. use of any language that would lead a viewer to believe the social media site is operated by the Department, or a facility, bureau or office thereof; or

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- b. use of any image or photograph of images that belong to the Department, such as:
 - (1) Department shoulder patch (past or present);
 - (2) Department Official Logo or Coat of Arms, etc.;
 - (3) photos or any Department building, facility, or grounds;
 - (4) any image of an inmate (with or without permission);
 - (5) use of any material for which the Department holds a copyright, trademark, patent or other intellectual property right.
4. Even when a Department employee uses a disclaimer, such as the one listed in **Subsection C.1. above**, every employee, by virtue of his/her Department employment, continues to have an ethical obligation that applies to his/her personal activity, i.e., when he/she is not at work or using any Commonwealth resources.
5. Even if an employee has disclaimed association with the Department when using social media, the employee must not be engaged in activity that violates the Department's Code of Ethics, any Department policy, Commonwealth Management Directive, the Governor's Code of Conduct, or any other applicable directive, regulation and/or law(s) of the Commonwealth. A violation shall subject an employee to appropriate discipline, including, when applicable, termination.
6. Applicable directives include restrictions on dissemination of information obtained through the course of Commonwealth employment (the Governor's Code of Conduct, Executive Order 1980-18 (as amended) and the Department's Code of Ethics, Section A-5). An employee must refrain from divulging any confidential or non-public information obtained by virtue of his/her employment. Confidential information includes, but is not limited to, inmate or employee medical, mental health or treatment information, criminal history record information, security and intelligence information, investigative information, operational concerns, confidential policies, legal advice, prison layout, photographs of the prison or training sessions conducted on or off facility grounds, etc. Posting of such information on a social media site is especially dangerous because any comment, photograph, or other material posted in social media often will be permanently available to the public and able to be reproduced in other media. An employee who posts or shares such information in social media shall be subject to appropriate discipline.
7. A Department employee is expected to conduct himself/herself in such a manner as to demonstrate the public's trust and confidence inherent in his/her position as a public servant, even during off-duty hours (Department's Code of Ethics Section B-23). A Department employee must refrain from posting comments in social media that discredit his/her profession, discredit the Department or disparage his/her position as a public servant. A social media site is not an appropriate forum for airing internal workplace grievances, including, complaints about any inmate, coworker, or supervisor, or otherwise

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discrediting the public service offered by the Department. To the extent that a Department employee uses social media in a way that discredits his/her profession, responsibilities, the Department or public service at large, he/she shall be subject to appropriate discipline.

8. The Governor's Office has issued **Management Directive 205.40, Commonwealth Branding and Social Networking**. This policy supplements that Management Directive. This policy does not nullify a Department employee's responsibility to read and abide by all of the terms of **MD 205.40**. This policy incorporates **MD 205.40** by reference. **MD 205.40** is available at the Office of Administration's website at www.oa.state.pa.us.