DEPARTMENT OF CORRECTIONS

Policy Number: 103.222
Title: Communication Outside the Department
Effective Date: 6/19/18

PURPOSE: To outline the rights and obligations of department employees regarding their verbal or written communications outside the department, and to maintain department credibility in dealings and communications with the public, the legislature, and other governmental bodies. This policy does not prohibit an individual's right to free expression. Department employees assigned to present information regarding department policies or positions must do so in a manner consistent with those department policies and positions. Employees must not knowingly misrepresent department policy or positions or the facts on which they are based. An employee must not knowingly express a personal opinion that may be construed as an official position without first clearly communicating that, as a personal opinion, it does not reflect the department's policy or position.

APPLICABILITY: All department employees

DEFINITIONS: None

PROCEDURES:

A. Presenting personal opinion

1. Employees desiring to formally present personal opinions, verbally or in writing, that differ from department policies or positions may do so on their own time.

2. When formally presenting personal statements, the employee must identify the statements as personal opinion.

3. When formally presenting personal statements, employees may not be in uniform and may not travel at state expense, print their presentations on department letterhead, or in any other way create the impression that they are acting in an official capacity and/or representing the DOC.

4. An employee desiring to present personal opinions, statements, or documents to a member of the media or an elected official must consult with the communications office or government relations office (as appropriate) if the employee is uncertain whether the contact may be perceived as representing the department.

5. The communications office retains electronic documentation of notable requests and incidents.

B. Conflicting official and personal views:

1. Employees who are assigned to present department policies or positions that conflict with their personal views and opinions may request to be relieved of such assignments.

2. If such conflicts repeatedly occur, employees may be transferred or reassigned, in accordance with applicable labor agreements or plans.

C. Protected information:

1. Employees must not reveal or use any information protected by the Minnesota Government Data Practices Act, the State Employee Code of Ethics, or any other law governing the release and use of information.

2. This provision, however, must not be construed to restrict the revelation of impropriety or wrongdoing by any state employee.

D. Personal social media use

1. Personal use, by a DOC employee, of social media sites is done so at the employee's discretion.

2. The DOC does not monitor employee personal use of social media.
   a) However, the DOC may investigate and take responsive action when it becomes aware of, or suspects conduct or communication on a social media site that adversely impacts the DOC and/or violates applicable department policies.

   b) Employees are prohibited from posting DOC information considered private, confidential, nonpublic or protected nonpublic (per Minn. Stat. Ch. 13) on a personal social media site or on a DOC social media site.

3. Views expressed on a public social media site are the employee's own and do not necessarily reflect the views of the DOC, and may not be made (or implied) as official representations on behalf of the department.

INTERNAL CONTROLS:

A. The communications office retains electronic documentation of notable requests and incidents.

ACA STANDARDS: None

REFERENCES: Policy 103.220, "Personal Code of Conduct of Employees"
Minn. Stat. §§ 43A.38; 13.01; 241.01

REPLACES: Policy 103.222, "Communication Outside the Department," 8/2/16.
Procedure D of Policy 105.210, "Department Websites and Social Media," 8/2/16.
All facility policies, memos, or other communications whether verbal, written, or transmitted by electronic means regarding this topic.

ATTACHMENTS: None

APPROVALS:
Deputy Commissioner, Facility Services
Deputy Commissioner, Community Services
Assistant Commissioner, Facility Services
Assistant Commissioner, Operations Support