

Commonwealth of Pennsylvania  Pennsylvania Parole Board	Volume III Chapter 1 Procedure 01.04.03	Date Revised: 06.15.2020
Chapter Title GENERAL, POLICY, ACCREDITATION		Date of Issue: 11.22.2016
Subject SOCIAL MEDIA		Effective Date: 12.01.2016 PUBLIC

I. AUTHORITY

The Chairman of the Parole Board is granted the authority to “direct the operations of the Parole Board and fulfill the functions established by the act...including organizing, staffing, controlling, directing, and administering the work of the staff.”¹

II. PURPOSE

The purpose of this procedure is to establish procedure for the usage of social media by Parole Board staff who are 1) acting as an agency representative 2) using commonwealth resources 3) acting in private capacity using private resources.

III. APPLICABILITY

This procedure is applicable to all Parole Board staff.

IV. DEFINITIONS

Social Media: A group of internet-based applications that allow the creation and exchange of user-generated content. Social media uses mobile and web-based technologies to create platforms for individuals, communities, and organizations to share, create, and discuss user-generated content. Examples of social media include, but are not limited to: Facebook, Twitter, Instagram, LinkedIn, Snapchat, YouTube, and Google+, as well as personal websites and blogs.

V. POLICY

It shall be the policy of the Parole Board that all Parole Board staff who use social media do so in a manner that does not conflict with this policy, in conjunction with the Parole Board’s Code of Conduct, as well as, the Governor’s Office MD 205.40.

VI. PROCEDURE

A. Policy/Procedure Management Coordination

¹ Act of 1941, P.L. 861, No. 323 § 3 as amended Oct. 9, 1986, P.L. 1424, No. 134.

The Parole Board has an established social media presence with, but not limited to, Facebook and Twitter. The Special Assistant (Communications/Digital/Press) will monitor and control the Parole Board's official social media accounts. The Chairman and Special Assistant will have final determination regarding all social media posts and administrators.

B. An Employee Acting as an Agency Representative

1. When using social media on behalf of the Parole Board, authorized user(s) must:
 - a. Not disclose any board material unless specifically authorized to do so by the Parole Board's authorized user(s) and/or the Governor's Office of Communications;
 - b. Follow the administration's position on issues applicable to each agency at all times;
 - c. Be mindful of the intellectual property and confidentiality considerations;
 - d. Only use commonwealth approved social media sites; and
 - e. Not comment on litigation, legal matters, personnel or security issues.
2. Subject to the above, authorized user(s) may use social media in furtherance of the Parole Board's communication strategy.
3. 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 Parole Board shall be subject to appropriate disciplinary action, up to and including termination.

C. An Employee Using Commonwealth Resources

1. Only authorized users as described in Section A may officially use social media during work hours on behalf of the Parole Board.
2. A Parole Board employee who uses commonwealth information technology resources should be aware that every record of computer use, including records of internet activity, and/or Email communication (sent, received, or stored), temporary documents and files, and other metadata information, conducted on commonwealth IT resources are property of the commonwealth staff at any time.
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 included, 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 Parole Board, 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.

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

1. 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 Parole Board or an office, bureau or division within the Parole Board.

A statement such as the following, located in a prominent position, would be an appropriate disclaimer. [Bracketed language should be modified to an individual's user.]

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

2. Material(s) posted on a social network can be viewed by the public and misconstrued to represent the official position of the Parole Board. 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 Parole Board.
3. At no time shall a Parole Board 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 Parole Board or an office, bureau or division within the Parole Board; or
 - b. Use of any image or photograph of images that belong to the Parole Board or the commonwealth, such as:
 - 1) The Parole Board's official logo
 - 2) Equipment issued by the Parole Board used in conjunction with job functions including, but not limited to: the parole agent badge, Taser, gun, handcuffs, etc.
 - 3) Any photo of any of the Parole Board's offices
 - 4) Any images of the parolee (with or without permission)
 - 5) Use of any material for which the Parole Board holds a copyright, trademark, patent or other intellectual property right.
4. Even when a Parole Board employee uses a disclaimer, such as the one listed in Subsection C.1., every employee, by virtue of his/her Parole Board 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 a Parole Board employee has disclaimed association with the Parole Board when using social media, the employee must not be engaged in activity that violates the Parole Board's Code of Conduct, any Parole Board policy, Commonwealth Management Directive, the Governor's Code of Conduct, or any other applicable directive, regulation and/or law(s) of the commonwealth.

6. A Parole Board 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: parolee or employee medical, mental health or treatment/programming information, criminal history, confidential policies, legal advice, etc. Posting of such information on social media is especially dangerous as it may be permanently available to the public and reproduced by the media. An employee who posts or shares such information on social media shall be subject to appropriate discipline, up to and including termination.
7. Pursuant to the Parole Board's Code of Conduct, a Parole Board employee must conduct himself/herself in such a manner as to demonstrate the public's trust and confidence inherent in his/her position as a public service employee, even during off-duty hours. A Parole Board employee must refrain from posting comments in social media that discredit his/her profession, discredit the Parole Board or disparage his/her position as a public service employee. A social media site is not an appropriate forum for airing internal workplace grievances, including complaints about any parolee, coworker or supervisor or otherwise discrediting the public service performed by the Parole Board. To the extent a Parole Board employee uses social media in a way that discredits his/her profession, responsibilities, the Parole Board or public service at large, he/she shall be subject to appropriate discipline, up to and including termination.
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 Parole Board employee's responsibility to read and abide by all of the terms of M.D. 205.40. This policy incorporates M.D. 205.40 by reference. M.D. 205.40 is available at the Office of Administration's website at www.oa.pa.gov.

VII. SUSPENSION DURING AN EMERGENCY

This procedure may be suspended during an emergency at the sole discretion of the Parole Board Chairman.

VIII. RIGHTS UNDER THIS PROCEDURE

This procedure creates no right under the law

IX. RELEASE OF INFORMATION AND DISTRIBUTION OF PROCEDURE

- A. This procedure does not contain information that impact the security of Parole Board staff or parolees and may therefore be released to the public.
- B. This procedure is to be distributed to all Parole Board staff.

X. CROSS REFERENCES

- A. Statutes

1. Federal

None

2. State

None

B. Parole Board Policies

1.01.03 – Parole Board Code of Conduct

C. American Correctional Association

None

D. Management Directives

M.D. 205.40

E. Report of the Reentry Policy Council

None