

## 1.1.C.12 Staff Use of State Computers

### I Policy Index:



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**Office of Primary Responsibility:** DOC Administration

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### II Policy:

Staff members will use state computers at their disposal in an appropriate manner and adhere to all state policies governing the use of state computers.

### III Definitions:

#### **Staff Member:**

For the purposes of this policy, a staff member is any person employed by the Department of Corrections (DOC), full or part time, including an individual under contract assigned to the DOC, an employee of another State agency assigned to the DOC, authorized volunteers and student interns.

#### **Offender:**

For the purpose of this policy, an offender is an inmate (in the custody of the DOC institutional system), a parolee (under parole or suspended sentence supervision by South Dakota Parole Services) or a juvenile (either in DOC placement, including private placement, or aftercare).

#### **Hardware:**

The physical components of a computer or computer system; i.e. keyboard, monitor, printer, etc.

#### **Software:**

Machine/computer-readable instructions that direct the computer's processor to perform specific operations. Software includes programs, libraries and their associated documentation. All software used by state computers is owned or leased by the state.

#### **On-Line System:**

Any mainframe or client/file server application which can be accessed using a computer or computer like device.

#### **Data Storage Device:**

Any removable, rewritable CD, DVD, Universal Serial Bus (USB), flash drive, zip drive, thumb drive or similarly constructed/intended device used to store data.

**Computer:**

A programmable electronic device designed to store, retrieve and process data, perform prescribed mathematical and logical operations, and display the results of these operations. Mainframes, desktop and laptop computers, tablets, and smart phones are some examples of a computer.

**Fundraising:**

The act of seeking donations of money, products, goods and/or services for the benefit of an individual, group, organization or the Department of Corrections.

**IV Procedures:****1. Approved Use of State Computers:**

- A. Use of a state computer, including all related hardware and software, is generally limited to official state business.
  - 1. Reasonable and appropriate personal communications are allowed through the state's e-mail system (See Bureau of Human Resources (BHR) [Technology Use Policy](#)).
  - 2. If a staff member is in doubt about the appropriateness of using the state's e-mail system and/or state computer for personal communication/personal use, the staff member should refrain from doing so and consult their supervisor.
- B. A staff member may download software or applications not on the Bureau of Information and Telecommunications (BIT) standard inventory only with prior approval from authorized BIT staff.
  - 1. The software must pertain to the staff member's official work duties.
  - 2. The staff member or DOC Data Systems Manager will ensure the software is properly licensed and registered.
  - 3. Downloaded software or applications will only be used or accessed in accordance with the provisions of the license/agreement or contract and is subject to all applicable copyright laws.
- C. Staff is not permitted to install personal or non-state owned hardware or software on state computers, workstations, servers or networks without approval from BIT. Installation of hardware and software onto state computing platforms is typically performed by BIT.
- D. Staff may utilize state computers to search the internet and Intranet to search and obtain information pertinent to his/her assigned duties, provided the information is in the public domain.
- E. Each staff member authorized to use a state computer or to access an on-line system of the DOC or data owned or kept by the DOC is responsible for the maintenance and security of their user ID and password(s). Such information will not be divulged to offenders or unauthorized individuals/parties.
  - 1. Staff will immediately change their computer log on password if they suspect the confidentiality of their password(s) has been compromised.
- F. Staff using a state computer or accessing an on-line system shall be responsible for the integrity of the information uploaded or entered and will not enter false information or abuse/misuse the information they obtain (See SDCL § [43-43B-1](#)).

## 2. Prohibited Use of State Computers:

- A. Computer games and unlicensed software are not permitted on state computers/software.
- B. The use of a state computer for the purpose of harassing, stalking or threatening another, or to further other inappropriate or offensive behavior(s) toward others on the basis of race, color, creed, religion, sex, ancestry, national origin, age, disability or other legally protected status or characteristic is strictly prohibited (See DOC policy 1.1.C.10 [Harassment](#)).
- C. Using a state computer to access sites that exhibit hate, bias, discrimination, libelous or otherwise defamatory content (this is not an inclusive list) except for investigative purposes or as part of a staff member's official duties is prohibited.
- D. Sexually explicit, lewd, obscene or pornographic material may not be accessed, displayed, archived, stored, distributed, edited or recorded through a state computer, except for investigative purposes or as part of a staff member's official duties.
- E. Staff members will not access the Internet from a state computer for the purposes of downloading entertainment software or games, or to play such games against an opponent(s) over the internet, or to engage in wagering/betting.
- F. Staff members will not use a state computer to knowingly download or distribute pirated software or data.
- G. Staff members will not use a state computer to knowingly distribute viruses/worms. Staff will not bypass any virus protection/detection system currently in place on a state computer.
- H. Staff members will not knowingly allow offenders access to a staff member's workstation/state computer, except as authorized by DOC policy 1.5.A.7 [Inmate Use of Computers](#). Offenders may not view or otherwise access sensitive data, which is defined as any information not available within the public domain.
  - 1. When unattended, staff workstations containing sensitive information must be logged off the network. This is accomplished by pressing <Ctrl> <Alt> <Delete> on the keyboard and pressing <enter> to lock the computer.
- I. Staff members will not download information originating from a DOC computer, network database, drive or file that contains personally identifiable information not in the public domain and if improperly disclosed, could be used to steal a person's identity, violate the individual's right to privacy or otherwise bring harm to the person without prior and proper authorization.
- J. Staff members will not use a state computer to engage in or conduct personal or private for profit business or to offer personal or private business services to others.
- K. Staff members will not use a state computer to engage in illegal activities or uses that are disruptive or harmful to the reputation and/or business of the state/DOC, or reflect unfavorably on the state/DOC, destroy confidence in the operation of state/DOC or adversely affect the public's trust in the state (See DOC policy 1.1.C.1 [Code of Ethics](#)).
- L. Staff will not use a state computer or state email to promote political or religious activities.

### **3. Use of State E-Mail for Fundraising:**

- A. Fundraising and/or solicitation (defined as seeking or requesting donations from a group or individual(s) by a staff member with the aid of state e-mail) must be pre-approved by the staff member's supervisor.
- B. Subject to approval, staff members may engage in fundraising or solicitation for approved charitable purposes during their own time (non-state hours). Exceptions may be granted for agency sanctioned activities such as United Way. Fundraising and/or solicitation using the state email system will be scheduled and conducted in a manner that does not interfere with or disrupt state business.
- C. The Warden, Superintendent, Director, Secretary of Corrections or designee must approve any fundraising or solicitation that includes email recipients outside of the state email system.
  - 1. Staff may be required to submit a draft of the fundraising email to the Warden, Superintendent, Director, Secretary or designee in advance of the email being sent.
  - 2. The total number of non-state email recipients will be pre-determined and provided to the Warden, Superintendent, Director, Secretary or designee prior to the fundraising email being sent.
- D. Fundraising for local charities will generally be confined to email users located within the local area. Exceptions may be granted on an individual basis.
- E. Fundraising using the state email system for staff or family members of staff must be pre-approved by the Warden, Superintendent, Director, Secretary or designee.
- F. All fundraising and solicitation conducted by staff using the state email system that directly or indirectly benefits the DOC or groups or organizations affiliated with the DOC will be consistent with the mission, vision and values of the DOC, applicable laws, and DOC policy.

### **4. DOC Website:**

- A. Anyone may view, copy or distribute information found on the DOC's website for personal or informational use without obligation to the DOC. Staff may direct the public, media, outside groups or other agencies to information stored and/or contained on the DOC website without seeking prior authorization from the DOC and/or their supervisor.
- B. The DOC makes no claim, promise or guarantee about the absolute accuracy, completeness or adequacy of the contents of its website and expressly disclaims liability for errors and omission in the contents of its website and makes no warranty regarding the completeness or accuracy of the information or data contained on its website.
- C. The DOC may make changes to information on its website at any time, including adding, removing, updating or correcting any information.

### **5. DOC and State Oversight:**

- A. The DOC and/or the State of South Dakota reserve the right to monitor and/or restrict a staff member's access to and/or use of a state computer. This includes using a state computer to access the Internet.

1. Examples of Internet sites that may be restricted include but is not limited to, those sites that promote inappropriate, offensive or illegal activity. This includes sites that contain pornography, personal/romantic relationship/dating services and wagering/betting/gambling.
  2. If a staff member purposefully or accidentally attempts to access an Internet site determined to be inappropriate, an email will be generated by BIT advising the user they have attempted to access a restricted site.
- B. The DOC and the State of South Dakota may inspect any and all files stored in public or private areas of the State's computers, networks.
1. Staff members have no expectation of privacy or confidentiality when using the state's network, computers, hardware or software, or while using state computer to access the Internet.
- C. Any software or files downloaded via the internet into the state's network or to any state computer becomes the property of the state.
- D. Staff will contact their supervisor or BIT representative regarding any damaged or broken computer hardware or infected software.
- E. Computers, computer hardware, laptops, tablets, etc. to be surplus, redistributed, or otherwise disposed of will be returned to the BIT Parts Center. BIT is responsible for ensuring any and all data has been removed from such devices.

## 6. Reporting Violations and Disciplinary Action:

- A. It is the responsibility of every staff member to promptly report any violations of this policy to their immediate supervisor.
- B. Violations of this policy by a staff member may result in disciplinary action, up to and including termination.

## V Related Directives:

SDCL § [43-43B-1](#)

DOC policy 1.1.C.1-- [Code of Ethics](#)

DOC policy 1.1.C.10 – [Harassment](#)

DOC policy 1.5.A.7 – [Inmate Use of Computers](#)

BHR – [Technology Use Policy](#)

## VI Revision Log:

**March 2007:** New policy.

**December 2007:** **Rearranged** the order of the attachments. **Revised** the definition of software. **Added** specific language regarding permitted staff member use of the Internet. **Corrected** the full name of BIT.

**November 2008:** **Revised** formatting of policy in accordance with DOC policy 1.1.A.2. **Deleted** “normally” within ss (A of Approved Use of State Computers) when referencing “normally limited to official state business. **Added** Secretary of Corrections within Use of the E-Mail System for Fundraising. **Revised** other minor grammatical changes throughout policy.

**November 2009:** **Added** hyperlinks.

**November 2010:** Revised formatting of Section I.

**January 2012:** Deleted “Non-Public” and Replaced with “Public” Added F. to Section 1. Added “stalking, threatening” to Section 2 B. Added “lewd, obscene or pornographic” to Section 2 C. Added “or engage in wagering or betting” to Section 2 D. Added “including photos or images of an offender” and “or unauthorized” and “or distribution” to Section 2 H. Added “or for uses that are disruptive or harmful to the reputation or business of the state or reflects unfavorably on the State, destroys confidence in the operation of State services or adversely affects the public’s trust in the State” to Section 2 J. Added K. “Staff cannot use state computers to promote political or religious activities or fund raising (unless agency sanctioned)” to Section 2. Added L. “Staff cannot use state computers to access/participate in internet chat rooms or unauthorized social media sites” to Section 2. Deleted “while on duty” and Replaced with “during working hours” and Added “Working hours include breaks and lunch periods if the staff member is on DOC grounds.” to Section 3 A. Added “Director of Juvenile Community Corrections to Section 3 C, D. and D. 1. Added “inappropriate, offensive or” to Section 4 A. 1. Added 1. “Staff members should not expect privacy or confidentiality when using the state’s network, state computer (hardware) e-mail system or accessing the internet.” to Section 4 B.

**December 2012:** Added definition of “On-Line System”. Added “Employees shall comply with software copyright laws” to Section 1 B. 3. Added “publish, add, transmit” to Section 1 D. Added G. and G. 1. and H. to Section 1. Added “or use a state computer to improperly divulge or release protected and/or confidential information pertaining to offenders, employees or the DOC which they may have access to during the course of their official duties” in Section 2 H. Added “or conduct” and Deleted “interests” and Replaced with “or services” in Section 2 I. Added “without prior authorization by their supervisor” to Section 2 L. Deleted “local” in Section 3 C. Added “generally” to Section 3 C. 3.

**May 2013:** Deleted F. “Staff members may use state computers for reasonable and appropriate personal communications” from Section 1. (this is contained in Section 1 A. 1.) Added “internet” and “from a staff member’s workstation” to Section 2 G.

**November 2013:** Added definition of “Microblogging” and “Data Storage Device” Added 1. To Section 2 B. Added new Section 4 and renumbered sections that follow. Added “social media or micro blogging sites” to Section 5 B. 1. Added D. E. and F. to Section 5.

**November 2014:** Deleted definition of “Micro blogging” Added “and adhere to all policies governing the use of state computers and technology” to the policy statement. Deleted language in Section 1 C. and Replaced with new language. Added 1. to Section 2 G.

**November 2015:** Added definition of “Computer” and “Fundraising”. Deleted “Emergency communications” from Section 1 A. Deleted “must arrange to have” and Added “or DOC Data Systems Manager will ensure” in Section 1 B. 2. Added “without approval from BIT” Deleted D. 1-3. Regarding state licensed software” Added “and Intranet and search” in Section 1 D. Added “immediately” in Section 1 E. 1. Added “except for investigative purposes or part of a staff member’s official duties” to Section 2 C. and D. Deleted M. in Section 2. Added “and/or solicitation (a request sent to a group or individual seeking a donation) conducted with the use of “ and Deleted “member during working hours and Added “and approved by the staff member’s supervisor and Deleted “Working hours for the purpose of this policy shall include breaks and meal periods if the staff member is on DOC grounds” and Deleted “consistent with the state policy on [Solicitations on State Premises](#) and be” in Section 3 A. Deleted B. “Staff members will not use an “all DOC staff” e-mail for fundraising unless it is part of the state’s United Way campaign or other special project sponsored or sanctioned by the Secretary of Corrections” in Section 3 and Replaced with new B. Added “or designee must approve any fundraising that will include email recipients outside of the state email system” and Deleted “staff use of the state e-mail system for limited fundraising” in Section 3 C. Deleted “Approval will be made on a case-by-case basis” and Replaced with “Staff may be required to submit a draft of the email to the Warden, Superintendent, Director, Secretary of designee in advance of the email being sent” in Section 3 C. 1. Deleted people/staff that will be solicited will be kept to a minimum” and Replaced with email recipients will be pre-determined and provided to the Warden, Superintendent, Director, Secretary of designee prior to the email being sent” in Section 3 C. 2. Added “email users located within the local area” and Deleted “of the state computer system within the local area and Added “Exceptions may be granted on an individual

basis" in Section 3 D. **Deleted** "will be coordinated" and **Replaced** with "must be pre-approved" in Section 3 E. **Added** F. to Section 3. **Deleted** "inadvertently comes across such a " and **Replaced** with "purposefully or accidently" and **Deleted** "site while utilizing the internet" and **Replaced** with "attempts to access an Internet site determined to be inappropriate, an email will be generated by BIT advising the user they have attempted to access a restricted site" and **Deleted** "warning message will typically be received from BIT.A staff member who receives such a warning message should contact his/her supervisor as soon as practical and advise the supervisor of the incident" in Section 5 A. 2. **Deleted** F. in Section 5.

*Denny Kaemingk (original signature on file)*

Denny Kaemingk, Secretary of Corrections

*12/19/2015*

Date