



**TEXAS BOARD
OF
PARDONS AND PAROLES**

Number: BPP-DIR. 141.357

Date: August 24, 2011

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**Supersedes: BPP-ED. 141.450
Dated December 1, 2008**

BOARD DIRECTIVE

**SUBJECT: TEXAS BOARD OF PARDONS AND PAROLES
ELECTRONIC MAIL (E-MAIL)**

DIRECTIVE: The purpose of this directive is to establish guidelines for the administrative process for electronic mail for Texas Board of Pardons and Paroles (BPP) who use any Texas Department of Criminal Justice (TDCJ) Information Resources.

AUTHORITY: Texas Government Code Sections 2001.004, 2054.001 (a) and (b); 2054.003 (6) and (9); 2054.051 (a) and (b); 2054.052 (a); and 2203.004; Texas Administrative Code Title 1, Part 10, Chapter 202, Rules 202.2 (1), (2), (3), and (4), and Rule 207.7 (h)(6).

DISCUSSION: The BPP requires utilization of electronic messages (E-mail) in accordance with State law and ethical considerations.

Under the provisions of the Information Resources Management Act, information resources are strategic assets of the State of Texas that must be managed as valuable state resources. Thus, this policy is established to achieve the following:

- To ensure compliance with applicable statutes, regulations, and mandates regarding the management of information resources;
- To create prudent and acceptable practices regarding the use of E-mail; and
- To educate individuals using E-mail with respect to their responsibilities associated with such use.

DEFINITIONS: For purposes of this directive, the following definitions will apply:

Confidential Information - information maintained by the TDCJ that is exempt from disclosure under the provisions of the Texas Public Information Act (also known as the Texas Open Records Act) or other state or federal law.

Electronic mail system - refers to any computer software application that allows electronic mail to be communicated from one computing system to another.

Electronic mail (E-mail) - any message, image, form, attachment, data, or other communication sent, received, or stored within an electronic mail system.

Information Resources (IR) - any and all computer printouts, online display devices, magnetic storage media, and all computer-related activities involving any device capable of receiving E-mail, browsing Web sites, or otherwise capable of receiving, storing, managing, or transmitting electronic data including, but not limited to, mainframes, servers, personal computers, notebook computers, hand-held computers, personal digital assistants (PDAs), pagers, distributed processing systems, network attached and computer controlled medical and laboratory equipment (i.e. embedded technology), telecommunication resources, network environments, telephones, fax machines, printers and service bureaus. Additionally, it is the procedures, equipment, facilities, software, and data that are designed, built, operated, and maintained to create, collect, record, process, store, retrieve, display, and transmit information.

Sensitive Information - information maintained by the TDCJ that requires special precautions to assure its accuracy and integrity by utilizing error checking, verification procedures, and/or access control to protect it from unauthorized modification or deletion. Sensitive information may be either public or confidential and requires a higher than normal assurance of accuracy and completeness.

PROCEDURE:

E-mail and the messages sent via TDCJ electronic mail systems are considered the same as all other office equipment and work produced. They are the property of the TDCJ, whose management maintains the right to access. All user activity on TDCJ IR assets is subject to logging and review. There is no expectation of privacy in E-mail.

I. Utilization

- A. E-mails are to be used to conduct State business. When using E-mail for these purposes, the messages should be directed to the specific users who have an interest in or need to know the information. Excessive use of E-mail for social or

special interest messages may impact other IR systems. The following

information may be sent by E-mail with the approval of the Presiding Officer (Chair):

1. Information about charitable or social activities of special interest to BPP staff or social activities of special interest to the BPP; and
 2. Condolences and funeral announcements about employees, their relatives, or former employees.
- B. E-mail users shall not give the impression that they are representing, giving opinions, or otherwise making statements on behalf of the BPP unless appropriately authorized (explicitly or implicitly) to do so. Where appropriate, an explicit disclaimer will be included unless it is clear from the context that the author is not representing the Board. An example of a simple disclaimer is: "the opinions expressed are my own, and not necessarily those of my employer,"
- C. Individuals shall not send, forward, or request to receive confidential or sensitive BPP or TDCJ information through non-TDCJ E-mail accounts. Examples of non-TDCJ E-mail accounts include, but are not limited to, Hotmail, Yahoo mail, AOL mail, and E-mail provided by other Internet Service Providers (ISPs).
- D. Individuals shall not send, forward, request to receive, or store confidential or sensitive BPP or TDCJ information utilizing non-TDCJ accredited mobile devices. Examples of mobile devices include, but are not limited to, PDAs, two-way pagers and cellular telephones.

II. Prohibited Activities

- A. The following activities are prohibited by policy:
1. Sending E-mail that is intimidating or harassing;
 2. Using E-mail to transmit or receive material that may be offensive, indecent, or obscene;
 3. Use of E-mail for personal benefit or non-BPP or non-TDCJ personal solicitations;
 4. Sending E-mail for purposes of political lobbying or campaigning;
 5. Posing as anyone other than oneself when sending E-mail, except when authorized to send messages for another when serving in an administrative support role; and
 6. The use of unauthorized E-mail software. Authorized software is listed in the TDCJ Standards-Based Architecture (SBA) document; and use of language that violates TDCJ PD-22, General Rules of Conduct and

Disciplinary Action Guidelines for Employees, (Attachment A, Rules 14, 21, or 22), or usage that violates TDCJ ED-02.01, Texas Department of Criminal Justice Ethics Policy, which will result in disciplinary action in accordance with TDCJ PD-22. All E-mail messages are subject to review and approval by supervisors, whether or not they contain information deemed confidential by the BPP or TDCJ.

- B. The following activities are prohibited, as they impede the functioning of network communications and the efficient operations of E-mail systems:
 - 1. Sending or forwarding chain letters; and
 - 2. Sending unsolicited messages to large groups except as required to conduct BPP business.
- C. All E-mail activities and Internet sites accessed as a result of using E-mail must comply with TDCJ AD-15.07, TDCJ Information Resources Acceptable Use Policy.

III. Enforcement

- A. In accordance with TDCJ PD-22, violation of this policy may result in disciplinary action, which may include termination for employees and temporaries, a termination of employment relations in the case of contractors or consultants, or dismissal for interns and volunteers. Additionally, individuals are subject to loss of TDCJ IR access privileges, civil, and criminal prosecution.
- B. Any violations of state or federal law regarding this policy shall be reported to the Board's Office of the General Counsel for further investigation.

SIGNED THIS, THE 24th DAY OF AUGUST, 2011.

RISSIE OWENS, PRESIDING OFFICER (CHAIR)

** Signature on file.*