

MICHIGAN DEPARTMENT OF CORRECTIONS POLICY DIRECTIVE		EFFECTIVE DATE 04/21/2014	NUMBER 02.03.106
SUBJECT EXTERNAL COMMUNICATIONS BY EMPLOYEES		SUPERSEDES 02.03.106 (01/11/93)	
		AUTHORITY MCL 15.342; MCL 791.203; Civil Service Rules: 1-14 Copyrights, 1-13 Patents and Inventions, 2- 8.3 Disclosure	
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POLICY STATEMENT:

To help ensure consistency, quality and accuracy of all external communications by employees and to make sure that the Department's position on issues is clearly articulated.

RELATED POLICIES:

- 01.06.130 Media Relations
- 01.06.140 Community Liaison Committee (CLC)
- 02.03.105 Outside Employment
- 02.03.107 Code of Ethics and Conduct - Employees

POLICY:

- A. Management staff are encouraged to develop relationships with legislators, local officials and local media to foster greater understanding of the correctional process and current issues in the field of corrections. When representing the Department at any function or when talking to the public or special interest groups, all employees shall accurately represent the Department's position on issues and provide precise information on whatever subject is being discussed. If the current position or information is not known, the employee shall acquire accurate information before discussing the issue.
- B. Management staff, by virtue of their positions, are perceived as representing the Department whenever they speak, write articles or otherwise communicate with the public, even unofficially. Therefore, particular care must be taken by staff to accurately portray the Department's position on issues.
- C. All employees are responsible for the accuracy of any information given about the Department in writings, speeches or any other materials and formats. See PD 01.06.130 "Media Relations," for more specific information on an employee's responsibility in dealing with the news media.

PRODUCTION OF MATERIALS FOR PUBLIC DISSEMINATION

- D. Employees have the right to make public presentations, publish books and articles and create audio-visual and other materials including computer software regarding correctional issues for profit as long as they do not use Department resources, do not produce the material on Department time, and do not represent their opinions as those of the Department. For more specific information regarding outside employment, review PD 02.03.105 "Outside Employment."
- E. Whenever an employee produces any work regarding a correctional issue or identifies himself/herself as a Department employee in connection with that work but is not producing the work for the Department as an employee, the employee shall add the following verbal and/or written disclaimer:

"The Department of Corrections is not in any way responsible for the content or accuracy of this material, and the views expressed are my personal views and are not necessarily those of the Department."
- F. Even with such a disclaimer, however, the Department expects that any discussion of the Department's position on issues be presented accurately and that the material be factually correct.
- G. Disclaimers are not required for works created with authorization from the Department.

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State Ownership of Materials, Copyright, Patents and Inventions

- H. Any material, including any publication, computer software or audio-visual presentations created for the Department, belongs to the Department and shall not be marketed or sold by employees for profit. The property rights of an employee in any work created by the employee as an author-employee belongs to the State. However, in recognition of meritorious services, as stipulated in Civil Service Rules, the employee shall be compensated at a rate of 15% of the net royalties. In addition, all requirements of PD 02.03.107 "Code of Ethics and Conduct - Employees", shall apply.

Use of Department Materials for Teaching

- I. Employees teaching Corrections and other related classes may use Department non-exempt material for instructional purposes but may not market the material for profit either alone or with other material they are publishing or have created. Material which belongs to the Department may, however be appended to textbooks and other instructional material as referenced and must be clearly identified as material produced by the Department. Copies of Department material for classroom use shall not be made on Department time or at Department expense.

Pre-Approval for Dissemination of Materials

- J. Prior to dissemination, copies of draft materials, including scripts, brochures, pamphlets, newsletters and any publication designed for public dissemination as an educational or public relations tool for the Department, shall be sent for approval to the appropriate Deputy Director and Administrator of the Executive Bureau. Publications produced for employees are excluded from this requirement. However, editors are encouraged to discuss with the Administrator of the Executive Bureau and the appropriate Deputy Director on issues involving policy or public concerns.

PUBLIC SPEAKING

- K. Employees asked to speak as a representative of the Department must first obtain prior approval from their supervisor. Employees are responsible for the accuracy of their statements, are expected to accurately reflect the position of the Department, refrain from personal opinion if it is contradictory to the Department's position, and are expected to contact the Administrator of the Executive Bureau for current information and Department positions on issues. Any fees received for such presentations shall be turned over to the Department/State.
- L. Employees making speeches on correctional issues on their own time and without the specific authorization of their supervisors shall tell their audience that their remarks are not made in their official capacity as an employee of the Department. Even in this capacity, employees are still expected to accurately explain the Department's position. Employees who speak on their own time may accept fees as long as they comply with PD 02.03.107 "Code of Ethics and Conduct - Employees" and PD 02.03.105 "Outside Employment."

LEGISLATIVE CONTACTS

- M. Deputy Directors, or their designees, shall develop and maintain relationships with local legislators, and local officials and encourage tours of facilities and other contacts as appropriate. (See PD 01.06.140 "Community Liaison Committee (CLC)" for information regarding establishment of community liaison groups.) It is expected that the Department's position on issues shall be presented to these officials and that employees contacting these officials as Department employees shall refrain from giving their personal opinion.
- N. Contact with State or Federal legislators which involve statewide or sensitive issues shall be reported to the Executive Assistant to the Director promptly on the same day that contact was made. Management staff are encouraged to contact the Administrator of the Executive Bureau for the most up-to-date and accurate Department position regarding issues, including positions regarding proposed or developing legislation.
- O. Wardens shall ensure that procedures are developed as necessary to implement requirements set forth in this policy directive. This shall be completed within 60 calendar days after the effective date of this policy directive.

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This requirement includes ensuring that existing procedures are revised or rescinded, as appropriate, if inconsistent with policy requirements or no longer needed. Facility procedures shall not conflict with procedures issued by the Director.

APPROVED: DHH 03/24/14