



NEW MEXICO  
**PUBLIC DEFENDER DEPARTMENT**

**Jacqueline Cooper**  
Chief Public Defender

**Bennett Baur**  
Deputy Chief Public Defender

NMPD 500-004

<b>Issue Date:</b>	06/18/2012
<b>Effective Date:</b>	06/18/2012
<b>Review/Revised Date:</b>	XX/XX/XXXX

\*This policy and procedure replaces any previous policies and procedures pertaining to Computer Information Systems, Internet, Intranet and Email Usage dated before the above effective date.

**TITLE:** Computer Information Systems, Internet, Intranet and Email Usage

**AUTHORITY:** NMAC 1978, §1-12-10

**REFERENCES:** Department Professional Standards for Email Use

**PURPOSE:** To set forth the responsibilities of department employees that uses the Information systems, the Internet, the Intranet, and E-mail.

**APPLICABILITY:** All department employees.

**ATTACHMENTS:** Department Professional Standards for Email Use

**DEFINITIONS:**

*Access*- the ability to read, listen, change, or enter data using a computer or an information system.

*Equipment* – department computing equipment such as computers, monitors, keyboards, mice, routers, switches, hubs, networks, or any other information technology assets.

*Freeware* – software that is available free of charge and available for download from the internet. Freeware may be protected by a copyright and is subject to applicable copyright laws.

*Shareware*- software that is initially available free of charge and available for download from the Internet. It requires a royalty fee to be paid to the designer for continued use and is protected by a copyright and is subject to applicable laws.

*Information technology resources (IT resources)* – computer hardware, software, databases, electronic message systems, communication equipment, computer networks, and any information that is used by the department to support programs or operations that are generated by, transmitted within, or stored on

any electronic media.

*Pirated software* – software installed on a computer system for which a proper license has not been purchased by the department.

*Security mechanism* – a firewall, proxy, internet address screening program, or other system installed to prevent the disruption or denial of services and the unauthorized damage, destruction, or modification of data and software.


*Sexually explicit or legally discriminatory* – images, documents, or sounds that can be legally construed as discriminatory, defamatory, or libelous; obscene or pornographic.

*Malicious code* – any type of virus or type of code intended to damage, destroy, or delete a computer system, network, file, or data.

*Executable software, freeware, or shareware* – a file or program which when initiated will process or complete the instructions contained therein.

*Local Area Network (LAN)* – a network of computers whose physical locations are close to each other. LANs are often used to share files and resources.

*Wide Area Network (WAN)* – a network of computers that spans a large geographic area, such as a state, province or country. WANs often connect multiple smaller networks or LANs.

  
\_\_\_\_\_  
Jacqueline Cooper, Chief Public Defender

6.19.12  
\_\_\_\_\_  
Date

**POLICY:**

- A. Department employees shall abide by and familiarize themselves with statute NMAC 1978, § 1-12-10 Internet, Intranet, Email and Digital Network Usage.
- B. Department employees shall use department computer resources, email and internet solely for official department and state business.
- C. No department employee shall utilize department IT resources to engage in political activity.
- D. Department employees shall not download any software from the Internet except as authorized by the IT manager.
- E. Department employees shall not upload any software licensed to the department or data owned or licensed by the department except as required by job duties.
- F. Department employees shall not use state equipment to download or distribute pirated software or data.
- G. Department employees shall not display or transmit sexually explicit materials or reproduction of sexually explicit sounds on any department information system unless authorized as part of his/her duties.

**PROCEDURE:**

- 1. Employees' Declaration
  - a. The department shall provide all employees with computer systems access with access to the Department Computer Information Systems, Internet, Intranet and E-mail Usage Policy.
  - b. All department employees who receive the Computer Information systems, Internet, Intranet, and e-mail Usage Policy shall sign a statement indicating they have reviewed and read the policy. The department shall keep the signed statement on file with Human Resources throughout the tenure of employees.
- 2. Enforcement
  - a. Department employees shall have no expectation of privacy with respect to internet, e-mail usage, or any files stored on department computers and/or servers.
  - b. The department has software that allows monitoring and recording of all e-mail, internet usage, and web site visits.
  - c. The department retains the right to record or review all visits to every web site, chat room, newsgroup, e-mail messages, or file transfers.
  - d. The department shall collect usage statistics about bandwidth usage and time spent on the internet.
  - e. The department maintains data file storage on department servers and reserves the right to inspect any files stored on any department-owned computers, servers, hand-held devices, cell phones, laptops and any other data storage

- devices.
3. Compliance with Laws
    - a. Department employees shall respect the copyrights, software licensing rules, property rights, privacy, and prerogatives of others, as in any business dealings.
    - b. Any employee's defined work-related need to download materials must be coordinated with the department information systems manager.
    - c. Department employees shall only use downloaded files or software in ways that are consistent with licenses or copyrights.
    - d. Unauthorized software or files downloaded via the internet onto department computers becomes the property of the department.
    - e. Software and hardware not purchased by the department will not be installed on department computers.
  4. Sexually Explicit Material
    - a. An employee who requires the display or use of sexually explicit material which falls within legitimate job responsibilities, must obtain an exemption in writing from his/her District Defender and the IT manager.
  5. Permissible Internet Use
    - a. Department employees may use the internet for non-business research or browsing during mealtime or outside of working hours provided that all other requirements are met.
  6. Security
    - a. Department employees shall keep passwords and user identifications for department computer information systems, internet, and e-mail access confidential.
    - b. Department employees shall not attempt to disable, defeat, or circumvent any department security mechanism.
  7. Sanctions
    - a. Any violation of these policies is grounds for disciplinary action or other sanctions, up to and including dismissal or termination.

## NMPD Professional Standards for Email Use

**Here are some things to keep in mind regarding professional e-mail conduct:**

1. **Include a greeting in all emails.** Emails that do not include a greeting are easily viewed as rude. It only takes a few seconds to type, "Hi John" or "Dear Ms. Smith". Take the time to show the recipient of your email respect, by addressing them by name in a professional manner.
2. **Be informal, not sloppy.** Your colleagues may use commonly accepted abbreviations in e-mail, but when communicating with external customers, everyone should follow standard writing protocol. Your e-mail message reflects your firm, so traditional spelling, grammar, and punctuation rules apply.
3. **Keep messages brief and to the point.** Just because your writing is grammatically correct does not mean that it has to be long. Nothing is more frustrating than wading through an e-mail message that is twice as long as necessary. Concentrate on one subject per message whenever possible.
4. **Use sentence case.** USING ALL CAPITAL LETTERS LOOKS AS IF YOU'RE SHOUTING! Using all lowercase letters looks lazy. For emphasis, use asterisks or bold formatting to emphasize important words. Do not, however, use a lot of colors or graphics embedded in your message, because not everyone uses an e-mail program that can display them.
5. **Don't use e-mail as an excuse to avoid personal contact.** Don't forget the value of face-to-face or even voice-to-voice communication. E-mail communication isn't appropriate when sending confusing or emotional messages. Face to face is the preferred method of respectful communication.
6. **Remember that e-mail isn't private.** I've seen people fired for using e-mail inappropriately. E-mail is considered company property and can be retrieved, examined, and used in a court of law. Unless you are using an encryption device (hardware or software), you should assume that e-mail over the Internet is not secure. Never put in an e-mail message anything that you wouldn't put on a postcard.
7. **Be sparing with mass e-mails.** Send group e-mail only when it's useful to every recipient. Use the "reply all" button only when compiling results requiring collective input and only if you have something to add. Recipients get quite annoyed to open an e-mail that says only "Me too!"
8. **Use the subject field to briefly indicate content.** Don't just say, "Hi!" or "From Laura." Every message should contain a short phrase to give notice of the content of the email. Do not put in lengthy sentences into your subject line. Many email viewers only show a short subject line for recipients.
9. **Don't send chain letters, virus warnings, or junk mail.** Always check a reputable antivirus Web site or your IT department before sending out an alarm. If a constant stream of jokes from a friend annoys you, be honest and ask to be removed from the list. Direct personal e-mail to your home e-mail account.
10. **Remember that your tone can't be heard in e-mail.** Have you ever attempted sarcasm in an e-mail, and the recipient took it the wrong way? E-mail communication can't convey the nuances of verbal communication. In an attempt to infer tone of voice, some people use emoticons, but use them sparingly so that you don't appear unprofessional.
11. **Use a signature that includes contact information.** To ensure that people know who you are, include a signature that has your contact information, including your mailing address, Web site, and phone numbers. If you want something faxed back to you, make sure you include your fax number in your signature.