

# PRESSRELEASE

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## For Immediate Release

**Date:** Wednesday, Dec. 5, 2007  
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## 74 Montana State Prison employees disciplined for e-mail misuse

Montana State Prison has concluded the internal investigation regarding the misuse of the state e-mail system at the prison.

When this issue first arose, the investigation initially focused on the e-mail accounts of at least 47 employees. By the time the investigation concluded, other violations had been discovered and a total of 74 staff received disciplinary action for their misuse of the system. The following is a summary of the disciplinary action that was taken:

- 12 received counseling regarding appropriate e-mail use
- 31 were given a verbal warning
- 20 received a written warning
- 8 received 3-5 days off without pay
- 2 signed "last-chance agreements" with two unpaid days off apiece, in lieu of termination
- 1 resigned

(more)

The last-chance agreements specify that, in lieu of termination, any future violation will lead to termination without recourse to the grievance procedure.

Information regarding the inappropriate e-mail use was forwarded to the Powell County attorney's office at the beginning of the investigation. None of the material reviewed by that office was deemed to be criminal and the county attorney declined to pursue prosecution.

After reviewing the existing policy regarding the personal use of e-mail with the department's information technology staff, prison officials believe that continuing to permit limited use for this purpose – combined with new enforcement efforts and disciplinary action – is the appropriate response. Department of Corrections and prison officials concluded that it would be unrealistic to try imposing a complete ban on all personal use of the e-mail system. The location of the prison and the fact that many employees travel long distances from home to work at the prison, along with the realization that e-mail can be a crucial communication tool for families coping with varying work schedules, make allowing very limited personal use of the e-mail system practical.

However, the Department of Corrections will continue to take a hard stance on inappropriate e-mail and Internet use. Monthly audits of e-mail accounts belonging to those cited in the investigation, as well as those of randomly selected other department employees, will be conducted to ensure staff is using this technology appropriately.

E-mail and Internet use has been discussed at staff meetings and memorandums issued to all staff to ensure everyone is aware of the critical elements of the Department of Corrections policy 1.9.9, Acceptable Use of IT Resources, and department policy 1.9.6, Unlawful Use of Computers.

"I believe we are moving in the right direction with this matter and do not anticipate that we will experience significant problems with abuse of the e-mail system again," said MSP Warden Mike Mahoney. "If we do come across problems in our random audits of the system, staff will be subject to disciplinary action up to and including termination."