



**STATE OF MONTANA
DEPARTMENT OF CORRECTIONS
POLICY DIRECTIVE**

Policy No. DOC 1.1.5	Subject: POLITICAL PRACTICES
Chapter 1: ADMINISTRATION AND MANAGEMENT	Page 1 of 2
Section 1: General Administration	Effective Date: May 1, 1998
Signature: /s/ Mike Ferriter, Director	Revised: 02/04/00; 06/01/02; 04/18/06

I. POLICY

The Department of Corrections recognizes the rights of its employees to engage in political activity. The expression of those rights may not be construed as representing the policy, practice, or official position of the Department, or be disruptive to agency operations.

II. APPLICABILITY

All Department divisions, facilities, and programs.

III. DEFINITIONS

None.

IV. DEPARTMENT DIRECTIVES

A. Coercion Prohibited

1. No person in or on Department property may attempt to coerce, command, or require a public employee to support or oppose any political committee, the nomination or election of any person to public office, or the passage of a ballot issue.
2. This section does not restrict the right of a public employee to perform activities properly incidental to another activity required or authorized by law or to express personal political views.

B. Use of Government Resources Prohibited

1. Department employees may not use public time, facilities, equipment, supplies, personnel, or funds to solicit support for or opposition to any political committee, the nomination or election of any person to public office, or the passage of a ballot issue unless the use is otherwise authorized by law.
2. Department uniforms are considered to be public equipment.

C. Federal Restrictions on Influencing Elections, Soliciting Political Contributions, and Running for Political Office

Subject: POLITICAL PRACTICES

Because the Department receives federal funds, certain employees may be subject to 5 USC §§ 1501-1508 which generally provides that the employee may not use his or her official authority to influence the outcome of an election, or coerce or advise employees to make political contributions, or be a candidate for elective office. Employees may contact the U.S. Office of Special Counsel to determine if they are exempted from these restrictions:

1730 M. Street, N.W., Suite 300
Washington, D.C. 20036-4505
(202) 653-7143
E-Mail: Hatchact@osc.gov

- D. An employee elected to office may take a leave of absence without pay in accordance with *Mont. Code Ann. § 39-2-104 (2009)*.
- E. Nothing in this policy is intended to restrict the right of employees, subject to the restrictions set forth in this policy, to express personal political views, or to perform activities properly incidental to another activity required or authorized by law.

V. CLOSING

Questions concerning this policy should be directed to your immediate supervisor.

VI. REFERENCES

- A. *Mont. Code Ann. §§ 2-2-121, 39-2-104, 13-35-226 (2009)*
- B. *U.S.C. §§ 1501-1508*
- C. *4-4024; ACA Standards for Adult Correctional Institutions, 4th Edition; 3-JTS-1A-29; ACA Standards for Juvenile Correctional Facilities*

VII. ATTACHMENTS

None.