

# EXHIBIT A



**Subject: Prohibition Against Viewing Pornography on County Networks and Devices**

**Effective Date: January 1, 2025**

**Policy Code Number: HR -26.6.1**

**County Manager: Matt Rhoten**

**Responsible Department: Human Resources**

**1. Purpose:** In accordance with North Carolina General Statute 143-805, this policy is enacted to prohibit the viewing of pornography on County Networks and Devices,

**2. Applicability:** This policy applies to all employees, officials, appointees, or students of the County.

**3. Definitions:** The following definitions apply to this policy:

- a. Device: Any cellular phone, desktop or laptop computer, or other electronic equipment capable of connecting to a network.
- b. Material: Pictures, drawings, video recordings, films, digital or computer-generated visual depictions or representations created, adapted, or modified by technological means, such as algorithms or artificial intelligence but not material consisting entirely of written words.
- c. Network: Any of the following, whether through owning, leasing, maintaining, or otherwise controlling:
  - i. The interconnection of communication systems with a computer through remote or local terminals or a complex consisting of two or more interconnected computers or telephone switching equipment
  - ii. Internet service
  - iii. Internet access
- d. Pornography: Any material depicting sexual activity.
- e. Sexual activity: As defined in NCGS 14-190.13

**4. Prohibitions:**

- a. No employee, elected official, or appointee of Gaston County shall view pornography on any device owned, leased, maintained, or otherwise controlled by the County.
- b. No employee of the County shall view pornography using the County's network.
- c. Gaston County shall not permit a student of the County to view pornography on any device owned, leased, maintained, or otherwise controlled by the County.

**5. Exceptions:** The prohibitions in section 4(a) and 4(b) shall not apply to an official or employee of the County that is engaged in any of the following activities in the course of that official's or employee's official duties:

- a. Investigating or prosecuting crimes, offering or participating in law enforcement training or performing actions related to other law enforcement's purposes.
- b. Identifying potential security or cybersecurity threats.
- c. Protecting human life.
- d. Establishing, testing, or maintaining firewalls, protocols, and otherwise implementing this section.
- e. Participating in judicial or quasi-judicial proceedings.



- f. Conducting or participating in an externally funded research project at one of the constituent institutions of The University of North Carolina.
- g. Researching issues related to the drafting or analysis of the laws of this State as necessary to fulfill the requirements of the employee's official duties.

**6. Removal of Pornography from Devices:**

- a. No later than January 1, 2025, any employee, elected official, appointee, or student of the County with pornography saved to a device owned, leased, maintained, or otherwise controlled by the County shall remove, delete, or uninstall the pornography from that device.
- b. This removal requirement shall not apply to officials or employees of the County acting in their official capacity as described in section 5 of this policy.

**7. Annual Report:** No later than August 1 of each year and in the format required by the State Chief Information Officer, the County shall report to the State Chief Information Officer the number of incidences of unauthorized viewing or attempted viewing of pornography on the network, whether the viewing or attempted viewing was on a device owned, leased, maintained, or otherwise controlled by the County, and whether the viewing or attempted viewing was by an employee, elected official, appointee, or student of the County.

**8. Disciplinary Action:** A violation of this policy may include disciplinary action in accordance with Gaston County Personnel Policy Section 23 and/or the revocation in whole or in part of network or device access.