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Office of Administrative Law
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Re: CTU2008-0321-01

July 11, 2008

I, Michael St. Martin, submit the following response to The California Department of Mental Health's submission to the petition I filed on the Coalinga State Hospital (CSH) Administrative Directive 624.

ISSUE

On March 21, 2008, the Office of Administrative Law received a petition by me, Michael St. Martin, alleging that the Department of Mental Health (DMH) has issued, used, enforced, or attempted to enforce underground regulations. The alleged underground regulation is CSH Administrative Directive 624.

PROPOSED DETERMINATION

CSH Administrative Directive 624 is A REGULATION subject to the Administrative Procedures Act (APA).

BACKGROUND

Coalinga State Hospital was completed in 2005 at a cost of $388 Million. It was designed to house the rapidly growing population of civilly detained sex-offenders who had completed their prison sentences but remained incarcerated as *Sexually Violent Predators*. Current resident population stands at approximately 750. State officials claim that the hospital provides treatment and does not constitute punishment.

Welfare & Institution Code
§ 4000 "Department"

"There is in the Health and Welfare Agency a State Department of Mental Health."

Welfare & Institution Code
§ 4001 "Definitions"

(a) "Department" means State Department of Mental Health;
(b) "Director" means the Director of Mental Health;
(c) "State Hospital" means any hospital specified in section 4100

Welfare & Institution Code

§ 5400 "Director; Administrative duties; Rules and Regulations"

Welfare & Institution Code

§ 5750 "Promulgation of Rules and Regulations"

§ 5750 (c) (2) "The department **shall** continue during the period to involve the conference in the development of **all** regulations which affect local Mental Health programs, prior to the promulgation of those regulations pursuant to the Administrative Procedures Act.

Ms. Lee wants us to believe that the rules for mail and packages are unique to Coalinga State Hospital: that each rule which differs from its analogous rule at another such facility is unavoidably dissimilar. She fails to distinguish between the various hospitals and their allegedly "unique" requirements.

> "Every state hospital is unique and as a result the administrative directives provide guidance for the unique situations, safety and security, physical space, and the ability for the staff to provide mail service."

Really; how so?

HISTORY

Hospital administrators tasked newly arrived officers with the responsibility to write all of the Administrative Directives (ADs) for the institution, even though they had no experience or training with this function. They were told to "wing it." The officers contacted other state hospitals and requested copies of their ADs. It was from this pool that the Coalinga State Hospital Administrative Directives were cut-and-pasted together. It was *ad hoc;* hardly the careful, unique, and specific method claimed by Ms. Lee.

AD 624 derives its putative authority from Special Order 248.01, an unpromulgated (underground) regulation applicable to all California Department of Mental Health state hospitals. The differences between them appear to be insubstantial, and Ms. Lee fails to list the requisite descriptive distinctions to which the department lays claim.

Compare Special Order 248.01 with AD 624. It gives the appearance of the same cut-and-paste method of all of Coalinga's ADs. (Please see original submission.) We appreciate the "sameness" of both documents actually; their indistinguishable nature. Special Order 248.01 is in fact, without equivocation, **A REGULATION**, since DMH cannot possibly circumvent its universal application. But then, neither has it enjoyed the codification of the Office of Administrative Law.

THE SHELL GAME

In her response Ms. Lee makes the obvious link between AD 818 (Contraband) and AD 624 (Mail and Packages). If the institution is to control contraband then the mail must be inspected in order to prevent its introduction. As a result, the connection of 624 with 818 makes each argument applicable to 818 automatically relate to 624. It is this mutual interdependence between these three ADs: 818, 624, and 626, that makes this such a shell game. The department has historically favored this sleight of hand; their charges being typically diminished in capacity and unable to defend themselves. For the DMH it's business as usual—delay, deny, and divert.

AD 624s justification does then, according to DMH, rely in large part upon AD 818. Should AD 818 be designated an "underground regulation," and therefore illegal and unenforceable, does

AD 624 not lose its *raison d'être*? Will the hospital suddenly cease from enforcing AD 624? The mantra of the DMHs psychologists has been that "the past is the best indication of the future."

LEGISLATION BY MEMO

Though AD 626 (Property) was rescinded by order of the Director of DMH, and this action was acknowledged by memo locally at Coalinga, it continues to be enforced, and has **not** been deleted from AD 624 (Contraband) (*cf.* AD 624, V. G, 4 and H. 6). Moreover, in a memo dated July 27, 2007, Pam Ahlin, the current Acting Director of this facility, acting for Ben McClain the then Acting Director, signed a memo titled "ALLOWABLE ITEMS" altering the unpromulgated AD 626, which reads in part:

> "Coalinga State Hospital's policy, AD 626 on the 'Allowable List' has been changed to exclude family members from being able to mail electronic devices and CD/DVD's to individuals."

If ADs are deemed subject to OAL review, will Coalinga and DMH continue to enforce their policies anyway, by means of *memos*? Even though AD 626 was rescinded (by memo!) the above memo, an offshoot of AD 626, continues to be enforced (*cf* attached memo). And now that the Contraband Administrative Directive 818 is in jeopardy, Pam Ahlin has produced yet *another* memo, this time to cover the awful possibility that one of the residents might access the internet; this time, Title 9 CCR is cited as the authority.

> "Please be advised that all electronic devices containing the ability to access the internet in any wired or wireless fashion will be considered contraband." (See submission)

We raise the issue of the definition of contraband and the method of arriving at such conclusions. We have an interest in this process and its conclusions. The promulgation process is exquisitely tuned to answer the question to which DMH seems oblivious.

If our attorneys wish to communicate with us, or us to them, by means of mailing us a CD or CD-ROM it is not allowed. No justification is given for this rule, though it may be found in yet another AD. Reams of paper dense with printing may be mailed in or out to or from our attorney or loved ones, but the same information may not find its way to them on electronic media. The only possible justification is that Coalinga officials might not be able to read the document in question; however, we have a right of privacy, and especially with respect to legal correspondence. This is simply another way for DMH to circumvent the law and scan our mail. Meanwhile, AD 608 spells out the process for legal mail: yet *another* unpromulgated set of rules and regulations that must be followed.

When all else fails, Coalinga hollers, "FIRE!" It has used the Fire Code to cover gaps left by the loss of AD 626; however, in truth they have neither lost AD 626, nor do they use any fire code interpretation the Fire Marshall here has ever heard of. Fire Code "Rules" are enforced by the police when they perform weekly shakedowns in the rooms. When they see something they don't like, they take it, claiming that it is a fire code violation.

Invalidly promulgated regulations:

> "Department of Corrections could not rely on amendment to regulation incorporating six cubic feet limit on prisoner's personal property to enforce another regulation which set forth in great detail particular items of personal property subject to limitation, including books and other such

materials, where latter regulation was not adopted in accordance with the Administrative Procedure Act." *Faunce v. Denton* (App. 3 Dist. 1985) 213 Cal. Rptr. 122, 167 Cal. App. 3d 191. Administrative Law and Procedure.

BOTH ADMINISTRATIVE DIRECTIVES 818 AND 624 EXCEED THEIR PROVISIONS FOR "SAFETY AND SECURITY"

Ms. Lee states in her submission:

> "Contraband items do not need to be denied for good cause. The contraband items are items that are illegal, such as illegal drugs. Also, weapons that inflict bodily harm are prevented and many metal combs cannot be brought to the secured areas, where the potential for safety and security is higher."

But how are the items listed in the following inventory illegal or even dangerous? The typical DMH cut-and-paste practice and policy has led to some fairly bizarre items finding their way onto the contraband list. If items do not meet the threshold of "safety and security" they must at least meet the "good cause" criteria. The following partial list shows the ambiguity of items the hospital has declared to be dangerous and a threat to the safety and security of the institution (please see original petition for submission of AD 818).

Chewing gum
Excess clothing
Herbal teas
Mirrored sunglasses
Telephone directories
Musical greeting cards
Reinforced envelopes
Dental floss
Pastels
Glue
Pencils
Dice
Tape of any kind
Collectable trading cards
Bottles of any size or material
Sunglasses worn indoors
Telephone calling cards
Maps of Fresno County
Literature of area landmarks
Paper clips
Any "new technology" devices

Fountain Pens
Gym bags
Make-up
Rubber bands
Thermal cups
Spices
Cardboard
Ink
Safety scissors
Paints
Beading needles
Musical instruments
Fingernail clippers
Correction fluid
Metal foil
Desktop computers of any type
Toothbrushes exceeding 4"
Maps of Kings County
Local city/County newspapers
Loose staples
Handkerchiefs not plain white

Balloons
Fanny packs
Mirrors
Styrofoam
Battery chargers
Loose shoelaces
Satellite radios
Chalk
Gloves
Calligraphy pens
Denture cleaner
Shoe polish
Metal pronged fasteners
Adhesive mailing labels
CD or DVD jewel cases
Eating/cooking utensils
Plastic bags not provided
Maps of Monterey Co.
Local magazines
Pens exceeding 3.5"
Electronic gear or parts

Ms. Lee writes:

> "The individual cannot possess items that may be a threat to the safety and security such as letter openers, and items that may hide certain possessions, resulting in clear bottles." [sic]

The canteen sells many products in opaque plastic bottles (e.g. Vitamin E hand cream). All items entering the institution are fluoroscoped and opened before disbursement to the resident, clear or not, and the contents emptied into baggies. Honey and peanut butter, for example, are taken from their clear plastic jars or bottles and the contents placed in baggies. Meanwhile, many items sold next door in the canteen are sold in their opaque plastic containers with their packaging intact, and are retained by the residents. But please note in the above list "bottles of any size or material," making ridiculous and unnecessary the whole exercise. One rule piles onto another with no rhyme or reason. Officers laugh when questioned about the logic behind this rule, give a Reaganesque shake of the head, and then just say—"I know it doesn't make any sense, but that's what the rule says."

The Legislature did not take, deny, or abridge our rights to Due Process or Equal Protection Under the Law. Additionally, our right to be held in the least restrictive manner has been established under law. No Administrative Directive, on its own, can deny these rights, since ADs are written by an agency within the Executive branch of the government. AD 818 and AD 624 are regulatory in nature, and are therefore subject to the APA.

> **PC § 3041 (a).** "Administration agency may not vary or enlarge the terms of legislation, i.e., its rules and regulations must come within the scope of the authority conferred upon it in order for the rule or regulation to be valid." (Gov. C. § 11342.1, *Credit Ins Gen Agents Assn. v. Payne* (1976) 16 Cal. 3d 651, 656-657))
>
> "Administrative regulation that alter or amend a statute or enlarge or impair its scope are void and courts not only may, but it is their obligation to strike down such regulations." (Moony, Supra); (*Cooper v. Swoap*, 11 Cal. 3d 856, 864 (1974); *Morris v. Williams*, 67 Cal.2d. 733, 748 (1967))

In her justification for not following the above in AD 818 Ms. Lee states: "This would be a burdensome task on DMH to constantly promulgate regulations to ensure the safety and security of individuals." This is not sufficient grounds to allow DMH to circumvent APA regulations. It is in fact the function for which the people of the State of California continue to pay Ms. Lee and her colleagues. Should the people who are least able to defend themselves be afforded less due process? The DMH should simply follow the law instead of trying to artfully outwit the disadvantaged.

WIC 5325, Section 1 of Stats. 1976, c. 1109, p. 4992, provides:

> "Recognizing the danger of violation of a mental patient's constitutional right to privacy, the Legislative intents by this enactment to ensure that the integrity and free choice of every such patient is fully recognized and protected. Because those who are emotionally disturbed are vulnerable to being unduly influenced, the legislature believes the protection of their rights requires a careful process of informing and consenting in order to assure the protection and vindication of their rights."

Furthermore;

'Administrative Directives **were not** within 'internal management' exceptions, hence, were invalid because [they were] not adopted as required by the Act." ([See e.g.] *Stoneham v. Rushen* 1982, First Appellate District) 137 Cal. App. 3d 729, 188 Cal. Rptr. 3d 130.)

Motion Picture Studio Teachers and Welfare Workers v. Millan (1996) 51 CA. 4th 1190 (Mandamus 187.9 (1)) "Arbitrary and Capricious" – adoption, amendment and vacation of rules and regulations are considered quasi-legislative acts. "The interpretation of a regulation, like the interpretation of a statute, present questions of law." [citation] (Id.pg.1196)

Coalinga Hospital Contravenes its Own Policies By Instituting and Vacating ADs it has Written

If Coalinga can write new ADs with no regulatory supervision, then it can equally vacate the ones they don't like with ease. The hospital administration typically issues or changes ADs for reasons of convenience rather than for legitimate safety and security concerns. This "process" can happen very rapidly, sometimes within a day or two, by their issuance of a new Administrative Directive. At the same time, it takes months or years for hospital administrators to reluctantly purge acknowledged illegal or outmoded ADs. Since there is no effective oversight in this process, from the first glimmer of an idea to the final publishing of the AD, they not only contain rules that violate case law (e.g. "least restrictive"), but they tend to accumulate in size.

Legislation By Memoranda

Adding insult to injury, Coalinga State Hospital often does not even modify its own underground ADs. Instead, they write memos that circumvent them, the APA, and Due Process. They are often e-mailed to the units *with no name appended*: accountability is therefore impossible. These rules are frequently carried forward from other institutions which cater to other types of patients entirely, and like many other instances, are wholly inappropriate to our class. Assaultive behavior is significantly lower—almost nonexistent—among WIC § 6600 commitment detainees as compared with other commitments, rendering the much touted "safety and security" concerns improbable. "A threat to the safety and security" is a code phrase for "we don't want you to have this." It is the historical and unvarying hymn of autocrats in possession of unregulated power; their method of diminishing their workload and evading fiduciary responsibilities.

As an example of "legislation by memo," computers were allowed into the institution through AD 654. Many residents obtained them, but Coalinga Administration decided to suspend their purchase on March 1, 2007 through a "moratorium" effected entirely by a Memorandum. To date, the AD that allows the purchase of computers remains on the books, but computers cannot be purchased. To this date well over one hundred residents have had computers for more than 15 months, while others who can afford one and need one for college courses cannot obtain one because of a memo moratorium.

When AD 626 was challenged under APA regulations the Department decided to withdraw it. As of this date, DMH has not submitted this, or any other AD to the OAL for promulgation. Even though the Department withdrew AD 626 it continues to enforce it in direct violation of the agreement reached with the OAL. The Department of Mental Health has hundreds of rules and regulations that govern the daily lives of its patients. None have ever been submitted to the AOL

for promulgation. This arrogance means that left to its own accord the department will *never* follow the law.

ADMINISTRATIVE DIRECTIVE 624 IS A REGULATION

The California Government Code, Section 11340.5(a) reads:

> "No state agency shall issue, utilize, enforce, or attempt to enforce any guideline, criterion, bulletin, manual, instruction, order, standard of general application, or other rule, which is a regulation as defined in Section 11342.600, unless the guideline, criterion bulletin, manual, instruction, order, standard of general application, or other rule has been adopted as a regulation and filed with the Secretary of State pursuant to this chapter."

The California Government Code Section 11342.600 reads:

> "'Regulation' means every rule, regulation, order, or standard of general application or the amendment, or revision of any rule, regulation, order, or standard adopted by any state agency to implement, interpret, or make specific the law enforced or administered by it, or to govern its procedure."

The Department should not be permitted to ignore the consequences of its own actions:

> "We should not construe a statute establishing a government agency with broad quasi-legislative power to permit it ostrich-like to bury its head and refuse to consider the consequences of its own action." (*Western Oil and Gas Association v. Air Resources Board* (1994, Cal. Supreme Ct.)) 37 Cal. 3d 502, 530 208 Cal. Rptr. 850, 867

Coalinga State Hospital and the DMH collude to form a secret government which, though a part of the executive branch, writes its own covert rules. These rules have the disadvantage of not having been examined by legally trained experts. The concerns of the institution staff are not congruent with the resident population's rights or interests, and those rights do not find representation, since they belong to the powerless. This sets up expensive and time-consuming legal action—a waste of the courts' valuable assets.

> "The APA is partly designed to eliminate the use of 'underground' regulations; rules which only the government knows about. If a policy or procedure falls within the definition of a 'regulation' within the meaning of the APA, the promulgating agency must comply with the procedures for formalizing such regulation, which include public notice and approval by the Office of Administrative Law (OAL), Failure to comply with the APA nullifies the rule." *(King's Rehabilitation Center, Inc. v. Premo* (1999, Third Appellate Dist.) 69 Cal. App. 4th 215, 217, 81 Cal. Rptr. 2d 406; [See also:] *Capen v. Shewry* (2007, Third Appellate Dist.) 147 Cal. App. 4th 680, 687, 54 Cal. Rptr. 3d 443, 447-448.)

A DIRECTIVE IS A REGULATION

Ms. Lee writes;

> "AD 624 is not a regulation. Instead the administrative directive is a guide to the staff…" etc.

AD 624 contains the words "will" 51 times, "shall" 12, "must be" five times, "are limited to" twice, "are subject to" twice, "can only be, may not, is prohibited, not allowed, are required, and not to exceed" once each, for a total of more than 75 uses of such terms of restraint, prohibition and mandate. Indeed, under discussion is a document titled "Directive," not "Guideline." Some parts of AD 624 are *definitive* (*cf* **IV METHOD A. Definitions**: "Mail is defined as…" etc.). Mandatory language is required at some point, we are not suggesting otherwise. However, Ms. Lee cannot dismiss the true nature of this set of regulations by simply christening it a "guide," nor can the department avoid the legal requirements of the law, which does mandate promulgating regulations through the offices of the OAL.

Exactly when, we wonder, do Directives become "Guidelines"? Perhaps it is when their Administrative Directives are challenged as having gone unpromulgated.

The Department of Mental Health should be forbidden to continue to use, enforce, or attempt to enforce the AD 624, or any of their other underground regulations, even temporarily until valid regulations can be promulgated. It must also not be allowed to replace ADs with memos, or any other such device that helps them achieve the same ends. To do so would merely allow the Department of Mental Health to continue business as usual with impunity.

The Department has had several months since this petition was brought forward, yet the department did not attempt to submit AD 624 for consideration to the AOL to avoid significant disruption at Coalinga State Hospital and to insure the safety and security of the individuals and staff at Coalinga State Hospital.

Ms. Lee cites *Morning Star Co v. State Board of Equalization* (2006) 38 Cal.4th 341. in which the court ordered the proceedings stayed in order to avoid significant disruption. In this instance, the court was only talking about fees the state was collecting. Fees amounting to several hundred dollars in taxes in *Morning Star* cannot be compared to years of ongoing blatant denial of civil liberties by the Department of Mental Health in circumventing the Administrative Procedure Act.

The only way to assure that the Department of Mental health complies with the APA, is to take full action and rule that AD 624 is an **UNDERGROUND REGULATION**, sending a clear message to the department that they are not above the law.

HOSPITAL OR PRISON?

Ms. Lee betrays the mindset of the Department of Mental Health insofar as it relates to WIC 6600 detainees by confusing authorizations granted to the Department of Corrections and Rehabilitation. Her contention that since the hospital is on prison grounds prison rules should apply is frankly embarrassing. She writes,

> "Coalinga State Hospital is situated in CDCRs premises and CDCRs exemption should apply" [CDCRs 'local rule' that allows the Director to promulgate].

Patients at Coalinga State Hospital under civil commitment are either under the jurisdiction of CDCR or DMH. Whose rules apply for making the rules? If CDCRs conventions pertain, the entire discussion between ourselves and anyone in the DMH, including Ms. Lee, is moot; we

should be having this conversation with the Department of Corrections, and they should be writing the regulations rather than the bureaucrats of DMH.

If DMH wishes to borrow authority from CDCR, it implies they are under the jurisdiction of the entity from which they borrow that authority, since authority cannot be transferred from one agency to another. The Department of Mental Health has usurped powers not lawfully granted by stepping outside the bounds of its mandate.

The director does not work under the authority of the Pleasant Valley State Prison by virtue of the hospital's location thereon, and:

> "Administrative agencies have only the powers conferred on them, either expressly or impliedly by the Constitution or by Statute, and administrative action exceeding those powers are void." *(Terhune v. Superior Court (Whitley)* (1998, First Appellate Dist.) 65 Cal. App. 4th 864, 873, 76 Cal. Rptr. 2d 841, 846.)

Does Coalinga's physical presence on the property owned by CDCR abrogate volumes of statutory law and legal precedent differentiating prisoners from civil committees, or the terms of confinement and rules for formulation of regulations for civil detainees on the one hand, and penal commitments, with their almost opposite mission, on the other? DMH maintains that the hospital's policies are neither punitive in intent or effect, but the CDCR is decidedly and unapologetically punitive in intent and effect.

Did the Legislature grant DMH the specific exemption authority it conferred to CDCR and that DMH yearns for? If the DMH wants the same exemption afforded CDCR it must simply go to the legislature and attempt to justify it to them. However, if DMHs past mistakes are indicative of what we may expect in the future (as they resolutely claim is true of us when seeking our recommitments), then getting *carte blanche* from the legislature seems doubtful. At any rate, the Office of Administrative Law is not the forum for this request.

Building upon her description of the ADs as "guides," she attempts to distance the department from the requirements to which every other agency—even CDCR must submit. The convoluted reasoning moves her inexorably to the inevitable and absurd conclusion that since the hospital is located on prison grounds, prison exemptions which allegedly relieve the director of the duty of promulgation must be in effect.

Nevertheless, Penal Code Section 5058, Rules and regulations; administration of prisons and parole of persons; promulgation." ***100035** (a) and (b)state:

> (a) "The director may prescribe and amend rules and regulations for the administration of the prisons. The rules and regulations shall be promulgated and filed pursuant to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, and shall, to the extent practical, be stated in language that is easily understood by the general public."
>
> (b) "The director shall maintain, publish and make available to the general public, a compendium of the rules and regulations promulgated by the director pursuant to this section." (b)

CONCLUSION

By stepping outside the bounds of its fixed authority the Department of Mental Health has usurped powers it has not lawfully been granted. The arguments they proffer after the fact serve mainly as a contrivance to rationalize a policy run amok. The Department has become accustomed over the years to the exercise of raw unchecked power. Entitled, it is astonished at any lawful challenge. They have adversely affected hundreds of persons not capable of defending themselves by their departure from their fiduciary duty.

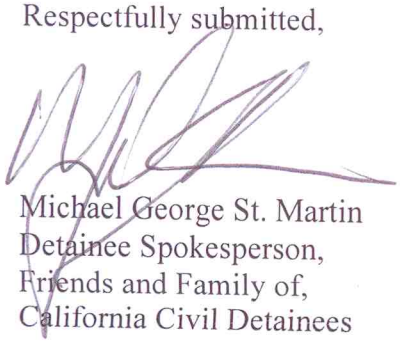
> "[T]he ultimate questions whether the agency decision was arbitrary, capricious or entirely lacking in evidentiary support, contrary to established public policy, or unlawful or procedurally unfair, are essentially questions of law."*(Jenkins v. City of Corona* (2006, Fourth Appellate Dist.) 140 Cal. App. 4th 261, 281, 44 Cal. Rptr. 3d 366, 381.)

Petitioner reiterates and re-affirms all of the arguments presented in the original petition as referenced and included herein.

Because AD 624 seeks to limit or curtail the rights recognized by the courts as belonging to citizens who retain them, and because the interests of the institution and its security concerns intersect the rights of those in its charge, the process must be carefully scrutinized by the OAL. We wish it were otherwise, but capricious and arbitrary rulemaking by the department of Mental Health in the past have made this a necessary step.

Without codification, the DMH will continue its practices unabated. AD 624 has undergone numerous changes without APA review. Employees within the DMH must be properly instructed and informed in order that a uniform methodology and result may ensue. AD 624 must be codified properly.

Respectfully submitted,



Michael George St. Martin
Detainee Spokesperson,
Friends and Family of,
California Civil Detainees

CC: Ms. Alice Lee, California Department of Mental Health

SUBMISSION

A

MEMO ON CHANGE OF A.D. 626
SIGNED BY PAM AHLIN

CALIFORNIA DEPARTMENT OF
Mental Health
Coalinga State Hospital

Memorandum

To: All CSH Staff

Date: July 27, 2007

From: Executive Office

Telephone: 934-3516

Subject: ALLOWABLE ITEMS

Coalinga State Hospital's policy, A.D. 626 on the "Allowable List" has been changed to exclude family members from being able to mail electronic devices and CD/DVD's to individuals.

This policy was enacted, July 9, 2007 and is currently to be followed.

Due to the late posting of this policy, any packages that are post marked before July 27, 2007 that are received at the hospital from family members and contains approved electronics or CD/DVD's may be given to the individual.

BEN McLAIN
Executive Director (A)

Attachment

SUBMISSION

B

MEMO ON INTERNET ACCESSIBLE DEVICES SIGNED BY PAM AHLIN

CALIFORNIA DEPARTMENT OF
Mental Health
Coalinga State Hospital

Memorandum

To: CSH INDIVIDUALS'
PCDG REPRESENTATIVES
PROGRAM DIRECTORS

Date: April 22, 2008

From: EXECUTIVE OFFICE

Subject: INTERNET ACCESSIBLE ELECTRONIC DEVICES

Please be advised that all electronic devices containing the ability to access the Internet in any wired or wireless fashion will be considered contraband. It is recommended that prior to purchasing any electronic devices that the make and model number of the device be submitted to I.T. through the Unit Supervisor for review of specifications to avoid purchasing any items that will be deemed contraband when received.

Current items in possession having this capability will also be considered contraband if discovered.

Authority:

CALIFORNIA CODE OF REGULATIONS
Title 9. Rehabilitative and Developmental Services, Section 891. Internet Usage.

Patients shall not have access to the Internet.

NOTE: Authority cited: Sections 4005.1 and 4027, Welfare and Institutions Code.
Reference: Sections 4005.1 and 4027, Welfare and Institutions Code.

PAM AHLIN
Executive Director (A)

cc: George Maynard, HA (A)
Jose Valencia, CA (A)