

CALIFORNIA DEPARTMENT OF MENTAL HEALTH

SPECIAL ORDER

Section: 200-299 Administrative

Special Order No.: 239.02

Effective Date: January 1, 2002

Replaces: 239.01

Subject: **CONTRABAND**

Special Order: The Department of Mental Health (Department) recognizes that the control of items considered contraband in the state hospitals is essential for the safety and protection of employees, patients, and the general public who reside within the communities adjacent to the state hospitals.

Authority: By order of the Deputy Director, Long Term Care Services.

Purpose: The purpose of this Special Order is to classify specific items considered contraband that are prohibited in the state hospitals, and establish policy regarding the inspection, search, seizure, reporting and disposition of items considered contraband.

Method: Each Executive Director shall establish directives, procedures, and report forms consistent with this Special Order.

Consistent with this Special Order, each Executive Director shall either develop a list of items that are considered contraband, or a list of items that are considered allowable, and make the list available on all treatment units, and all areas of patient and public access within the hospital. The list will also be made available to visitors who visit patients at the state hospitals.

Special Order 227 (Special Incident Reports) will be followed when contraband items such as weapons and illegal substances are found or when staff are involved.

GENERAL STATEMENT

Items that should be considered contraband are items that would constitute a breach of security to the state hospital and/or affect the safety of the patients, staff and the public, or items that are allowed but in excess of established amounts and quantities.

In addition to the items identified by the individual state hospital as being contraband, all contraband lists shall include any illegal drug, including but not limited to narcotics, marijuana, and hallucinogenic, drug paraphernalia or any other item prohibited by law. These items shall not be brought on the state hospital grounds.

State hospital policies shall include, but not be limited to the following:

1. Procedures that allow for the inspection and searching of patients, their property and living areas, all general hospital areas within and outside the secure treatment area, and of staff and visitors, to effectively ensure that contraband is not present.
2. Procedures that deny access to the facility for any individual, employee or visitor, who refuses to submit to an inspection or search, or who has a history of attempting to and/or providing contraband items to patients. Employees and visitors denied entrance will be instructed to leave the state hospital grounds.
3. Directives and procedures concerning allowable personal property by patients.
4. A process for the reporting of searches for contraband and when contraband is found. A State Hospital Special Incident Report and Contraband Report will be initiated when contraband is found. These reports will be forwarded to the appropriate personnel as determined by hospital policy.
5. The initiation of a crime report by the Hospital Police Department or Investigators (CDC at PSH) concerning illegal items found.
6. A process that allows an interdisciplinary note to be entered in a patient's medical chart if contraband is seized from the patient or from the patient's living area. The process should include a method to provide the patient with a receipt for all items removed from their person or living area.

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7. Directives and procedures concerning the receipt of packages, donations, gifts and other items by patients. Items are not to be given directly to patients by visitors or staff.
8. Procedures concerning the search of newly admitted patients and/or their property.
9. Procedures concerning the search of patients when entering and leaving the visiting room.
10. A process for the disposition and/or disposal of contraband, including at a minimum a record that clearly indicates the item(s), and the date and process of the disposition/disposal.
11. Directives and procedures concerning items secured as part of an investigation, whether criminal or administrative in nature.
12. Reviews and updates of contraband Administrative Directives, procedures or policies shall be conducted at least once every two years.

Signature on File

JOHN RODRIGUEZ, Deputy Director
Long Term Care Services
Department of Mental Health

December 21, 2001

Date