

## TEXT OF PROPOSED REGULATIONS

In the following text:

single underline indicates original added or amended text

double underline indicates added or amended text to original proposed language

single strikeout indicates deleted original text to original proposed language

Title 15. Crime Prevention and Corrections

Division 8. California Prison Industry Authority

Chapter 1. Rules and Regulations of California Prison Industry Authority

Article 6. Personnel

New sections 8115 through 8117 are proposed to read:

### **8115. Familiarity.**

(a) For the purposes of this section, "familiarity" means engaging in conversation or any type of communication that includes personal topics.

(b) With exception to Section 8116, no employee shall engage in familiarity with inmates or parolees who are under the jurisdiction of CDCR.

(c) For work related purposes, an employee may converse with inmates or parolees; conversations shall be limited to the following: (1) Work related topics only.;

(2) Non-personal topics such as weather, sports, current events, etc.; or

(3) Non-personal topics that do not include personal views or become personal in nature.

NOTE: Authority cited: Sections 2801 and 2809, Penal Code. Reference: Sections 2801 and 2809, Penal Code.

**8116. Employee Relations with Family Members under CDCR Jurisdiction.**

(a) "Family member" as defined in Section 8000, applies to this section.

(b) An employee may conduct a relationship with an inmate or parolee who is under the jurisdiction of CDCR if all of the following exist:

(1) the inmate or parolee is the employee's family member;

(2) interactions are conducted during employee's off-duty hours and away from the workplace; and

(3) pursuant to disclosure set forth in subdivision (c) of this section.

(c) ~~An E~~employees shall notify his or her supervisor in writing of relationships described in subdivision (b). The supervisor shall provide the written notice to the General Manager, who will ensure notice is forwarded to the warden at the employee's assigned workplace and the appropriate CDCR Director, and CDCR Assistant Secretary.

NOTE: Authority cited: Sections 2801 and 2809, Penal Code. Reference: Sections 2801 and 2809, Penal Code.

**8116.1. Disclosure of Persons Known under CDCR Jurisdiction.**

(a) For the purpose of this section, "any person known by an employee" includes:

(1) Family members as defined in Section 8000;

(2) Current or past co-workers, clients, business partners, or anyone an employee works with or has worked with in a business setting; or

(3) Current or past neighbors, friends, associates, or companions.

(b) If an employee is aware of any person ~~known by an employee~~ described in subsection 8116.1(a) who ~~has been~~ was previously or is currently committed to the

jurisdiction of CDCR, the employee shall make a disclosure as described in subdivision (c) of this section.

(c) An employee shall notify his or her supervisor in writing of anyone described in subdivisions (a) and (b). The supervisor shall provide the written notice to the General Manager who will ensure notice is forwarded to the warden at the employee's assigned workplace and the appropriate CDCR Director, and CDCR Assistant Secretary.

NOTE: Authority cited: Sections 2801 and 2809, Penal Code. Reference: Sections 2801 and 2809, Penal Code.

### **8117. Employee Transactions with Inmates and Parolees.**

(a) Except as provided in Sections 8116, 8119.1, subdivision 8119(a) and subdivision (c) of this section, no employee shall ~~do any of the following~~ engage in any of the following transactions with an inmate or parolee who is under the jurisdiction of CDCR:

(1) directly or indirectly trade, barter, lend, give, promise to give or otherwise engage in transactions;

(2) convey or transmit any type of messages;

(3) take or deliver any unauthorized items.

(b) If an employee is contacted, asked, or coerced, other than under circumstances specified in subdivision (a) of this section, to engage in transactions described in subdivisions (a)(1),(2), and (3) of this section, the employee shall immediately notify his or her supervisor, the Prison Industries Administrator, Manager, or Branch Manager verbally and in writing.

(c) Exceptions to subdivision (a) above are as follows:

(1) In the execution of their assigned duties, employees may interact with inmates and parolees as necessary and deliver authorized items and messages according to institution policy and local procedures.

NOTE: Authority cited: Sections 2801 and 2809, Penal Code. Reference: Sections 2801 and 2809, Penal Code.