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An act to amend Section 6402 of the Penal Code, relating to public safety.



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THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 6402 of the Penal Code is amended to read:

6402. The Department of Corrections and Rehabilitation (CDCR) shall develop policies related to the department's contraband interdiction efforts for individuals entering CDCR detention facilities. When developed, these policies shall include, but not be limited to, the following specifications:

(a) Application to all individuals, including visitors, all department staff, including executive staff, volunteers, and contract employees.

(b) Use of methods to ensure that profiling is not practiced during random searches or searches of all individuals entering the prison at that time.

(c) Establishment of unpredictable, random search efforts and methods that ensures that no one, except department employees specifically designated to conduct the random search, shall have advance notice of when a random search is scheduled.

(d) All visitors attempting to enter a CDCR detention facility shall be informed that they may refuse to be searched by a passive alert dog.

(e) All visitors attempting to enter a CDCR detention facility who refuse to be searched by a passive alert dog shall be informed of options, including, but not limited to, the availability of a noncontact visit.

(f) All individuals attempting to enter a CDCR detention facility, who have a positive alert for contraband by an electronic drug detection device, a passive alert dog, or other technology, shall be informed of further potential search or visitation options.



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(g) Establishment of a method by which an individual may demonstrate an authorized health-related use of a controlled substance when a positive alert is noted by an electronic drug detection device, a passive alert dog, or other technology.

(h) Establishment of specific requirements for additional search options when multiple positive alerts occur on an individual employee within a specified timeframe.

(i) In determining which additional search options to offer visitors and staff, CDCR shall consider the use of full-body scanners.

(j) ~~CDCR shall, within two years of implementation of the policy described in this section, shall~~ conduct an evaluation of the ~~policy.~~ policy and provide an interim report to the Legislature by June 30, 2016, and a final report to the Legislature on April 30, 2017. This evaluation shall include, but not be limited to, the impact of the policy on:

(1) The amount of contraband, including drugs and cellular phones, found in the prisons where the policy was implemented.

(2) The number of staff assaults that occurred in the prisons where the policy was implemented.

(3) The number of serious rules violation reports issued in prisons where the policy was implemented, including any reduction in offender violence.

(k) (1) The requirement for submitting a report imposed under subdivision (j) is inoperative on June 30, 2020, pursuant to Section 10231.5 of the Government Code.

(2) The reports to be submitted pursuant to subdivision (j) shall be submitted in compliance with Section 9795 of the Government Code.



LEGISLATIVE COUNSEL'S DIGEST

Bill No.

as introduced, _____.

General Subject: Department of Corrections and Rehabilitation: contraband interdiction policy.

Existing law requires the Department of Corrections and Rehabilitation to develop a policy, as specified, related to the department's contraband interdiction efforts for individuals entering the department's detention facilities. Existing law requires the department to conduct an evaluation of the policy within 2 years of its implementation. Existing law requires this evaluation to include, among other information, the amount of contraband found in the prisons and the number of staff assaults that occurred in the prisons where the policy was implemented.

This bill would require the department to provide an interim report detailing its evaluation of the policy to the Legislature by June 30, 2016, and a final report to the Legislature on April 30, 2017, as specified.



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Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.



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