



Department of Corrections and Rehabilitation

## NOTICE OF CHANGE TO REGULATIONS

Sections: 3349. 3349.1.1, 3349.1.2, 3349.1.3, 3349.1.4, 3349.2.1, 3349.2.2, 3349.2.3, 3349.2.4, 3349.3, 3349.3.1, 3349.3.2, 3349.3.3, 3349.3.4, 3349.3.5, 3349.3.6, 3349.3.7, 3349.4.1, 3349.4.2, 3349.4.3, 3349.4.4, 3349.4.5, and 3349.4.6

Number:  
09-09

Publication Date:  
May 1, 2009

Effective Date:  
Implementation To Be  
Announced

This notice announces the amendment to Section 3349 and the adoption of 22 Sections under Subchapter 4, Article 7.5 of the California Code of Regulations (CCR), Title 15, Crime Prevention and Corrections, to incorporate into the CCR, provisions concerning the lethal injection process.

### PUBLIC COMMENT PERIOD

Any person may submit written comments about the proposed regulations to the California Department of Corrections and Rehabilitation, Regulation and Policy Management Branch (RPMB), P.O. Box 942883, Sacramento, CA 94283-0001, by fax to (916) 255-5601, or by e-mail to [RPMB@cdcr.ca.gov](mailto:RPMB@cdcr.ca.gov). All written comments must be received by the close of the public comment period, **June 30, 2009**, at 5:00 pm.

### PUBLIC HEARING INFORMATION

A public hearing regarding these proposed regulations will be held **June 30, 2009**, from 9:00 am to 3:00 pm. in the Auditorium of the Department of Health Services, 1500 Capitol Avenue, Sacramento, CA, 95814. The purpose of the hearing is to receive oral comments about this action. It is not a forum to debate the proposed regulations. No decision regarding the permanent adoption of these regulations will be made at this hearing. Written or facsimile comments submitted during the prescribed comment period are given the same significance and weight as oral comments presented at the hearing. This hearing site is accessible to the mobility impaired.

### SPECIAL NOTE REGARDING THE CONTENT OF THIS PROPOSED REGULATION

These proposed regulations have been developed to satisfy the requirements of the Administrative Procedure Act for inclusion of the lethal injection process into the California Code of Regulations, Title 15. Any comments received that are **not related specifically** to the process itself as presented in the text, such as the constitutionality, legality, or morality of the death penalty itself, will not receive a specific response from the Department.

### POSTING

This notice shall be posted immediately upon receipt at locations accessible to inmates, parolees, and employees in each Department facility and field office, but not later than five calendar days after receipt of the Notice pursuant to DOM subsection 12010.5.8, Posting Requirements. Also, facilities shall make this notice available for review by inmates in segregated housing who do not have access to the posted copies and shall distribute it to inmate law libraries and advisory councils. Certifications of Posting shall be returned to the RPMB electronically, by FAX to (916) 255-5601, or by mail.

### CONTACT PERSON

Inquiries regarding this notice should be directed to Timothy M. Lockwood, Chief, RPMB, California Department of Corrections and Rehabilitation, P.O. Box 942883, Sacramento, CA 94283-0001, by telephone (916) 255-5500 or e-mail [RPMB@cdcr.ca.gov](mailto:RPMB@cdcr.ca.gov). Inquiries regarding the subject matter of these regulations may be directed to Scott Kernan, Undersecretary, Operations, at (916) 323-6001.

*Original signed by:*

SCOTT KERNAN  
Undersecretary, Operations  
California Department of Corrections and Rehabilitation

Attachments