

**DEPARTMENT OF CORRECTIONS AND REHABILITATION**

**DIVISION OF JUVENILE JUSTICE**

**Title 15, California Code of Regulations**

**Sections 4710, 4711, 4712, 4713, 4714**

**Contraband and Searches**

**FINAL STATEMENT OF REASONS**

The California Department of Corrections and Rehabilitation (CDCR), Division of Juvenile Justice (DJJ), proposed regulation as originally noticed to the public will incorporate the policy and procedures relative to contraband and confiscation of money. The procedures in this policy outline and establish employee responsibility within the CDCR, DJJ.

The text “all money will be handled per CDCR Departmental Operations Manual (DOM) Policy No. 08-31, memorandum dated July 23, 2008” was removed from the original proposed regulation text because this policy applies to CDCR, Division of Adult Operations.

Current DJJ regulations pertaining to Contraband and Youth Search specifies that the DJJ conducts random searches of youth and the premises, including rooms and property to prevent contraband from entering and circulating at a youth correctional facility and to locate stolen property.

The text in Subsection 4712 (d) is being moved to Subsection (e) and the text in Subsection (e) is being moved to Subsection (d) so that “Money” and a youths possession of it is addressed before we determine what happens to the money once it is confiscated.

The text in new Section 4712(e) is being modified to read, any money confiscated from a youth housed in a DJJ facility that was not obtained according to subsection (d) shall not be deposited into the youth’s individual trust account but will be handled according to DJJ Case No. 301, December 22, 2008 when the confiscated monies are not the subject of criminal prosecution. This clarifies the procedures for confiscating money, why the money is confiscated and what happens to the money once it is confiscated. It also addresses money found by a youth in a DJJ Facility and what happens to the money.

In complying with C.C.R., Section 20(c) (1), it would be cumbersome, unduly expensive, or otherwise impractical to publish all the documents in the California Code of Regulations. The Division of Juvenile Justice, Contraband, General Institutional Management Policy, CN 301, December 22, 2008 and Form DJJ 4.744, will be available to the affected public via internet as attachments once the regulations have been published by the Secretary of State’s Office.

**Comments Received during the Period the Text was Available to the Public**

The DJJ did not receive any comments on the proposed regulation text.

**Alternatives Determination**

The DJJ has determined that no alternative considered would be more effective in carrying out the purpose of this action or would be as effective and less burdensome to affected persons.

**Local Mandate Determination**

The proposed regulations do not impose any mandate on local agencies or school districts.