

**DIVISION OF HUMAN RESOURCES
OFFICE OF PERSONNEL SERVICES**

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To: All New California Department of Corrections and Rehabilitation (CDCR) Employees

WELCOME TO THE CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION

Listed below are some of the rules that apply to all CDCR employees.

The Secretary's Rules place an obligation on all CDCR employees to report to their supervisors certain situations that may affect their private lives.

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3391. Employee Conduct.

(a) Employees shall be alert, courteous, and professional in their dealings with inmates, parolees, fellow employees, visitors and members of the public. Inmates and parolees shall be addressed by their proper names, and never by derogatory or slang reference. Prison numbers shall be used only with names to summon inmates via public address systems. Employees shall not use indecent, abusive, profane, or otherwise improper language while on duty. Irresponsible or unethical conduct or conduct reflecting discredit on themselves or the department, either on or off duty, shall be avoided by all employees.

3396. Address and Telephone.

Employees must promptly report any change in their address or telephone number to their supervisor and to the personnel office. If an employee does not have a telephone, the employee must furnish his or her supervisor and the personnel office with information on how the employee can be promptly reached.

3399. Transactions.

Employees shall not directly or indirectly trade, barter, lend or otherwise engage in any other personal transactions with any inmate, parolee or person known by the employee to be a relative of an inmate or parolee. Employees shall not, directly or indirectly give to or receive from any inmate, parolee or person known by the employee to be a relative of an inmate or parolee, anything in the nature of a tip, gift or promise of a gift.

3400. Familiarity.

Employees must not engage in undue familiarity with inmates, parolees, or the family and friends of inmates or parolees. Whenever there is reason for an employee to have personal contact or discussions with an inmate or parolee or the family and friends of inmates and parolees, the employee must maintain a helpful but professional attitude and demeanor. Employees must not discuss their personal affairs with any inmate or parolee.

3401. Employee and Inmate/Parolee Relations.

(a) Except as provided in (e) below, employees shall not take, deliver or otherwise transmit, either to or from any inmate or member of an inmate's family; any verbal or written message, document, item, article or substance.

(b) Except as provided in (e) below, employees shall not contact, correspond or otherwise communicate with any inmate, parolees or member of an inmate's or parolee's family.

(c) If an employee is contacted by any inmate, parolee or member of an inmate's or parolee's family, other than under circumstances specified in (e) below, the employee shall immediately notify, in writing, the employee's institution head or deputy/assistant director (via the chain of command).

(d) Any employee asked, coerced or otherwise contacted by any person to transmit, take or relay any message, item or substance, either to or from, any inmate, parolee or member of an inmate's or parolee's family, by other than approved means or circumstances, shall immediately notify, in writing, their institution head or deputy/assistant director (via the chain of command).

(e) Exceptions to the above prohibitions are as follows:

(1) In the execution of their assigned duties, employees shall issue, or receive from inmates any mail, packages, supplies and other items due or permitted them according to department policy and local procedures.

(2) In the execution of their assigned duties, employees shall interact with any inmate, parolee or member of an inmate's or parolee's family as necessary.

(3) While off-duty, and only in accordance with this regulation, departmental employees may conduct relationships with any inmate, parolee or member of an inmate's or parolee's family who is either the employee's immediate family member, as defined in section 3000, or the employee's aunt, uncle, niece, nephew, or first cousin.

3404.1. Approval of Ex-Offender Employee Transactions.

Relationships involving business and financial transactions between ex-offender employees and other employees shall require the advance approval of each person's hiring authority and also of the regional parole administrator with jurisdiction over any employee on parole.

3406. Committed Relatives and Friends of Employees.

If an employee becomes aware that any relative or person with whom the employee has or has had either a personal or business relationship, has been committed or transferred to the jurisdiction of the department, the employee shall notify in writing, employee's institution head or deputy/assistant director (via the chain of command).

3409. Gratuities.

Employees must not solicit, accept or receive directly or indirectly, any fee, commission, gratuity or gift from any person or business organization doing or seeking to do business with the state.

3410. Intoxicants and Drugs.

(a) Employees must not come upon the grounds of an institution or community correctional facility or otherwise report for duty under the influence of intoxicants or drugs. Use of alcohol or drugs to the extent that it interferes with job performance is grounds for dismissal from service.

(b) It is the duty of every employee to promptly report to the warden, superintendent, or regional administrator the presence of any person, including an employee on duty, in any correctional facility who is or appears to be under the influence of intoxicants or drugs.

(c) Employees must not bring any kind of alcoholic beverage or any kind of drugs upon the grounds of an institution, community correctional center or camp unless specifically authorized to do so by the warden, superintendent or regional administrator. Such authorization may be given for medical or religious sacramental purposes, and for possession by employees who live in state-owned residences outside the security area for their personal use within their assigned residences.

(d) Any employee obtaining for, or delivering to an inmate or parolee any alcoholic preparations of any kind, or a drug of any type, except as specifically authorized by the warden, superintendent or regional administrator, will be subject to dismissal from service and to prosecution by the district attorney.

3411. Reporting of Arrest or Conviction:

If an employee is arrested or convicted of any violations of law, the employee must promptly notify the institution head or deputy/assistant director (via chain of command) of that fact. Misconduct which impairs an employee's ability to do his or her job, or affects or involves the department may be cause for disciplinary action.

3413. Incompatible Activity.

(a) No employee of the Department of Corrections will engage in any other employment or activity inconsistent or incompatible with employment by the Department of Corrections. Employment and conduct deemed to fall in such categories includes, but is not limited to the following:

(1) Using the prestige or influence of the state or the Department of Corrections for private gain or advantage.

(2) Employment or participation in any activity of an illegal nature.

(3) Any employment or other activity which will prevent the employee from doing his or her job as an employee of the department in an efficient and capable manner.

(4) Employment which will prevent a prompt response to a call to report to duty in an emergency or when otherwise required to be present by his or her supervisor or the warden or superintendent.

(5) Participating as a specialist to give testimony which may result in the defendant being sentenced to an institution of the Department of Corrections except in cases wherein the department is requested to testify by the court or the defense or the prosecution counsel.

(6) Using for private gain the time, facilities, equipment or supplies of the state.

(7) Using workgroup computer technologies to do any of the following:

(A) Publish, display, or transmit information that:

(1) Violates or infringes on the rights of other persons, including the right of privacy.

(2) Contains defamatory, intentionally false, intentionally inaccurate, abusive, obscene, pornographic, profane, sexually oriented or harassing, threatening, racially offensive, racially biased, or unlawfully discriminatory material.

(3) Encourages the use of controlled substances.

(4) Violates State or Federal Law.

(B) Conduct activities not related to the mission or work tasks of the Department.

(C) Solicit the performance of activities prohibited by law.

(D) Transmit material, information, or software in violation of departmental policies, or local, State, or Federal Law.

(E) Conduct electioneering or engage in political activities.

(F) Engage in non-government related fund raising or public relations activities.

(G) Conduct personal business activities or activities for personal monetary gain.

(H) Purchase or sell unauthorized goods or services.

(8) Providing confidential information to persons to whom issuance of such information has not been authorized, or using such information for private gain or advantage.

(9) Receiving or accepting money or any other consideration from anyone other than the state for performance of an act which the employee would be required or expected to render in the regular course or hours of his or her employment, or as part of his or her duties as a state employee.

(10) Receiving or accepting, directly or indirectly, any gift, including money, any service, gratuity, favor, entertainment, hospitality, loan, or any other thing of value, from anyone who is doing or is seeking to do business of any kind with the state or whose activities are regulated or controlled in anyway by the state, under circumstances from which it reasonably could be inferred that the gift was intended as a reward or for the purpose of influencing any official action on the employee's part.

(11) (b) Before engaging in any outside employment, activity or enterprise, the employee must submit a statement to his or her division administrator (via the chain of command) or to the warden or superintendent, naming the prospective employer, if any, the employer's address and phone number, and an outline of the proposed duties or activities. This must be in sufficient detail to enable the division administrator or the warden or superintendent to determine whether the proposed activity falls in the prohibited class. The division administrator or the warden or superintendent must notify the employee of findings.

(c) Violation of these provisions may result in disciplinary actions up to and including termination of employment or civil action. Criminal prosecution may result from conduct which violates Penal Code Section 502.

3414. Identification Card.

Every employee will be issued a departmental identification card. Employees must, while on duty, carry such card upon their person and produce the card upon request. An employee must promptly report the loss of his or her identification card to the warden or superintendent or regional administrator (or deputy/assistant director [via the chain in command] for Central Office Employees).

3424. State Products.

The direct sale or disposal to an employee of any article, materials, or supplies owned, produced, or manufactured by the department is prohibited except where specifically authorized by law.

I have reviewed the content of this memo and agree to abide by the provisions. **Please return this copy.**

SIGNATURE

DATE

PRINTED NAME

AUTHORIZED PERSONNEL
OFFICE STAFF

DATE