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Director

ENDORSED - FILED
in the office of the Secretary of State
of the State of California

JAN 18 2019

12:00 PM



Date: January 18, 2019
To: Sam Consiglio
From: Chapter Two Compliance Unit
Subject: **2019 OAL DETERMINATION NO. 1 (S)**
(CTU2018-1119-03)

(Summary Disposition issued pursuant to Gov. Code, sec. 11340.5;
Cal. Code Regs., tit. 1, sec. 270(f))

Petition challenging as an underground regulation the DSH-C Hospital
Specific Contraband Justification, issued by Department of State Hospitals,
Coalinga.

On November 19, 2018, the Office of Administrative Law (OAL) received your petition asking for a determination as to whether the DSH-C Hospital Specific Contraband Justification, issued by Department of State Hospitals, Coalinga, constitutes an underground regulation. The challenged rule is attached hereto as Exhibit A.

In issuing a determination, OAL renders an opinion only as to whether a challenged rule is a "regulation" as defined in Government Code section 11342.600,¹ which should have been, but was not, adopted pursuant to the Administrative Procedure Act (APA). Nothing in this analysis evaluates the advisability or the wisdom of the underlying action or enactment.

If a rule meets the definition of a regulation in Government Code section 11342.600, but was not adopted pursuant to the APA, it may be an "underground regulation" as defined in California Code of Regulations, title 1, section 250:

The following definitions shall apply to the regulations contained in this chapter:

(a) "Underground regulation" means any guideline, criterion, bulletin, manual, instruction, order, standard of general application, or other rule, including a rule governing a state agency procedure, that is a regulation as defined in Section 11342.600 of the Government Code, but has not been adopted as a regulation and filed with the Secretary of State pursuant to the APA and *is not subject to an express statutory exemption from adoption pursuant to the APA.* [Emphasis added.]

¹ "Regulation" means every rule, regulation, order, or standard of general application or the amendment, supplement, or revision of any rule, regulation, order, or standard adopted by any state agency to implement, interpret, or make specific the law enforced or administered by it, or to govern its procedure.

Generally, a rule which meets the definition of a "regulation" in Government Code section 11342.600, is required to be adopted pursuant to the APA. In some cases, however, the Legislature has chosen to establish exemptions from the requirements of the APA. The Legislature has enacted an exemption with respect to the control and elimination of contraband at state hospitals. Welfare and Institutions Code section 7295(j), establishes exemptions expressly for the California Department of State Hospitals (DSH):

(j) Notwithstanding Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, the hospital and the department may implement, interpret, or make specific this section without taking regulatory action [Emphasis added].

This exemption applies when a rule is adopted by a hospital to implement, interpret, or make specific Welfare and Institutions Code section 7295(a), which specifically deals with the control of contraband items at state hospitals:

(a) To ensure its safety and security, a state hospital that is under the jurisdiction of the State Department of State Hospitals, as listed in Section 4100, may develop a list of items that are deemed contraband and prohibited on hospital grounds and control and eliminate contraband on hospital grounds.

Pursuant to the provisions of Welfare and Institutions Code section 7295(a), the development and issuance of the attached DSH-C Hospital Specific Contraband Justification, and prohibiting patient access to those items identified on the list by the Department of State Hospitals-Coalinga, is not an underground regulation.²

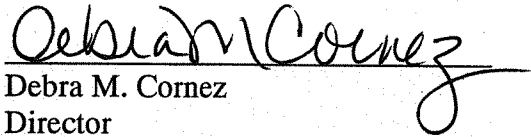
For the reasons discussed above, we find that the rule challenged by your petition is not an underground regulation.

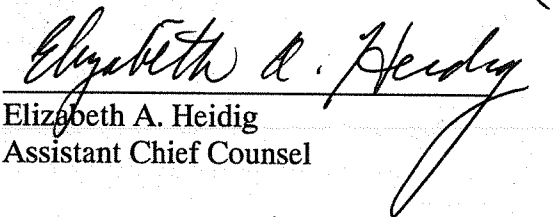
² The rule challenged by your petition is the proper subject of a summary disposition letter pursuant to title 1, section 270 of the California Code of Regulations. Subdivision (f) of section 270 provides:

- (f)(1) If facts presented in the petition or obtained by OAL during its review pursuant to subsection (b) demonstrate to OAL that the rule challenged by the petition is not an underground regulation, OAL may issue a summary disposition letter stating that conclusion. A summary disposition letter may not be issued to conclude that a challenged rule is an underground regulation.
- (2) Circumstances in which facts demonstrate that the rule challenged by the petition is not an underground regulation include, but are not limited to, the following:
- (A) The challenged rule has been superseded.
 - (B) The challenged rule is contained in a California statute.
 - (C) The challenged rule is contained in a regulation that has been adopted pursuant to the rulemaking provisions of the APA.
 - (D) The challenged rule has expired by its own terms.
 - (E) **An express statutory exemption from the rulemaking provisions of the APA is applicable to the challenged rule.** [Emphasis added.]

The issuance of this summary disposition does not restrict your right to adjudicate the alleged violation of section 11340.5 of the Government Code.

January 18, 2019


Debra M. Cornez
Director


Elizabeth A. Heidig
Assistant Chief Counsel

Copy: Stephanie Clendenin, A.D., DSH
Brandon Price, E.O. DSH-Coalinga
Patrice Huber, Esq.

Exhibit A

**DSH-C Hospital Specific Contraband
Justification**

Item	Justification
1. Money order or copies of money, including foreign currency.	<ul style="list-style-type: none"> a. Escape risk increase. b. Increased safety and contraband concerns (e.g. staff involvement). c. DSH-C utilizes electronic trust account system.
2. Surge/Circuit protectors/Power Strips, with the exception of OSHA NRTL listed, Resettable with a maximum of 6 outlets. Limit of 2 per patient.	<ul style="list-style-type: none"> a. Electrical overload. b. Fire risk.
3. Chewing Gum	<ul style="list-style-type: none"> a. Jamming Locks. b. Safety and Security Risk.
4. Aluminum foil or items made to include foil, with the exception of safety seals or food wrappers. Food containers with aluminum rings or pop top lids will be considered contraband.	<ul style="list-style-type: none"> a. Jamming Locks. b. Excess foil can be utilized as a cooking surface. c. Aluminum is a form of metal which is not approved pursuant to #55 of the Statewide Contraband List.
5. Any liquid containing alcohol and/or intoxicants, except those items used under direct staff supervision.	<ul style="list-style-type: none"> a. Combustible and fire accelerant. b. Fire and Life Safety Issue unless under direct staff supervision.
6. Cosmetic items that may alter appearance. Items include but are not limited to: cosmetic pencils requiring sharpening, lipstick, eye shadow, etc. Cosmetic items are considered contraband unless ordered by a DSH-C Physician. *Hair color is prohibited for all patients.	<ul style="list-style-type: none"> a. Unapproved cosmetics increase the risk of escape and pose a security risk to the facility. b. Alter appearance.
7. Disposable razors, <i>except under staff supervision. Disposable razors received in packages will not be issued to the patient population.</i>	<ul style="list-style-type: none"> a. Razors pose a safety and security risk to the facility unless utilized under direct staff supervision. b. Can be utilized as a weapon.
8. *Non-Shelf Stable Foods: Foods that require refrigeration/freezing as packaged. Items include but are not limited to: raw and uncooked meat, poultry, seafood, etc.; dairy products including yogurts, cheese, ice cream and milk; and hotdogs/sausages, and packaged goods that require refrigeration/freezing until served. Non-Shelf Stable items are not permitted in patient packages and will be disposed of for health and safety reasons, if received in a patient's package. This restriction applies to Non-Shelf stable food items received in patient packages.	<ul style="list-style-type: none"> a. Health and Safety concerns due to possible food borne illness. b. Vector control issues. c. Centers for Disease Control and Prevention Food Borne Illness Guidelines.
9. Perfumes/Body Oils/Spiritual Oils not in original manufactured packaging. Perfumes/Body Oils must contain the list of ingredients or it will be considered contraband. SDS sheets must be included, minimum flashpoint of 185 degrees.	<ul style="list-style-type: none"> a. Potential fire hazard. b. Potentially toxic. c. Inability to identify contents.

<p>10. Undergarments Clarification</p> <p>#35 on the Statewide Contraband List states undergarments are an exception to Non-State Issued Clothing. DSH-C will only allow personal undergarments (panties and bras) for patients diagnosed with Gender Identity Disorder.</p> <ul style="list-style-type: none"> • Lace will be allowed with a cloth lining but see through lacing is not permitted • Thongs, G-Strings and transparent items are not permitted • Bras can not contain any type of underwire • A limit of ten (10) pieces of lingerie may be ordered every six (6) months • Items will be a one for one exchange on old and/or damaged items <p>Lingerie will be a Unit Supervisor pick-up item. DSH-C will provide separate laundry bags for cleaning.</p>	<ul style="list-style-type: none"> a. Health & Safety concern due to the lack of resources to wash personal undergarments. b. Public Health concern if the undergarments are not appropriately washed. c. Title 22 Section 73665.
<p>11. Digital Media received through patient packages that are not manufactured sealed. Digital media includes but is not limited to CDs/DVDs, thumb drives, SD Cards, and memory cards.</p>	<ul style="list-style-type: none"> a. Presents safety and security risk because Property/Package Room staff are unable to verify contents of the digital media. b. Increased risk of contraband introduced into the facility.
<p>12. Beading Needles and Knitting Needles, <u>except under supervision during a structured beading/leather work group. Beading Needles and Knitting Needles will be supplied by the group facilitator.</u></p>	<ul style="list-style-type: none"> a. Poses a safety and security risk because the needle can be utilized as a weapon. b. Utilized to jam locks or pick locks.
<p>13. Laser hair removal devices/systems.</p> <p>(NoNo Hair Remover will not be considered contraband if approved by the treatment team)</p>	<ul style="list-style-type: none"> a. Laser hair removal devices/systems present a safety risk (skin burns) to the patients. b. Staff members at DSH-C are not trained on the proper use or supervision of laser hair removal devices/systems.
<p>14. Ice Chests and Insulated Bags</p>	<ul style="list-style-type: none"> a. Vector Control Issue. b. Unable to verify and maintain the temperature of perishable food items.
<p>15. Utensils will be considered contraband if they are longer than 10 inches in length. Utensils made of wood or polycarbonate will be considered contraband.</p>	<ul style="list-style-type: none"> a. Wood and Polycarbonate utensils/spoons are rigid and pose a safety and security risk as weapon stock. b. Mixing spoons beyond 10 inches could be considered a weapon.
<p>16. Zip Ties</p>	<ul style="list-style-type: none"> a. Choking/Hanging Risk. b. Potentially utilized as a form of handcuffs.

17. Tool Clarification (#53 on Statewide Contraband List). Tool Accessories that present a safety security risk to the facility shall be considered contraband. This includes but is not limited to: polishing compounds/wheels, drill bits, flashlights, etc.	<ul style="list-style-type: none"> a. Tool Accessories can posed an escape risk to the facility. b. Tool Accessories can be utilized to manufacture weapons.
18. Cleaning Chemicals	<ul style="list-style-type: none"> a. If utilized without proper protective equipment can result in injuries to staff and patients including chemical burns.
19. Safes	<ul style="list-style-type: none"> a. The use of safes would prevent staff from conducting thorough searches. b. Trip, slip, fall hazard. c. Could be utilized as a weapon depending upon the size and weight.
20. Luggage Clarification #29 on the Statewide Contraband List states Luggage is considered contraband. DSH-C considers luggage to be bags larger than 18"x14"x8".	<ul style="list-style-type: none"> a. Potential trip, slip, fall hazard. b. Increased risk for concealing contraband. c. Luggage larger than the approved size will not fit inside the approved storage areas inside the patients' room.
21. Fruit and Vegetable Seeds	<ul style="list-style-type: none"> a. Health and Safety concerns due to possible food borne illness. b. CDPH deficiencies for inadequate cleaning process prior to consuming. c. Increased risk of patient manufactured alcohol (Pruno).
22. Power Strip Adapters and Extension Cords	<ul style="list-style-type: none"> a. Electrical overload b. Fire risk
23. Food Products/ Spiritual Herbs without factory seal Food/ Spiritual Herbs products received in the package room that are not factory sealed will not be issued and will be considered contraband.	<ul style="list-style-type: none"> a. Health and Safety concerns due to possible food borne illness. b. Vector control issues. c. Centers for Disease Control and Prevention Food Borne Illness Guidelines.
24. Area/Prayer Rugs larger than 40 inches by 60 inches will be considered contraband. Area rugs shall only be utilized for spiritual prayer and spiritual path markings. Bed coverings; including but not limited to blankets, bedspreads, quilted bedding items, linen and fleece throws are not to be considered prayer rugs or spiritual rugs. Area rugs shall not be utilized as floor coverings or room decorations and shall be properly stored when not in use.	<ul style="list-style-type: none"> a. Slip, Trip, Fall Hazard. b. Inadequate space to properly store rugs larger than forty (40) inches by sixty (60) inches.
25. Pressure Cookers	<ul style="list-style-type: none"> a. Health and Safety concern as the liquid can exceed boiling point. b. Combustible. c. Fire and Life Safety Issue.

26. String Light including but not limited to Christmas Lights, LED robe lights, etc. Length not to exceed 8 feet in length. Limit of one (1) per patient.	a. Potential trip, slip, fall hazard. b. Excessive lights violates Fire Code.
27. Tablet Computers are considered contraband. The only exception is the Hiteker 7 inch Android Tablet received directly from Walkenhorsts.	a. Tablets can be connected to external devices to transmit information. b. Unable to determine if the Tablet has been modified from original specifications. c. Increased risk of Internet connectivity.
28. Warming Oils	a. Skin Irritant. b. Fire Hazard.
29. Adjustable Wooden Looms which do not meet the following will be considered contraband: <ul style="list-style-type: none"> Constructed of wood, flat surfaces only and no dowel shaped rods Must be no larger than three (3) feet long when fully extended Table models only Adjustable Wooden Looms will be a Unit Supervisor pick-up item. Patients must follow IMD 448 guidelines.	a. Potential Weapon stock. b. Looms beyond 3 feet limit storage capabilities.
30. Yeast packets/containers (individual ingredient) Premixed food products containing yeast as an ingredient will be allowed.	a. Utilized as an active ingredient in patient manufactured alcohol.
31. Electric Heaters (portable and stationary)	a. Electrical overload. b. Fire Life Safety Issues.
32. Corrugated Cardboard	a. High Risk for concealing contraband. b. Fire Life Safety Issues.
33. Minoxidil Hair Growth Treatment Cream and any other hair growth treatment that contains alcohol and/or intoxicants.	a. Combustible and fire accelerant. b. Intoxicant. c. Fire and Life Safety Issue.
34. Sex Toys/Devices: Including but not limited to dildos, vibrators, sadism and masochism (S&M) and bondage toys/devices.	a. Risk of victimization to staff and patients. b. Health and Safety Concern. c. Public Health Concern.
35. Protein Powder, Protein Bars, and Carnation Instant Breakfast are considered a Nutritional and Dietary Supplement. Protein Powder, Protein Bars, and Carnation Instant Breakfast not purchased from the Canteen are considered contraband.	a. Clarification to #15 on Statewide Site Specific Contraband List.
36. Pocket Talker	a. Amplifies conversations which poses a safety and security risk. b. Device is utilized as a medical device to assist with hearing impaired patients therefore falls under #32 on Statewide Contraband List.
37. Projection Screen exceeding 3 feet by 5 feet	a. Items hanging on the wall cannot exceed 10% of the wall pursuant to Fire Code. b. Fire Hazard.

38. Juice (Limit of 64 ounces per package)	a. High risk for alcohol (pruno) production. b. Public Health Concern
39. Shoes/Boots with reinforced hard or steel toes.	a. Safety concern for staff and patients.
40. Over the door organizer.	a. Fire Hazard. b. High risk for concealing items deemed contraband.
41. Hydration Backpack	a. Inability to identify the liquid. b. Public Health concern due to the inability to adequately clean.
42. Earrings with stems longer than one and a half (1 ½) inches and/or have an ornament larger than two (2) inches.	a. Metal is not approved pursuant to #55 of the State Wide Contraband List.
43. Stocking Hats/ Beanies that are longer than twelve (12) inches.	a. Safety and Security Risk. b. High risk for concealing items deemed contraband.
44. Board Games constructed of glass, marble or ceramic will be considered contraband. Board games must be no larger than 24"x19"x12" and weigh less than two and a half (2 ½) pounds. Wood and plastic pieces exceeding three (3) inches and chess pieces exceeding (4) inches, will also be considered contraband.	a. Safety and Security risk as some item(s) can be used as a potential weapon. b. Jamming locks. c. Inadequate space to store games larger than 14" x 19" x 12". d. Glass and ceramic are not approved pursuant to #21 of the State Wide Contraband List. e. Metal is not approved pursuant to #55 of the State Wide Contraband List.
45. Air purifiers larger than 12"x12"x16" will be considered contraband. Air purifiers which do not have ANSI 507 and ANSI 867 certification mark or have replaceable filters will be considered contraband. Air purifiers which are not primarily made of plastic will be considered contraband. Air purifiers must be plugged directly into the wall outlet and cannot be placed on the floor. No battery or rechargeable types, regardless of attached cord. Air purifiers must be cleaned and disinfected by patient when needed. Air purifiers are a Unit Supervisor pick-up item.	a. Electrical overload (AD 843). b. Potential Fire Hazard. c. Metal is not approved pursuant to #55 of the State Wide Contraband List.
46. Resin Statues constructed of non-plastic resin will be considered contraband. Plastic Resin Statues larger than twelve (12) inches by twelve (12) inches, or which weigh more than three (3) pounds will be considered contraband. Plastic Resin Statues with detachable parts will also be considered contraband. Plastic Resin Statues will be retained for Unit Supervisor pick-up if appearance is considered to be threatening or dangerous.	a. Safety and Security Risk. b. Glass and ceramic are not approved pursuant to #21 of the State Wide Contraband List.
47. Eyeglass lanyards that are longer than twenty-four (24) inches will be considered contraband. Eyeglass lanyards must be made of nylon, neoprene or cloth.	a. Safety and Security Risk. b. Rope, twine and wire are not approved pursuant to #42 on the State Wide Contraband List.

<p>48. Glue (only to be used under supervision)</p> <p>Testors non-toxic glue which does not meet the following guidelines will be considered contraband:</p> <ul style="list-style-type: none"> • Comply with OSHA Flammability Classification Class II requirements • Non-toxic and contain identity numbers; 3521, 3522, 3523. <p>Testors non-toxic glue is a Unit Supervisor pick-up item and is only to be used under supervision. If supervision is unavailable on the RRU units, it must be utilized during Modeling Group.</p> <p>Elmer's White Glue is a Unit Supervisor pick-up item and is only to be used under supervision.</p> <p>Modge Podge will be supplied by the facility and is only to be used in a supervised setting.</p>	<ul style="list-style-type: none"> a. Jamming locks. b. Safety and Security Risk. c. Health and Safety Concern.
<p>49. Desk Lamps which do not meet the following guidelines will be considered contraband:</p> <ul style="list-style-type: none"> • Must have a permanently attached electrical cord. • Must have a UL listing • Must not exceed sixteen (16) inches in height and base not to exceed twelve (12) inches • Weight may not exceed three (3) pounds • LED with brightness rating not to exceed six hundred (600) lumens to ten (10) watt LED • No battery or rechargeable types regardless of an attached cord 	<ul style="list-style-type: none"> a. Fire risk. b. Safety and Security risk as item(s) that do not follow the guidelines could be used as a potential weapon or tool (i.e. flashlight).
<p>50. Wireframe glasses</p> <p>Limit of one (1) pair of wire framed glasses per patient but may be exchanged on a one for one basis. Wire framed glasses will be a Unit Supervisor pick-up item.</p>	<ul style="list-style-type: none"> a. Glasses with exposed metals (not encased with plastic) are considered contraband. b. Metal is not approved pursuant to #55 of the State Wide Contraband List.
<p>51. Multi-Hubs that have more than seven (7) ports and/or any SD card slots are considered contraband. Multi-hubs which have the ability to transfer data or have the ability to connect to Ethernet or internet are considered contraband. Multi-hubs will be UL listed and made primarily of plastic. Item must be plugged directly into the wall. Limit of two (2) multi-hubs per patient.</p>	<ul style="list-style-type: none"> a. Electrical overload (AD 843). b. Increased risk of internet connectivity.
<p>52. Antennas that are larger than 15" x 15" x 5" and/or weight more than three (3) pounds will be considered contraband. Antennas must remain in their original state and be primarily made of plastic. Antennas must be free standing and not attached to a window but may sit on the bottom ledge of a window seal. Limit of one (1) Antenna per patient.</p>	<ul style="list-style-type: none"> a. Metal is not approved pursuant to #55 of the State Wide Contraband List. b. Fire Code.

<p>53. Musical Instruments/ Accessories which do not meet the following guidelines will be considered contraband:</p> <ul style="list-style-type: none"> • A maximum of two (2) instruments per patient • Electric drum pads only (no acoustic drums) • Musical instruments/ accessories may not be constructed primarily of metal (excluding guitar strings) • Musical instruments/ accessories may not have recording capabilities • Guitar strings are a one for one exchange • Musical instrument cases must be made of a flexible nylon type material, a foam reinforced structure is acceptable • One case per instrument • Cases may not contain a locking mechanism • A limit of two (2) sets of drumsticks per patient • Drumsticks must be stored in the Nurses' Station in accordance with Unit Security (AD 838) • One (1) set of drumsticks must be stored in Patient Property • Amplifiers must be utilized with headphones • No mixers or loopers are permitted • Pedals must be primarily made of plastic • Guitar straps shall not exceed fifty-six (56) inches in total length. Limit of one (1) per patient. <p>Musical instruments must be stored in approved areas as described in Patient Living Areas AD 834 and cannot obstruct, egress, or present a tripping hazard. All musical accessories must be approved by the patient's Treatment Team and Unit Supervisor prior to purchase.</p>	<ul style="list-style-type: none"> a. Inadequate space to properly store instruments. b. Title 9, Section 4350. c. Safety and Security risk as some items can be used as a potential weapon. d. Increased risk or concealing contraband. e. Slip, trip, fall hazard.
<p>54. Flags which do not meet the following guidelines will be considered contraband:</p> <ul style="list-style-type: none"> • Flags can be no larger than 3" x 5" • Flags may not contain logos, symbols or phrases that are illegal or may compromise the safety of a patient • Flags may only be made of 100% cotton or a high cotton blend • Limit of one (1) flag per patient but may be exchanged on a one to one basis <p>Flags must be hung flat on a wall and are not permitted to be hung from the ceiling, light fixtures, privacy curtains or cabinets. Flags are a Unit Supervisor pick-up item.</p>	<ul style="list-style-type: none"> a. Items hanging on the wall cannot exceed 10% of the wall pursuant to Fire Code. b. Fire Hazard. c. Safety and Security.

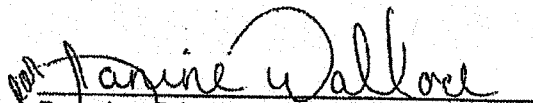
<p>55. Coffee Makers are considered contraband. The only exception is the Better Chef Coffee Maker.</p> <p>The Better Chef Coffee Makers which do not meet the following guidelines will be considered contraband:</p> <ul style="list-style-type: none"> • Coffee maker is limited to a maximum of 12 oz. • Coffee maker cannot contain a hot plate and must have an auto shut off <p>Coffee maker must be plugged directly into the wall outlet and should be stored in an appropriate place when not in use.</p>	<p>a. Electrical overload (AD 843)</p> <p>b. Fire risk (AD 326)</p> <p>c. Health and Safety concern due to possible food borne illness.</p>
<p>56. Crochet Thread will be considered contraband if it is not made of 100% cotton. Crochet thread cannot be used to manufacture clothing, wall décor, bedding, pillow cases, place mats or coverings of any kind. Crochet thread will only be allowed as individual space permits.</p>	<p>a. Rope, twine and wire are not approved pursuant to #42 on the State Wide Contraband List.</p>
<p>57. Motion activated devices will be considered contraband if they are constructed of ceramic, glass or metal.</p>	<p>a. Glass and ceramic are not approved pursuant to #21 of the State Wide Contraband List.</p>
<p>58. Bunion Toe Straighteners will be considered contraband if they are not constructed of nylon, spandex, neoprene and/or elastic.</p>	<p>a. Metal is not approved pursuant to #55 of the State Wide Contraband List.</p> <p>b. Medical devices not prescribed, approved or provided by the facility are not approved pursuant to #31 of the State Wide Contraband List.</p> <p>c. Health and Safety.</p>
<p>59. Vacuums which do not meet the following will be considered contraband:</p> <ul style="list-style-type: none"> • Vacuum must be hand held with no handle extensions • Plastic attachments only • Maximum size of 18 inches • Steam or wet dry vacuums will not be permitted • Limit of 9.6 volts • Rechargeable bases must be plugged directly into the wall • Must be NRTL approved (UL, LLC, CE, NSF, etc.) <p>Vacuums will be a Unit Supervisor pick-up item and there is a limit of one (1) vacuum per patient.</p>	<p>a. Electrical overload (AD 843)</p> <p>b. Inadequate space to properly store non-handheld vacuum.</p> <p>c. Trip, slip, fall hazard.</p>
<p>60. Zero Water Filtration Systems larger than twenty-three (23) cups will be considered contraband. This item is a Unit Supervisor pick-up item.</p>	<p>a. Health and Safety concern due to possible foodborne illness.</p>
<p>61. Clothing Hangers not entirely made of plastic will be considered contraband. Limit of six (6) hangers per patient and hangers may only be utilized inside the wardrobe cabinets.</p>	<p>a. #55 on the State Wide Contraband List states that metal items which could be fashioned into weapons, including but not limited to, metal clothes hangers.</p>

<p>62. Mesh Bags which are larger than twenty-nine (29) inches in width by thirty-eight (38) inches in length, will be considered contraband. Mesh bags shall be stored inside the wardrobe, shelf, bookcase or under bed storage drawers when not in use. Mesh bags will not be utilized for laundry purposes and shall not be green in color. Limit of one (1) mesh bag per patient.</p> <p>Draw strings/ ropes will be removed from the bag prior to issuance.</p>	<p>a. Rope, twine and wire are not approved pursuant to #42 on the State Wide Contraband List.</p> <p>b. Health and Safety concern due to the lack of resources to wash personal items.</p>
<p>63. Boomboxes that are larger than 24"x19"x12" and or weigh more than thirty (30) pounds will be considered contraband. Boomboxes shall not possess wi-fi or recording capabilities. Limit of one (1) boombox per patient</p>	<p>a. Title 9, Section 4350.</p> <p>b. AD 624 Patient Mail and Packages.</p>
<p>64. Reading Lamps which do not meet the following guidelines will be considered contraband:</p> <ul style="list-style-type: none"> • Sidekick LED Book Lights and Sidekick Rechargeable LED Book Lights are the only reading lamps permitted for patient possession • Limit of one (1) Reading Lamps per patient but may be exchanged on a one for one basis 	<p>a. Safety and Security risk as item that does not follow the guidelines could be used as a potential weapon or tool (i.e. flashlight).</p>
<p>65. Hot Pots</p>	<p>a. Health and Safety (AD 843).</p> <p>b. Electrical Overload.</p> <p>c. Fire Risk (AD 326)</p>
<p>66. Crochet Hooks which are not constructed entirely of plastic and/ or exceed six (6) inches in length will be considered contraband. Crochet Hooks will be a Unit Supervisor pick-up item.</p>	<p>a. Safety and Security Risk.</p> <p>b. Weapon Stock.</p>
<p>67. Devices specifically designed to erase digital data will be considered contraband.</p>	<p>a. Safety and Security risk due to the ability to conceal or erase digital contraband.</p>
<p>68. Cables which carry Ethernet signals/capabilities will be considered contraband.</p>	<p>a. Title 9, Section 4350</p> <p>b. Safety and Security risk.</p>
<p>69. DVD/ Blu-Ray players that have the ability to copy, record or burn files to any type of memory storage device, will be considered contraband.</p>	<p>a. Title 9, Section 4350.</p>
<p>70. CD's, DVD's and Blu-Ray Disks: Patients may possess a maximum of thirty (30) commercially manufactured and unmodified CD's, DVD's and Blu-Ray disks. Disks must be received in original factory packaging.</p>	<p>a. Title 9, Section 4350.</p> <p>b. Increased risk on contraband being introduced into the facility.</p> <p>c. Safety and Security risk as Property/Package Room staff are unable to verify contents of digital media.</p>
<p>71. Air coolers that store or require liquid to operate, will be considered contraband.</p>	<p>a. Health and Safety concern.</p> <p>b. Fire Hazard (AD 326)</p> <p>c. Licensing Issue due to item not be regulated/ inspected for cleanliness and/or bacterial growth.</p>

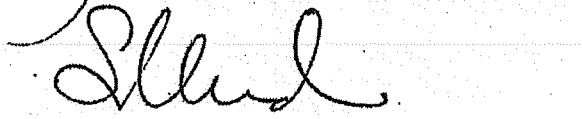
<p>72. Title 9, Section 4350- Patients are prohibited from having personal access to, possession of, or on-site storage of the following items:</p> <ul style="list-style-type: none"> • Electronic devices with the capability to connect to a wired and/or wireless communications network to send and/or receive information • Digital media recording devices • Voice or visual recording devices in any format • Items capable of patient-accessible memory storage 	<p>a. Title 9, Section 4350. b. Increased risk on contraband being introduced into the facility. c. Safety and Security risk as Property/Package Room staff are unable to verify contents of digital media.</p>
<p>73. Fertilizer, including plant food spikes, <u>except under supervision during a structured gardening group.</u> <u>Fertilizers will be supplied by the group facilitator.</u></p>	<p>a. Health and Safety concern. b. Inadequate space to properly store items.</p>
<p>74. Microfiber cloths which do not meet the following guidelines will be considered contraband:</p> <ul style="list-style-type: none"> • Microfiber cloths must be disposable • Item must be no larger than 12" x 12" • Limit of ten (10) per patient 	<p>a. Health and Safety concern due to the lack of resources to wash personal items.</p>
<p>75. Projectors that do not meet the following guidelines will be considered contraband:</p> <ul style="list-style-type: none"> • No larger than 10" W x 8" L x 6" H • No smaller than 2" W x 4" L x 4" H • No glass bulbs • LED, LCD, LCOS and DPL only • Must have an HDMI port for connection to DVD and/or Television • Not battery operable • Title 9, Section 4350 complaint • Limit one (1) per patient but may be exchanged on a one for one basis 	<p>a. Title 9, Section 4350.</p>
<p>76. Play-Doh, Super Dough, Crayola Model Magic or similar substances capable of modeling or casting, are considered contraband unless utilized in group therapy.</p>	<p>a. Safety and Security Risk. b. Jamming Locks.</p>
<p>77. Lanyards which do not meet the following guidelines will be considered contraband:</p> <ul style="list-style-type: none"> • Maximum length of 36 inches • Flay nylon style, no less than ½ inch thick • Contain at least one (1) breakaway point • No metal breakaways or buckles • Metal clip piece can be no longer than two (2) inches 	<p>a. Safety and Security Risk.</p>
<p>78. Paint brushes longer than 10 inches (not including the Ferrell) will be considered contraband. Paint brushes that are larger than ½ inch in diameter will also be considered contraband. Handle of paint bushes must be made entirely of wood or plastic.</p>	<p>a. Safety and Security Risk. b. Weapon Stock.</p>

79. Fans with a blade diameter of more than 10 inches will be considered contraband. Fans which are not primarily made of plastic and not UL listed will be considered contraband. Liquid or misting fans will be considered contraband. No battery or rechargeable types, regardless of attached cord. Fans must be vendor purchased. Fans are a Unit Supervisor pick-up item and only issued if space is available. Limit of one per patient.

- a. Electrical overload (AD 843).
- b. Potential Fire Hazzard.
- c. Metal is not approved pursuant to #55 of the State Wide Contraband List.


Brandon Price, Executive Director
Department of State Hospitals-Coalinga

1-2-19
Date


Stephanie Clendenin, Director (A)
Department of State Hospitals

1-15-19
Date