

February 3, 2015

**NOTICE OF CHANGE TO TEXT AS ORIGINALLY PROPOSED**  
***Inmate Recruiting and Hiring Process***

The original amendments to text of the California Code of Regulations (CCR) that concern CALPIA Inmate Recruiting and Hiring Processes is provided in double underlining to indicate added or amended text and double strikeout to indicate deleted text.

Changes to the original proposed text, which are being proposed in this Notice, are indicated with bold formatting for added text and ~~single strikeout~~ for deleted text.

These revisions and accommodations are being made in response to public comments received during the initial 45-day public comment period that ended on January 5, 2015. These proposed changes to original proposed text are being made available for public comment from February 3, 2015 through February 18, 2015.

**REVISIONS TO REGULATION TEXT:**

Subsection 8004(b)(2) is repealed:

- (b)(2) of Section 8004 is repealed because it was determined to be unnecessary to completely exclude inmates with escape history from CALPIA assignments. Title 15, Sections 3377.1 and 3377.2 specify processes to assess inmates with any type of escape or attempted escape history. CDCR's Classification Services Unit evaluates and places all inmates into different levels of custody based on all aspects of inmates and their behaviors, including escape risk. Subsection 8004(b)(2) unnecessarily excludes inmates with escape history entirely from CALPIA assignments. CALPIA will repeal section 8004(b)(2) and rely on CDCR's Classifications Unit to screen inmates with escape risk prior to recommending the inmates for CALPIA assignments.

Subsection 8004(b)(3) is renumbered to 8004(b)(2)

Subsection 8004(b)(4) is renumbered to 8004(b)(3)

Subsection 8004(c)(4)(C) is amended to:

- delete original proposed text “any occurrence of computer abuse after admittance to the prison system.” This language is too vague and is not consistent with the APA clarity requirements. Because ‘computer abuse’ is not defined, erroneous interpretations could be made. To provide clarity to subsection 8004(c)(4)(C), new text was added stating “any documented institutional disciplinary action, as described in sections 3000 and 3312 of Title 15, involving the use of a computer to conduct unauthorized activity not related to the intended work tasks of CDCR or CALPIA.” The newly added text gives a specific definition to clarify when the misuse of a computer by an inmate has occurred. Various methods for documenting institutional disciplinary action for inmate misconduct are specified in California Code of Regulations, Title 15, Sections 3000 and 3312 (i.e. General Chrono, Custodial Counseling Chrono, and Rules Violation Report). Any inmate who receives documented disciplinary action (as described in sections 3000 and 3312) for computer abuse will be unassigned from computer access within CALPIA. Verbal warnings for computer abuse will not bar inmates from computer access assignments in CALPIA.

Subsection 8004.3(c) is amended:

- The reference to subsection 8004(b)(4) was changed to 8004(b)(3) because subsection 8004(b)(4) is renumbered to 8004(b)(3).

**All written comments must be received by 5:00 p.m. on February 18, 2015.** Please limit your comments to the modifications proposed here. Submit comments to Dawn Eger, Legal Analyst, 560 East Natoma Street, Folsom, CA 95630; by fax to (916) 358-2709; or by e-mail to [PIARegs@calpia.ca.gov](mailto:PIARegs@calpia.ca.gov) before 5:00 p.m. on February 18, 2015.

**ATTACHMENT – CHANGES TO THE TEXT AS ORIGINALLY PROPOSED**