

## SUMMARY OF COMMENTS RECEIVED

The following is a summary of comments received during the public comment period beginning on May 27, 2025, through June 2, 2025.

No.	Commenter	Affiliation	Date Received
1.	Timothy Seeboth	Patient	6/2/25

### Department Response: Comments

#### Summary Comment 1: Commenter 1

Comment: The proposed emergency regulation does not meet the criteria set forth in Government Code Section 11342.545 in that it does not set forth any circumstances that make this an emergency.

Department Response: Thank you for the comment. Pursuant to Welfare and Institutions Code section 7295, subdivision (k), the Department is authorized to adopt emergency regulations related to the management, inspection, and disposition of contraband items identified by the Department until June 30, 2026.

#### Summary Comment 2: Commenter 1

Comment: Hospital staff believe they have the authority to scan electronic storage devices but need to check the Electronic Communications Privacy Act Penal Code Section 1546.1. The proposed regulation Title 9 Section 4354.1(e) is in violation of that Penal Code.

Department Response: Thank you for the comment. However, this comment is not being considered, as it is outside the scope of this rulemaking process and does not involve objections, support, or recommendations directed towards a specific regulatory action.

#### Summary Comment 3: Commenter 1

Comment: Penal Code Section 1546.1 forbids such intrusion on electronic devices even by CDCR. Except as an emergency or to find the name of the device's owner, and for those on parole or probation if it is part of the conditions of probation or parole. Most patients are not on parole or probation. Patients who have not been found culpable of any criminal act, require a Search Warrant for the scanning of the electronic device. Without it is illegal and any coercion is also forbidden.

Department Response: Thank you for the comment. However, this comment is not being considered, as it is outside the scope of this rulemaking process and does not

involve objections, support, or recommendations directed towards a specific regulatory action.