

ATTACHMENT 1



COUNTY OF MONTEREY
CONTRACTS/PURCHASING DIVISION
168 W. ALISAL STREET, 3rd FLOOR
SALINAS, CA 93901-2439
(831) 755-4990

**REQUEST FOR QUALIFICATIONS (RFQ)
#10401**

**FOR ARCHITECTURAL SERVICES FOR
SCHEMATIC DESIGN THROUGH
CONSTRUCTION SERVICES OF JAIL
HOUSING ADDITION PROJECT**

**Qualifications Packages are due by 3:00 pm (PST)
on Monday January 14, 2013**

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SOLICITATION DETAILS SECTION

1.0 INTENT

- 1.1 The County of Monterey Resource Management Agency, hereinafter referred to as “County”, is soliciting for qualifications from licensed Architectural firms with the intent to award and contract with one firm, hereinafter referred to as “CONTRACTOR”, to provide Schematic Design through completion of construction of the Jail Housing Addition Project. In general this shall include support and design services during the Schematic Design Phase, Design Development Phase, Construction Document Phase, Bidding and Construction Phase. The services shall include but are not limited to: preparation of design documents at each phase, draft specifications, final construction specifications, cost estimating for each phase, design schedule development, permitting, verifying project compliance with Board of State and Community Corrections (BSCC) standards requirements, submittals and meetings with County and/or BSCC. Reports and submittals shall be in a form and inclusive of information satisfactory to County and BSCC for project reimbursement and project auditing purposes.
- 1.2 Due to existing site constraints it is mandatory that the existing jail remain in operation during the phased building program of the new Jail Housing Addition. The selected CONTRACTOR shall be required to provide phased construction documents to minimize disruption to the present operations of County’s Sheriff’s Department.
- 1.2 This solicitation is intended for a single, exclusive AGREEMENT. The term shall be effective upon execution of the AGREEMENT and shall remain in effect until project completion which is estimated to occur in June of 2018.

2.0 QUALIFICATION REQUIREMENTS

- 2.1 Interested firms must meet ALL of the following qualification requirements in order to be considered by County:
 - 2.1.1 CONTRACTOR shall have a minimum of ten (10) years experience leading and controlling the design and construction of correctional projects. Experience shall be in the State of California with prisons or local community jails of similar size to this project; AND
 - 2.1.2 CONTRACTOR shall have ten (10) years experience with direct contact with the Corrections Standards Authority (CSA), Board of State and Community Corrections (BSCC), California Department of Corrections and Rehabilitations (CDCR) and California State Fire Marshal (CSFM); AND
 - 2.1.3 CONTRACTOR shall have under its employment at least one full-time LEED Accredited professional who will be assigned to work on this project.

3.0 BACKGROUND

- 3.1 The County of Monterey is located on the Central Coast of California, approximately 120 miles south of San Francisco. This project, the Jail Housing Addition Project, takes place at County's jail (adult detention) which is located at 1410 Natividad Road in Salinas California.

- 3.2 The jail currently holds approximately 1100 inmates who are currently housed in 31 separate housing units within the jail. The Jail Housing Addition Project will increase the bed capacity of the existing jail by 288 beds. The 288 beds shall consist of 141 double bunked cells and 6 single bunked cells. The Jail Housing Addition will be constructed in phases on the existing Jail site while minimizing the disruption to the existing Jail or Natividad Medical Center Complex.

- 3.3 County also intends to hire a separate Construction Manager for design through construction services. The CONTRACTOR awarded from this solicitation shall be required to work in close coordination with the Construction Manager.

4.0 CALENDAR OF EVENTS

- | | | |
|-----|--|--|
| 4.1 | Release RFQ | Friday Nov.30, 2012 |
| 4.2 | MANDATORY Pre-Proposal Meeting/Site Tour | 10:00 a.m., PST, Tuesday Dec. 11, 2012 |
| 4.3 | Deadline for Written Questions | 3:00 p.m., PST, Tuesday Dec. 18, 2012 |
| 4.4 | Proposal Submittal Deadline | 3:00 p.m., PST, Monday Jan. 14, 2013 |
| 4.5 | Estimated Notification of Selection | February 2013 |
| 4.6 | Estimated AGREEMENT Date | March 2013 |

This schedule is subject to change as necessary.

- 4.7 **FUTURE ADDENDA:** CONTRACTORS, who received notification of this solicitation by means other than through a County of Monterey mailing, shall contact the person designated in the COUNTY POINTS OF CONTACT herein to request to be added to the mailing list. Inclusion on the mailing list is the only way to ensure timely notification of any addenda and/or information that may be issued prior to the solicitation submittal date. **IT IS THE CONTRACTORS' SOLE RESPONSIBILITY TO ENSURE THAT THEY RECEIVE ANY AND ALL ADDENDA FOR THIS RFQ** by either informing the County of their mailing information or by regularly checking the County's Solicitation Center web page at www.co.monterey.ca.us/admin/solicitcenter.htm. Addenda will be posted on the website the day they are released.

- 4.8 **MANDATORY PRE-PROPOSAL MEETING/SITE TOUR:** A MANDATORY Pre-proposal meeting will be held on **Tuesday December 11, 2012 at 10:00 a.m.** at the County jail located at 1410 Natividad Rd., Salinas, California. Those interested in submitting a qualifications package are REQUIRED to attend this meeting; firms who are not in attendance will not be considered by County for this project. The purpose of this meeting is to answer questions and show the project site. No presentations are required or permitted at this meeting/tour. Please indicate your intent to attend this meeting by sending a response to the County's Primary Contact person designated in the next section below.

5.0 COUNTY POINTS OF CONTACT

- 5.1 Questions and correspondence regarding this solicitation shall be directed to:

Primary Contact for the County **Jaime Ayala**
 Buyer II
 168 W. Alisal Street, 3rd Floor
 Salinas, CA 93901-2439
 Email: AyalaJ@co.monterey.ca.us
 FAX: (831) 755-4969
 PHONE: (831) 755-4998

- 5.2 **All questions regarding this solicitation shall be submitted in writing** (E-mail or FAX is acceptable). The questions will be researched and the answers will be communicated to all known interested CONTRACTOR after the deadline for receipt of questions.
- 5.3 The deadline for submitting written questions regarding this solicitation is indicated in the CALENDAR OF EVENTS herein. Questions submitted after the deadline will not be answered.
- 5.4 Only answers to questions communicated by formal written addenda will be binding.
- 5.5 Prospective CONTRACTOR shall not contact County officers or employees with questions or suggestions regarding this solicitation except through the primary contact person listed above. **Any unauthorized contact may be considered undue pressure and cause for disqualification of the CONTRACTOR.**

6.0 SCOPE OF WORK

- 6.1 **Contractor Minimum Work Performance Percentage:** CONTRACTOR shall perform with his own organization contract work amounting to not less than 50 percent of the original total contract price, except that any designated 'Specialty Items' may be performed by subcontract and the amount of any such 'Specialty Items' so performed may be deducted from the original total AGREEMENT price before computing the amount of work required to be performed by CONTRACTOR with its organization.

6.2 The Scope of Work can be generalized as providing all necessary professional support and designs and drawings for the construction project during the Schematic Design Phase, Design Development Phase, and Construction Documents Phase. Specific requirements include but are not limited to the following:

6.2.1 California Green Building Standards Code. CONTRACTOR shall identify the work to be performed at the Schematic Design Phase, Design Development Phase, Construction Documents Phase and Construction that is compliant with the California Green Building Standards Code (Part 11, Title 24, California Code of Regulations) as may be adopted and modified by County ordinance.

6.2.2 Site Preparation & Grading. CONTRACTOR shall provide design and construction support services for site demolition, site grading, relocation of existing utilities, building pad preparation, storm drainage improvements, for site utility collection and distribution systems, outdoor recreation yards, site lighting, fencing & gates, roads & paving, landscaping, and other site improvements.

6.2.3 Housing Unit Design Requirements. CONTRACTOR shall design two pod-type 144 bed housing units with support and programming space. In addition the design of the pod-type housing units has to allow for the expansion by the addition of two additional housing units to bring the bed count to 576.

6.2.4 Support & Programming Areas. CONTRACTOR shall be responsible for the preparation of documents for Schematic Design Phase, Design Development Phase, Construction Documents Phase, and for the new support and programming areas required by the architectural program. In addition, CONTRACTOR shall provide the professional services needed to support permitting, Bidding and Construction Phases.

6.2.5 Security and Communication Systems. The project includes security and communication systems located throughout the existing Jail and in the new housing addition and support areas. CONTRACTOR shall be responsible for investigation of the existing systems listed below and shall define the requirements for controlling them from the new Central Control.

- a. Fire alarm control panels, signal-initiating devices, control devices, and alarm signal devices.
- b. Personal alarm receivers, enclosures, horns, strobes, reset switches, and special back boxes.
- c. Regional intercom substations, master stations, cabinets and enclosures.
- d. Site intercommunication system beyond the building plus interface with building system.
- e. Public address system beyond the buildings plus interface with building system.
- f. Master antenna television distribution amplifiers, splitters, combiners, wall taps, and special back boxes.

- g. Closed circuit television cameras, recording equipment, power supplies, accessories, and hardware.
 - h. Any other specialty system devices and products required to match existing.
- 6.2.6 Contractor shall be required to develop the Project Manual specific to this project that includes Division 0, I and the technical specification sections. CONTRACTOR shall comply with current codes and shall coordinate the specifications with the drawings and other specification sections.
- 6.2.7 CONTRACTOR shall review and update material and equipment products and model numbers to reflect current product availability. Specifications will be in a format consistent with Construction Specification Institute (CSI) MasterFormat 2004 Edition and Microsoft Word 2010 or newer version. Where CONTRACTOR specifies materials and equipment by brand names, provide three or more brand names for each item specified. Where CONTRACTOR believes that fewer than three suitable brand names are commercially available, provide a written justification for using fewer than three brand names. County may direct use of sole-sourced products where doing so is justified to ensure compatibility with existing equipment and materials.
- 6.2.8 Documents Provided to CONTRACTOR by County. County shall provide CONTRACTOR with an Architectural Program, Environmental Impact Report (EIR), Final Geotechnical Investigation Report, Site Master Plan, Topographic Mapping, budget and other requirements of the Project as they are or become available.
- 6.2.9 EIR Compliance. All CONTRACTOR's designs shall be in conformance with required mitigations presented in the EIR prepared for the Project.
- 6.2.10 Code Compliance. CONTRACTOR shall prepare construction documents in full compliance with all applicable building codes, ordinances, and other regulatory authorities. This project shall be designed in accordance with the 2010 California Building Code, California Code of Regulations Title 24, and California Code of Regulations Title 15.
- 6.2.11 Americans with Disabilities Act (ADA) Compliance. CONTRACTOR shall coordinate building design with site improvements to include all sidewalks, walkways and paved areas required for normal access, compliance with the Americans with Disabilities Act (ADA) access and building services. The building and any site paving and walkway designs shall conform to the requirements of Title II Americans with Disabilities Act, 28 CFR Part 35, Appendix IV Americans with Disabilities Act Accessibility Guidelines (ADAAG), and the current applicable California Building Codes, California Code of Regulations, Title 24.

- 6.2.12 Software Requirements for Drawings. All drawings shall be prepared using Revit 2013 or newer. When other AutoCAD is needed, AutoCAD 2012 platform shall be used.
- 6.2.13 Kick-off Meeting. Participate in a one-day kick-off meeting where representatives from County will be present to discuss the project schedule, key elements of the design, and roles and responsibilities prior to the beginning of the design process. The meeting will be held in Salinas, CA. County will determine the date, time, place, and personnel to attend. A site visit to the jail will be incorporated into this kick-off meeting as well with which CONTRACTOR shall require its design team members to attend.
- 6.2.14 Coordination Meetings. CONTRACTOR shall participate in Project Coordination Meetings throughout the design phases including three Points of Connection (POC) coordination meetings with County. One POC meeting shall be held during the DD Phase and two POC meetings shall be held during the CD Phase.
- 6.2.14.1 County will not compensate CONTRACTOR for design changes caused by discrepancies in utility loads, points of connection, building elevations, security and communication system requirements, etc. CONTRACTOR shall coordinate as required with each discipline to obtain all information necessary to complete their respective documents and provide a biddable and constructible set of documents in accordance with the County's baseline project schedule submitted to the BSCC.
- 6.2.15 Design Review Meetings. County may conduct over-the-shoulder review meetings during development of each design submittal prior to CONTRACTORS submitting 100 % DDs, 100 % CDs, Back check Submittal and Final CDs. The intent of the meetings shall be to review the documents to verify drawing completion status before they are formally submitted for review, confirm that corrections/revisions have been incorporated, and to expedite the submittal and review process. CONTRACTOR shall be required to submit three (3) complete sets of drawings and one (1) set of specifications for use by County at each of these meetings which shall be held in CONTRACTOR's office.
- 6.2.16 Official Reviews. The Board of State and Community Corrections (BSCC) and California State Fire Marshal (CSFM) will review CONTRACTOR's document submittals at the following stages: 100% Schematic Documents (SD), 100% Design Development (DD), 100% Construction Documents (CD)s.
- 6.2.16.1 CSFM review and approval of CONTRACTORS design submittal does not relieve CONTRACTOR of their responsibility to design the work in accordance with applicable codes approved by County. CONTRACTOR shall notify County where implementation of a code requirement will compromise security. CONTRACTOR shall assist

County in the resolution of such security issues with the CSFM. All communications with CSFM shall be through BSCC.

- 6.2.17 Final Design Submittals. Prior to each design submittal, CONTRACTOR shall check all documents for technical accuracy and compliance, incorporate all Design Review Comments (DRC) and County authorized design changes, and coordinate within and between design disciplines. CONTRACTOR shall provide Equipment Coordination Drawings and Interdisciplinary Check Drawings for each submittal. CONTRACTOR shall certify that the submittal is complete, with no items omitted, before the submittal will be considered for review. Incomplete submittals will be rejected and all costs associated with the subsequent re-submittal(s) shall be borne by CONTRACTOR.
- 6.2.18 Post Design Review after Formal Submittal. CONTRACTOR shall meet with County to discuss the review comments and other outstanding design issues. County will document and provide CONTRACTOR with review comments for use in tracking the disposition of each review comment. CONTRACTOR shall submit the DRC Report with the next design submittal indicating the updated disposition of each design review comment.
- 6.2.19 All details and specifications shall be fully coordinated with all disciplines. CONTRACTOR shall thoroughly review these design details and make corrections as required to ensure constructability and coordination with the project's construction documents.
- 6.2.20 County's direction and review of CONTRACTOR'S submittals shall not relieve CONTRACTOR of any liability for errors and omissions in the documents. Coordination and quality control checks shall be made by CONTRACTOR in accordance with a disciplined procedure and scheduled accordingly.
- 6.2.21 Cost Estimates. CONTRACTOR shall retain the services of a professional estimating company to prepare the construction cost estimates at each scheduled design submittal. These estimates shall provide unit costs, quantities, assumptions, and other estimating parameters separately for each building reflecting current market conditions and costs. The estimates shall be prepared in the format and breakdown designated by BSCC and shall use the Engineering News Record-Building Cost Index (ENR-BCI) average BCI for Los Angeles and San Francisco, consistent with the midpoint of construction. CONTRACTOR shall reconcile each successive estimate, line by line, to the one provided at the preceding submittal. County will review each construction cost estimate to verify quantities, unit costs, and markups. Discrepancies between the CONTRACTOR's submitted cost estimates and County's reconciled estimate will be resolved promptly so that a current estimate is established.
- 6.2.22 Using Cost Estimate to Establish Project Budget. CONTRACTOR shall be advised that the Construction Cost Estimate developed at the completion of the Design Development Phase will be used to establish the overall budget for the

Project. Accordingly, this estimate is required to be very accurate to ensure proper funding. Failure of CONTRACTOR to prepare accurate cost estimates will result in County either withholding payment for CONTRACTOR's estimating fee until an acceptable estimate has been prepared or denying payment altogether and deducting the cost estimate fee from CONTRACTOR's fee for its professional services.

6.2.22.1 County and CONTRACTOR shall mutually agree upon a Construction Cost Budget for the work described herein at the completion of the Design Development Phase. If during the development of the documents it becomes evident that items within CONTRACTOR's control will cause the construction cost estimate to exceed the construction cost budget (as mutually agreed upon by both County and CONTRACTOR), CONTRACTOR shall propose design solutions that will bring the total back within the Construction Cost Budget.

6.2.23 Project Schedule. CONTRACTOR shall prepare its Critical Path Method (CPM) Project Schedule. CONTRACTOR shall do so using Primavera Project Planner 6.0, Primavera SureTrak Project Manager 3.0, Microsoft Project 2010 SR-1, or a similar product approved by County which includes CPM capabilities. The schedule submitted shall enable the County to plan and monitor completion of CONTRACTOR's tasks in preparation of each design phase submittal. CONTRACTOR's schedule shall include all project phase submittals through Final Bid Documents, submittal dates/durations for regulatory review, over-the-shoulder reviews, backcheck submittals, bidding/award, and assumptions. CONTRACTOR shall submit its project schedule to County for review and approval within 30 days of the Notice to Proceed.

6.2.24 Updates to Project Schedule. CONTRACTOR shall submit an updated schedule monthly with CONTRACTOR's monthly invoice. Failure to submit an updated schedule with each invoice will result in a delay in approving CONTRACTOR's invoices.

7.0 REQUIRED CONTENT/FORMAT FOR QUALIFICATIONS PACKAGE

7.1 CONTENT AND LAYOUT:

7.1.1 CONTRACTOR should provide the information as requested and as applicable to the proposed goods and services. The qualifications package shall be organized as per the table below; headings and section numbering utilized in the qualification package shall be the same as those identified in the table. Qualifications packages shall include at a minimum, but not limited to, the following information in the format indicated:

**Proposal or Qualifications Package Layout:
Organize and Number Sections as Follows:**

Section 1	COVER LETTER (INCLUDING CONTACT INFO)
	SIGNATURE PAGE
	RECEIPT OF SIGNED ADDENDA (IF ANY)
	TABLE OF CONTENTS
Section 2	QUALIFICATIONS AND STAFF RESUMES
Section 3	PROJECT EXPERIENCE AND REFERENCES
Section 4	PROJECT SPECIFIC COMPONENTS
Section 5	LOCAL PREFERENCE DECLARATION FORM
Section 6	ENVIRONMENTALLY FRIENDLY PRACTICES
Section 7	FEES (SUBMIT IN SEPARATE SEALED ENVELOPE)
Section 8	EXCEPTIONS
Section 9	APPENDIX

Section 1 Intro Section:

Cover Letter: All proposals must be accompanied by a cover letter not exceeding two pages and should provide firm information and Contact information as follows:

Contact Info: The name, address, telephone number, and fax number of CONTRACTOR’s primary contact person during the solicitation process through to potential contract award.

Firm Info: Description of the type of organization (e.g. corporation, partnership, including joint venture teams and subcontractors) and how many years it’s been in existence. Indicate any planned or anticipated changes in business organization or operations, such as dissolution, winding-up, merger, etc., that may bear on ability to complete the project in accordance with the sample agreement.

Signed Signature Page and Signed Addenda (if any addenda were released for this solicitation). Qualifications packages submitted without this page will be

deemed non-responsive. All signatures must be manual and in BLUE ink. All prices and notations must be typed or written in BLUE ink. Errors may be crossed out and corrections printed in ink or typed adjacent, and must be initialed in BLUE ink by the person signing the proposal.

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Section 2, Qualifications and Staff Resumes:

Staff Proposed: Submit resumes of staff your firm will assign to the project described herein including: years with your firm, licensing, professional organizations, experience, past correctional projects and their role. County will be looking for confirmation that your firm has in its employment at least one full-time LEED Accredited professional who will be assigned to work on this project.

Org Chart: Submit your firm's organization chart.

Required Qualifications: Confirm that your firm has a minimum of ten (10) years experience leading and controlling the design and construction of correctional projects and that this experience was within the State of California with prisons or local community jails of similar size to this project. Provide a description of each project including year design was started and year for completion of construction, security levels, number of beds and support and programming spaces. Include the list of consultants used on each project.

Confirm that your firm has ten (10) years experience with direct contact with the Corrections Standards Authority (CSA), Board of State and Community Corrections (BSCC), California Department of Corrections and Rehabilitations (CDCR) and California State Fire Marshal (CSFM).

Section 3, Project Experience & References:

Experience: Provide a minimum of five (5) examples of past projects, of similar scope and size preferably. Include contact person (s) information including phone numbers, email address, and sites.

County Experience: Provide a list of past experience/projects working for the County of Monterey and the role assigned with each project. If your firm has not worked for the County of Monterey previously, state as such.

References: Provide a minimum of 3 references on past projects within the last five years. Include contact name, title and current phone number.

Violations: CONTRACTOR shall disclose any and all past and present law suits resulting from its errors and omissions. The outcome should be included.

Section 4, Project Specific Components:

Project Management Plan: Provide a Project Management Plan describing approach and the steps and methods used to manage the project from schematic design through construction including submittals and meeting with BSCC, CDCR and CSFM, staff roles and responsibilities for each step in the work process.

Include your firm's process for schedule management, scheduling software used, and methods used to recover from a slippage in the scheduled milestones.

Describe your firm's ability to meet the deadlines stated in the project Schedule listed in EXHIBIT 1 attached hereto.

Describe Critical Path Method (CPM) experience your firm has had on similar projects.

Cost Management: County has a tight budget for this Jail Housing Addition; Provide process for cost management, methods for tracking costs, methods used to recover from a budget/estimated cost overrun.

Section 5, Local Preference:

Local Business Declaration Form: Any firm who wishes to have the 5% local preference applied is required to complete and submit with their qualifications package the Local Business Declaration Form attached hereto as ATTACHMENT A. See Section 10 herein for more information regarding County's Local Preference Policy.

Utilizing Small Local Businesses: Briefly summarize how your firm would assure maximum participation from small local business in the event that outside services would be needed.

Section 6, Environmentally Friendly Practices:

Summarize all environmentally friendly practices your firm adheres to in the course of doing business as relevant to County's Climate-Friendly Purchasing Policy (*Reference: www.co.monterey.ca.us/admin/policies.htm*).

Indicate whether or not your firm is a 'Green Certified' Business and state which governing authority administered the certification.

Section 7, Fees to be Submitted in Separate Sealed Envelope:

Selection of CONTRACTOR shall be based on qualifications per the Selection Criteria listed herein. Fees may be negotiated after the tentative award announcement is made for this solicitation. If fee negotiations with the firm determined most qualified are not successful, and/or the fees discussed are outside the budgetary constraints for the Project, County reserves the right to suspend

negotiations with the most qualified firm, and proceed to second most qualified firm, and so on.

Sealed Submittal: CONTRACTOR shall submit its fees in a separate sealed envelope. Fees should consist of hourly rates for all key personnel assigned to this project and shall also include a list of all expected reimbursable expenses (excluding travel expenses which are not reimbursable for this AGREEMENT), and also all necessary equipment to support associated activities and office space requirements. **PRICING MUST BE SUBMITTED IN A SEALED ENVELOPE THAT IS ENCLOSED WITH THE ORIGINAL COPY ONLY OF THE QUALIFICATIONS PACKAGE SUBMITTED. FAILURE TO SUBMIT FEES IN THIS REQUIRED MANNER MAY RESULT IN THE FIRM BEING DISQUALIFIED.**

Section 8, Exceptions:

Submit any and all exceptions to this solicitation on separate pages, and clearly identify the top of each page with "EXCEPTION TO MONTEREY COUNTY SOLICITATION #" (indicate the applicable solicitation number). Each Exception shall reference the page number and section number, as appropriate. CONTRACTOR should note that the submittal of an Exception does not obligate the County to revise the terms of the RFP or AGREEMENT.

Section 9, Appendix:

Appendices: CONTRACTOR may provide any additional information that it believes to be applicable to this qualifications package and include such information in an Appendix section.

7.2 **ADDITIONAL REQUIREMENTS:** To be considered "responsive," submitted qualifications packages shall adhere to the following:

- 7.2.1 Seven (7) sets of the qualifications package (one original proposal marked "Original" plus six copies) shall be submitted in response to this solicitation. Each copy shall include a cover indicating the company name submitting, and reference to "RFQ #10401". In addition, submit one (1) electronic version of the entire qualifications package on a CD, DVD, or USB memory stick. Additional copies may be requested by the COUNTY at its discretion.
- 7.2.2 Qualifications packages shall be prepared on 8-1/2" x 11" paper, preferably duplex printed and stapled together without binder or plastic enclosure (environmentally friendly). Fold out charts, tables, spreadsheets, brochures, pamphlets, and other pertinent information or work product examples may be included as Appendices.
- 7.2.3 Reproductions of the Monterey County Seal shall not be used in any documents submitted in response to this solicitation.

- 7.2.4 CONTRACTOR shall not use white-out or a similar correction product to make late changes to their qualifications package but may instead line out and initial in BLUE ink any item which no longer is applicable or accurate.
- 7.2.5 To validate your qualifications package, **submit the SIGNATURE PAGE** (contained herein) **with your proposal**. Qualifications packages submitted without that page will be deemed non-responsive. Signatures must be manual, in BLUE ink, and included with the original copy of the qualifications package. Photocopies of the Signature Page may be inserted into the remaining proposal copies. All prices and notations must be typed or written in BLUE ink in the original proposal copy as well. Errors may be crossed out and corrections printed in BLUE ink or typed adjacent, and must be initialed in BLUE ink by the person signing the RFQ Signature Page.

- 7.3 **CONFIDENTIAL OR PROPRIETARY CONTENT:** Any page of the qualifications package that is deemed by CONTRACTOR to be a trade secret by the CONTRACTOR shall be clearly marked "CONFIDENTIAL INFORMATION" or "PROPRIETARY INFORMATION" at the top of the page.

8.0 SUBMITTAL INSTRUCTIONS & CONDITIONS

- 8.1 **Submittal Identification Requirements:** ALL SUBMITTALS MAILED OR DELIVERED CONTAINING QUALIFICATIONS OR QUOTATION PACKAGES MUST BE SEALED AND BEAR ON THE OUTSIDE, PROMINENTLY DISPLAYED IN THE LOWER LEFT CORNER: **THE SOLICITATION NUMBER RFQ #10401 and CONTRACTORS COMPANY NAME.**
- 8.2 **Mailing Address:** Qualifications packages shall be mailed to County at the mailing address indicated on the **Signature Page** of this solicitation.
- 8.3 **Due Date:** Qualifications packages must be received by County ON OR BEFORE the time and date specified, at the location and to the person specified on the **Signature Page** of this solicitation. It is the sole responsibility of the CONTRACTOR to ensure that the proposal or qualifications package is received at or before the specified time. Postmarks and facsimiles are not acceptable. Proposals received after the deadline shall be rejected and returned unopened. If a CONTRACTOR does not wish to submit a qualifications package but wishes to acknowledge the receipt of the request, the reply envelope shall be marked "No Bid".
- 8.4 **Shipping Costs:** Unless stated otherwise, the F.O.B. for receivables shall be destination. Charges for transportation, containers, packaging and other related shipping costs shall be borne by the shipper.
- 8.5 **Acceptance:** Qualifications packages are subject to acceptance at any time within 90 days after opening. Monterey County reserves the right to reject any and all qualifications packages, or part of any qualifications package, to postpone the scheduled deadline date(s), to make an award in its own best interest, and to waive any informalities or technicalities that do not significantly affect or alter the substance of an otherwise

responsible qualifications package and that would not affect a CONTRACTOR'S ability to perform the work adequately as specified.

- 8.6 Ownership: All submittals in response to this solicitation become the property of the County of Monterey.
- 8.7 Compliance: Qualifications packages that do not follow the format, content and submittal requirements as described herein, or fail to provide the required documentation, may receive lower evaluation scores or be deemed non-responsive.
- 8.8 CAL-OSHA: The items proposed shall conform to all applicable requirements of the California Occupational Safety and Health Administration Act of 1973 (CAL-OSHA).

9.0 SELECTION CRITERIA

- 9.1 The selection of CONTRACTOR and subsequent contract award(s) will be based on the criteria contained in this Solicitation, as demonstrated in the submitted proposal. CONTRACTOR should submit information sufficient for the County to easily evaluate proposals with respect to the selection criteria. The absence of required information may cause the Proposal to be deemed non-responsive and may be cause for rejection.
- 9.2 The selection criteria and the importance of each are included in the table below:

Criteria:	Maximum Score
Qualifications of CONTRACTOR and its proposed staff's qualifications;	20
Ability to demonstrate direct experience providing Schematic Design through completion of project construction as related to the RFQ's scope of work;	20
Overall experience;	10
Demonstrated Ability of the CONTRACTOR to develop Critical Path Schedules on similar projects and to meet the County's Proposed Project Schedule/Milestones listed in EXHIBIT 1 attached hereto.	10
Quality of proposed Project Management Plan;	20
Time and cost management methodologies as described;	5
Assurance that your firm will utilize local small businesses whenever possible	5
Environmentally Friendly Business Practices and Green Business Certification	5
Local Preference (only when applicable - see RFQ Section 10)	5

- 9.3 County may conduct interviews and utilize references during the selection process as well.

10.0 PREFERENCE FOR LOCAL CONTRACTORS

- 10.1 This solicitation and the subsequent AGREEMENT awarded shall comply with County's Local Preference Policy (*recently revised by County's Board of Supervisors in 2012*) which is online at: www.co.monterey.ca.us/admin/policies.htm
- 10.2 This solicitation is being awarded based upon an evaluation of qualitative considerations as defined in the Selection Criteria Section. Per County's Local Preference Policy, firms are eligible for a five percent (5%) preference provided the firm qualifies as a "local vendor" as defined in the policy. In order for this local preference to be applied, CONTRACTOR is required to complete and submit ATTACHMENT A LOCAL BUSINESS DECLARATION FORM which is attached hereto with its qualifications package.

11.0 CONTRACT AWARDS

- 11.1 No Guaranteed Value: County does not guarantee a minimum or maximum dollar value for any AGREEMENT or AGREEMENTS resulting from this solicitation.
- 11.2 Board of Supervisors: The award(s) made from this solicitation may be subject to approval by the County Board of Supervisors.
- 11.3 Interview: County reserves the right to interview selected CONTRACTOR before a contract is awarded. The costs of attending any interview is CONTRACTOR'S responsibility.
- 11.4 Incurred Costs: County is not liable for any cost incurred by CONTRACTOR in response to this solicitation.
- 11.5 Notification: All CONTRACTORS who have submitted a Proposal or Qualifications Package will be notified of the final decision as soon as it has been determined.
- 11.6 In County's Best Interest: The award(s) resulting from this solicitation will be made to the CONTRACTOR that submit(s) a response that, in the sole opinion of County, best serves the overall interest of County.

12.0 SEQUENTIAL CONTRACT NEGOTIATION

- 12.1 County will pursue contract negotiations with the CONTRACTOR who submit(s) the best Proposal or qualifications or is deemed the most qualified in the sole opinion of County, and which is in accordance with the criteria as described within this solicitation. If the contract negotiations are unsuccessful, in the opinion of either County or

CONTRACTOR, County may pursue contract negotiations with the entity that submitted a Proposal which County deems to be the next best qualified to provide the services, or County may issue a new solicitation or take any other action which it deems to be in its best interest.

13.0 AGREEMENT TO TERMS AND CONDITIONS

- 13.1 CONTRACTOR selected through the solicitation process will be expected to execute a formal AGREEMENT with County for the provision of the requested service. The AGREEMENT shall be written by County in a standard format approved by County Counsel, similar to the "SAMPLE AGREEMENT SECTION" herein. Submission of a signed bid/proposal and the SIGNATURE PAGE will be interpreted to mean CONTRACTOR HAS AGREED TO ALL THE TERMS AND CONDITIONS set forth in the pages of this solicitation and the standard provisions included in the SAMPLE AGREEMENT Section herein. County may but is not required to consider including language from the CONTRACTOR'S proposed AGREEMENT, and any such submission shall be included in the EXCEPTIONS section of CONTRACTOR'S proposal.

14.0 COLLUSION

- 14.1 CONTRACTOR shall not conspire, attempt to conspire, or commit any other act of collusion with any other interested party for the purpose of secretly, or otherwise, establishing an understanding regarding rates or conditions to the solicitation that would bring about any unfair conditions.

15.0 RIGHTS TO PERTINENT MATERIALS

- 15.1 All responses, inquiries, and correspondence related to this solicitation and all reports, charts, displays, schedules, exhibits, and other documentation produced by the CONTRACTOR that are submitted as part of the submittal will become the property of the County when received by the County and may be considered public information under applicable law. Any proprietary information in the submittal must be identified as such and marked "CONFIDENTIAL INFORMATION" or "PROPRIETARY INFORMATION". The County will not disclose proprietary information to the public, unless required by law; however, the County cannot guarantee that such information will be held confidential.

SAMPLE AGREEMENT SECTION

SAMPLE AGREEMENT BETWEEN COUNTY OF MONTEREY AND CONTRACTOR

This AGREEMENT is made and entered into by and between the County of Monterey, a political subdivision of the State of California, hereinafter referred to as "County", and _____, hereinafter referred to as "CONTRACTOR."

SAMPLE RECITALS

WHEREAS, County has invited proposals through the Request for Qualifications RFQ# 10401 for **ARCHITECTURAL SERVICES FOR SCHEMATIC DESIGNS OF JAIL HOUSING ADDITION PROJECT**, in accordance with the specifications set forth in this AGREEMENT; and

WHEREAS, CONTRACTOR has submitted a responsive and responsible proposal to perform such services; and

WHEREAS, CONTRACTOR has the expertise and capabilities necessary to provide the services requested.

NOW THEREFORE, County and CONTRACTOR, for the consideration hereinafter named, agree as follows:

S1.0 PERFORMANCE OF THE AGREEMENT

S1.1 After consideration and evaluation of the CONTRACTOR'S proposal, the County hereby engages CONTRACTOR to provide the services set forth in RFQ #10401 and in this AGREEMENT on the terms and conditions contained herein and in RFQ #10401. The intent of this AGREEMENT is to summarize the contractual obligations of the parties. The component parts of this AGREEMENT include the following:

This AGREEMENT including all its attachments, Exhibits and Appendix
RFQ #10401 plus all associated Addenda
CONTRACTOR'S Qualifications Package dated _____,
Certificate of Insurance
Additional Insured Endorsements

S1.2 All of the above-referenced contract documents are intended to be complementary. Work required by one of the above-referenced contract documents and not by others shall be done as if required by all. In the event of a conflict between or among component parts of the contract, the contract documents shall be construed in the following order: AGREEMENT including all Attachments, Exhibits and Appendix, RFQ #10401 plus RFP Addenda #__, CONTRACTOR's Qualifications Package, Certificate of Insurance, and Additional Insured Endorsements.

- S1.3 CONTRACTOR warrants that CONTRACTOR and CONTRACTOR's agents, employees, and subcontractors performing services under this AGREEMENT are specially trained, experienced, competent, and appropriately licensed to perform the work and deliver the services required under this AGREEMENT and are not employees of the County, or immediate family of an employee of the County.
- S1.4 CONTRACTOR, its agents, employees, and subcontractors shall perform all work in a safe and skillful manner and in compliance with all applicable laws and regulations. All work performed under this AGREEMENT that is required by law to be performed or supervised by licensed personnel shall be performed in accordance with such licensing requirements.
- S1.4.1 CONTRACTOR must maintain all licenses throughout the term of the AGREEMENT.
- S1.5 CONTRACTOR shall furnish, at its own expense, all materials, equipment, and personnel necessary to carry out the terms of this AGREEMENT, except as otherwise specified in this AGREEMENT. CONTRACTOR shall not use County premises, property (including equipment, instruments, or supplies) or personnel for any purpose other than in the performance of its obligations under this AGREEMENT.

S2.0 SCOPE OF SERVICE

(Shall be consistent with Scope of Work defined in this Solicitation and shall include description of goods and/or services provided including timelines and deliverables. Shall also include itemized pricing (including tax), a total price, and all associated payment provisions. Additional conditions may be stated such as details regarding training, meetings, any "Acceptance Testing" or "Notice to Proceed" clauses and project management requirements if applicable.

S3.0 TERM OF AGREEMENT

- S3.1 The initial term shall commence with the signing of this AGREEMENT through and including June 30, 2018. County and CONTRACTOR may extend the term if the project is not completed by June 30, 2018.
- S3.2 CONTRACTOR shall commence negotiations for any desired fee changes a minimum of sixty days (60) prior to the expiration of this AGREEMENT in order to be considered.
- S3.2.1 Both parties shall agree upon changes to fees in writing.
- S3.3 County reserves the right to cancel this AGREEMENT, or any extension of this AGREEMENT, without cause, with a thirty day (30) written notice, or immediately with cause.

S4.0 COMPENSATION AND PAYMENTS

- S4.1 It is mutually understood and agreed by both parties that CONTRACTOR shall be compensated under this AGREEMENT in accordance with the pricing sheet attached hereto.
- S4.2 Prices shall remain firm for the initial term of this AGREEMENT and, thereafter, may be adjusted annually as provided in this paragraph. County does not guarantee any minimum or maximum amount of dollars to be spent under this AGREEMENT.
- S4.3 Negotiations for rate changes shall be commenced, by CONTRACTOR, a minimum of ninety days (90) prior to the expiration of this AGREEMENT.
- S4.4 Any discount offered by the CONTRACTOR must allow for payment after receipt and acceptance of services, material or equipment and correct invoice, whichever is later. In no case will a discount be considered that requires payment in less than 30 days.
- S4.5 CONTRACTOR shall levy no additional fees or surcharges of any kind during the term of this AGREEMENT without first obtaining approval from County in writing.
- S4.6 Tax:
S4.6.1 Pricing as per this AGREEMENT is inclusive of all applicable taxes.
S4.6.2 County is registered with the Internal Revenue Service, San Francisco office, and registration number 94-6000524. The County is exempt from Federal Transportation Tax; an exemption certificate is not required where shipping documents show Monterey County as consignee.

S5.0 INVOICES AND PURCHASE ORDERS

- S5.1 Invoices for all services rendered per this AGREEMENT shall be billed directly to the Resource Management Agency Architectural Services Division at the following address:

- S5.2 CONTRACTOR shall reference RFQ #10401 on all invoices submitted to County. CONTRACTOR shall submit such invoices periodically or at the completion of services, but in any event, not later than 30 days after completion of services. The invoice shall set forth the amounts claimed by CONTRACTOR for the previous period, together with an itemized basis for the amounts claimed, and such other information pertinent to the invoice. County shall certify the invoice, either in the requested amount or in such other amount as County approves in conformity with this AGREEMENT, and shall promptly submit such invoice to County Auditor-Controller for payment. County Auditor-Controller shall pay the amount certified within 30 days of receiving the certified invoice.

- S5.3 All County of Monterey Purchase Orders issued for the AGREEMENT are valid only during the fiscal year in which they are issued (the fiscal year is defined as July 1 through June 30).
- S5.4 Unauthorized Surcharges or Fees: Invoices containing unauthorized surcharges or unauthorized fees of any kind shall be rejected by County. Surcharges and additional fees not included the AGREEMENT must be approved by County in writing via an Amendment.
- S5.5 In addition to any information and documentation otherwise required, invoices shall contain information and documentation satisfactory to County and BSCC to facilitate expeditious reimbursement to County by BSCC for project expenses, and for BSCC project auditing purposes.

S6.0 DESIGN PROFESSIONAL INDEMNIFICATION

- S6.1 For purposes of the following indemnification provisions (“Indemnification AGREEMENT”), “design professional” has the same meaning as set forth in California Civil Code section 2782.8. If any term, provision or application of this Indemnification AGREEMENT is found to be invalid, in violation of public policy or unenforceable to any extent, such finding shall not invalidate any other term or provision of this Indemnification AGREEMENT and such other terms and provisions shall continue in full force and effect. If there is any conflict between the terms, provisions or application of this Indemnification AGREEMENT and the provisions of California Civil Code Sections 2782 or 2782.8, the broadest indemnity protection for County under this Indemnity AGREEMENT that is permitted by law shall be provided by CONTRACTOR.
- S6.2 Indemnification for Design Professional Services Claims:
CONTRACTOR shall indemnify, defend and hold harmless County, its governing board, directors, officers, employees, and agents against any claims that arise out of, or pertain to, or relate to the negligence, recklessness, or willful misconduct of CONTRACTOR, its employees, subcontractors, and agents in the performance of design professional services under this AGREEMENT, excepting only liability arising from the sole negligence, active negligence or willful misconduct of County, or defect in a design furnished by County.
- S6.3 Indemnification for All Other Claims or Loss:
For any claim, loss, injury, damage, expense or liability other than claims arising out of CONTRACTOR’s performance of design professional services under this AGREEMENT, CONTRACTOR shall indemnify, defend and hold harmless COUNTY, its governing board, directors, officers, employees, and agents against any claim for loss, injury, damage, expense or liability resulting from or alleging injury to or death of any person or loss of use of or damage to property, arising from or related to the performance of services under this AGREEMENT by CONTRACTOR, its employees, subcontractors or agents, excepting only liability arising from the sole negligence, active negligence or willful misconduct of COUNTY, or defect in a design furnished by COUNTY.

S7.0 INSURANCE REQUIREMENTS

S7.1 Evidence of Coverage:

S7.1.1 Prior to commencement of this AGREEMENT, CONTRACTOR shall provide a "Certificate of Insurance" certifying that coverage as required herein has been obtained. Individual endorsements executed by the insurance carrier shall accompany the certificate. In addition CONTRACTOR upon request shall provide a certified copy of the policy or policies.

S7.1.2 This verification of coverage shall be sent to the County's Contracts/Purchasing Department, unless otherwise directed. CONTRACTOR shall not receive a "Notice to Proceed" with the work under this AGREEMENT until it has obtained all insurance required and such, insurance has been approved by County. This approval of insurance shall neither relieve nor decrease the liability of CONTRACTOR.

S7.2 Qualifying Insurers: All coverages, except surety, shall be issued by companies which hold a current policy holder's alphabetic and financial size category rating of not less than A- VII, according to the current Best's Key Rating Guide or a company of equal financial stability that is approved by County's Purchasing Officer.

S7.3 Insurance Coverage Requirements:

S7.3.1 Without limiting CONTRACTOR's duty to indemnify, CONTRACTOR shall maintain in effect throughout the term of this AGREEMENT a policy or policies of insurance with the following minimum limits of liability:

S7.3.1.1 Commercial general liability insurance, including but not limited to premises and operations, including coverage for Bodily Injury and Property Damage, Personal Injury, Contractual Liability, Broadform Property Damage, Independent Contractors, Products and Completed Operations, with a combined single limit for Bodily Injury and Property Damage of not less than \$1,000,000 per occurrence.

S7.3.2 Business automobile liability insurance, covering all motor vehicles, including owned, leased, non-owned, and hired vehicles, used in providing services under this AGREEMENT, with a combined single limit for Bodily Injury and Property Damage of not less than \$1,000,000 per occurrence.

S7.3.3 Workers' Compensation Insurance, if CONTRACTOR employs others in the performance of this AGREEMENT, in accordance with California Labor Code section 3700 and with Employer's Liability limits not less than \$1,000,000 each person, \$1,000,000 each accident and \$1,000,000 each disease.

S7.3.4 Professional liability insurance, if required for the professional services being provided, (e.g., those persons authorized by a license to engage in a business or profession regulated by the California Business and Professions Code), in the amount of not less than \$1,000,000 per claim and \$2,000,000 in the aggregate, to cover liability for malpractice or errors or omissions made in the course of rendering professional services. If professional liability insurance is written on a "claims-made" basis rather than an occurrence basis, CONTRACTOR shall, upon the expiration or earlier termination of this AGREEMENT, obtain extended reporting coverage ("tail coverage") with the same liability limits. Any such tail coverage shall continue for at least three years following the expiration or earlier termination of this AGREEMENT.

S7.4 Other Insurance Requirements:

S7.4.1 All insurance required by this AGREEMENT shall be with a company acceptable to County and issued and executed by an admitted insurer authorized to transact Insurance business in the State of California. Unless otherwise specified by this AGREEMENT, all such insurance shall be written on an occurrence basis, or, if the policy is not written on an occurrence basis, such policy with the coverage required herein shall continue in effect for a period of three years following the date CONTRACTOR completes its performance of services under this AGREEMENT.

S7.4.2 Each liability policy shall provide that County shall be given notice in writing at least thirty days in advance of any endorsed reduction in coverage or limit, cancellation, or intended non-renewal thereof. Each policy shall provide coverage for CONTRACTOR and additional insureds with respect to claims arising from each subcontractor, if any, performing work under this AGREEMENT, or be accompanied by a certificate of insurance from each subcontractor showing each subcontractor has identical insurance coverage to the above requirements.

S7.4.3 Commercial general liability and automobile liability policies shall provide an endorsement naming the County of Monterey, its officers, agents, and employees as Additional Insureds with respect to liability arising out of the CONTRACTOR'S work, including ongoing and completed operations, and shall further provide that such insurance is primary insurance to any insurance or self-insurance maintained by the County and that the insurance of the Additional Insureds shall not be called upon to contribute to a loss covered by the CONTRACTOR'S insurance. The required endorsement form for Commercial General Liability Additional Insured is ISO Form CG 20 10 11-85 or CG 20 10 10 01 in tandem with CG 20 37 10 01 (2000). The required endorsement form for Automobile Additional Insured endorsement is ISO Form CA 20 48 02 99.

S7.4.4 Prior to the execution of this AGREEMENT by County, CONTRACTOR shall file certificates of insurance with County's contract administrator and County's Contracts/Purchasing Division, showing that CONTRACTOR has in effect the insurance required by this AGREEMENT. CONTRACTOR shall file a new or

amended certificate of insurance within five calendar days after any change is made in any insurance policy, which would alter the information on the certificate then on file. Acceptance or approval of insurance shall in no way modify or change the indemnification clause in this AGREEMENT, which shall continue in full force and effect.

S7.4.5 CONTRACTOR shall at all times during the term of this AGREEMENT maintain in force the insurance coverage required under this AGREEMENT and shall send, without demand by County, annual certificates to County's Contract Administrator and County's Contracts/Purchasing Division. If the certificate is not received by the expiration date, County shall notify CONTRACTOR and CONTRACTOR shall have five calendar days to send in the certificate, evidencing no lapse in coverage during the interim. Failure by CONTRACTOR to maintain such insurance is a default of this AGREEMENT, which entitles County, at its sole discretion, to terminate this AGREEMENT immediately.

S8.0 RECORDS AND CONFIDENTIALITY

- S8.1 Confidentiality: CONTRACTOR and its officers, employees, agents, and subcontractors shall comply with any and all federal, state, and local laws, which provide for the confidentiality of records and other information. CONTRACTOR shall not disclose any confidential records or other confidential information received from the County or prepared in connection with the performance of this AGREEMENT, unless County specifically permits CONTRACTOR to disclose such records or information. CONTRACTOR shall promptly transmit to County any and all requests for disclosure of any such confidential records or information. CONTRACTOR shall not use any confidential information gained by CONTRACTOR in the performance of this AGREEMENT except for the sole purpose of carrying out CONTRACTOR's obligations under this AGREEMENT.
- S8.2 County Records: When this AGREEMENT expires or terminates, CONTRACTOR shall return to County any County records which CONTRACTOR used or received from County to perform services under this AGREEMENT.
- S8.3 Maintenance of Records: CONTRACTOR shall prepare, maintain, and preserve all reports and records that may be required by federal, state, and County rules and regulations related to services performed under this AGREEMENT.
- S8.4 Access to and Audit of Records: County shall have the right to examine, monitor and audit all records, documents, conditions, and activities of CONTRACTOR and its subcontractors related to services provided under this AGREEMENT. The parties to this AGREEMENT may be subject, at the request of County or as part of any audit of County, to the examination and audit of the State Auditor pertaining to matters connected with the performance of this AGREEMENT for a period of three years after final payment under the AGREEMENT.

S9.0 NON-DISCRIMINATION

- S9.1 During the performance of this contract, CONTRACTOR shall not unlawfully discriminate against any employee or applicant for employment because of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, age (over 40), sex, or sexual orientation. CONTRACTOR shall ensure that the evaluation and treatment of its employees and applicants for employment are free of such discrimination. CONTRACTOR shall comply with the provisions of the Fair Employment and Housing Act (Government Code, §12900, et seq.) and the applicable regulations promulgated thereunder (California Code of Regulations, Title 2, §7285.0, et seq.).
- S9.2 The applicable regulations of the Fair Employment and Housing Commission implementing Government Code, §12900, et seq., set forth in Chapter 5 of Division 4 of Title 2 of the California Code of Regulations are incorporated into this AGREEMENT by reference and made a part hereof as if set forth in full.
- S9.3 CONTRACTOR shall include the non-discrimination and compliance provisions of the clause in all AGREEMENTs with subcontractors to perform work under the contract.

S10.0 OVERRIDING CONTRACTOR PERFORMANCE REQUIREMENTS

- S10.1 Independent Contractor: CONTRACTOR shall be an independent contractor and shall not be an employee of Monterey County, nor immediate family of an employee of County. CONTRACTOR shall be responsible for all insurance (General Liability, Automobile, Workers' Compensation, unemployment, etc.) and all payroll-related taxes. CONTRACTOR shall not be entitled to any employee benefits. CONTRACTOR shall control the manner and means of accomplishing the result contracted for herein.
- S10.2 Non-Assignment: CONTRACTOR shall not assign this contract or the work required herein without the prior written consent of County.
- S10.3 Subcontractors: In compliance with County's Local Preference Policy, CONTRACTOR assures that it will utilize small businesses whenever possible for subcontracting in association with this AGREEMENT. Any subcontractors hired by CONTRACTOR to perform work/services for this AGREEMENT shall comply with all of County of Monterey requirements stated herein, including insurance and indemnification requirements as stated herein.

S11.0 CONFLICT OF INTEREST

- S11.1 CONTRACTOR covenants that it presently has no interest, and shall not have any interest, direct or indirect, which would conflict in any manner with the performance of services required under this AGREEMENT. Without limitation, CONTRACTOR

represents to and agrees with COUNTY that CONTRACTOR has no present, and will have no future, conflict of interest between providing COUNTY services hereunder and any other person or entity (including but not limited to any federal or state environmental or regulatory agency) which has any interest adverse or potentially adverse to COUNTY, as determined in the reasonable judgment of the Board of Supervisors of COUNTY.

S11.2 CONTRACTOR agrees that any information, whether proprietary or not, made known to or discovered by it during the performance of or in connection with this AGREEMENT for COUNTY will be kept confidential and not be disclosed to any other person. CONTRACTOR agrees to immediately notify COUNTY in accordance with the Notices Section of this AGREEMENT, if it is requested to disclose any information made known to or discovered by it during the performance of or in connection with this AGREEMENT. These conflict of interest and future service provisions and limitations shall remain fully effective five (5) years after termination of services to COUNTY hereunder.

S12.0 COMPLIANCE WITH APPLICABLE LAWS

S12.1 CONTRACTOR shall keep itself informed of and in compliance with all federal, state and local laws, ordinances, regulations, and orders, including but not limited to all state and federal tax laws that may affect in any manner the Project or the performance of the Services or those engaged to perform Services under this AGREEMENT. CONTRACTOR shall procure all permits and licenses, pay all charges and fees, and give all notices required by law in the performance of the Services.

S12.2 CONTRACTOR shall report immediately to County's Contracts/Purchasing Officer, in writing, any discrepancy or inconsistency it discovers in the laws, ordinances, regulations, orders, and/or guidelines in relation to the Project of the performance of the Services.

S12.3 All documentation prepared by CONTRACTOR shall provide for a completed project that conforms to all applicable codes, rules, regulations and guidelines that are in force at the time such documentation is prepared.

S13.0 PREVAILING WAGE

S13.1 CONTRACTOR shall comply with Section 1720, et. seq., of the Labor Code, regarding the general prevailing wage rates of per diem, holiday, and overtime wages for each craft, classification, or type of worker needed to execute the contract where applicable.

S14.0 DRUG FREE WORKPLACE

S14.1 CONTRACTOR and CONTRACTOR'S employees shall comply with the COUNTY'S policy of maintaining a drug free workplace. Neither CONTRACTOR nor CONTRACTOR'S employees shall unlawfully manufacture, distribute, dispense, possess

or use controlled substances, as defined in 21 U.S. Code § 812, including, but not limited to, marijuana, heroin, cocaine, and amphetamines, at any COUNTY facility or work site. If CONTRACTOR or any employee of CONTRACTOR is convicted or pleads no contest to a criminal drug statute violation occurring at a COUNTY facility or work site, the CONTRACTOR shall, within five days thereafter notify the head of the COUNTY department/agency for which the AGREEMENT services are performed. Violation of this provision shall constitute a material breach of this AGREEMENT.

S15.0 TIME OF ESSENCE

S15.1 Time is of the essence in respect to all provisions of this AGREEMENT that specify a time for performance; provided, however, that the foregoing shall not be construed to limit or deprive a party of the benefits of any grace or use period allowed in this AGREEMENT.

S16.0 PERFORMANCE ASSURANCE AND WAIVER OF BREACH

S16.1 Assurance of Performance: If at any time County believes CONTRACTOR may not be adequately performing its obligations under this AGREEMENT or that CONTRACTOR may fail to complete the Services as required by this AGREEMENT, County may request from CONTRACTOR prompt written assurances of performance and a written plan acceptable to County, to correct the observed deficiencies in CONTRACTOR'S performance. CONTRACTOR shall provide such written assurances and written plan within ten (10) calendar days of its receipt of County's request and shall thereafter diligently commence and fully perform such written plan. CONTRACTOR acknowledges and agrees that any failure to provide such written assurances and written plan within the required time is a material breach under this AGREEMENT. If County accepts the plan it shall issue a signed waiver.

S16.1.1 Waiver: No waiver of a breach, failure of any condition, or any right or remedy contained in or granted by the provisions of this AGREEMENT shall be effective unless it is in writing and signed by the party waiving the breach, failure, right or remedy. No waiver of any breach, failure, right or remedy shall be deemed a waiver of any other breach, failure, right or remedy, whether or not similar, nor shall any waiver constitute a continuing waiver unless the writing so specifies.

S17.0 TRAVEL REIMBURSEMENT

S17.1 Travel reimbursements are not permitted for this AGREEMENT.

S18.0 EMERGENCY SITUATIONS

S18.1 CONTRACTOR shall provide the name and contact information of a representative who shall be available 24 hours a day, 7 days a week, in the event of an emergency. During the emergency, CONTRACTOR shall provide County with all available supplies, materials, equipment and/or services on a priority basis.

S18.2 County expects emergency deliveries to occur within 4 hours of order placement and may be required during evenings, weekends, and holidays. Time is of the essence for delivery during emergency situations. Delivery location(s) and estimated arrival will be mutually agreed upon, by County and CONTRACTOR, at time of order and will be determined based on need and existing conditions. It is understood that current conditions, such as power outages, road closures, and damages to CONTRACTOR's facility and/or equipment, will be taken into consideration.

S19.0 NON-APPROPRIATIONS CLAUSE

S19.1 Notwithstanding anything contained in this AGREEMENT to the contrary, if insufficient funds are appropriated, or funds are otherwise unavailable in the budget for County for any reason whatsoever in any fiscal year, for payments due under this AGREEMENT, County will immediately notify CONTRACTOR of such occurrence, and this AGREEMENT shall terminate after the last day during the fiscal year for which appropriations shall have been budgeted for County or are otherwise available for payments.

S20.0 BACKGROUND CHECKS

S20.1 CONTRACTOR shall be required to obtain State and Federal level criminal background clearance(s) for all personnel required to work within County facilities that are deemed restricted or high security, including but not limited to the Sheriff's Office, Probation Department, 911 Center, and District Attorney's Office.

S20.1.1 All CONTRACTOR personnel and any of CONTRACTOR'S subcontractors who are to provide services which require access into County's jail are required to undergo fingerprinting and background checks through the County Sheriff's main office. CONTRACTOR shall be responsible for all costs associated with the required background checks.

S21.0 WARRANTY BY CONTRACTOR

S21.1 CONTRACTOR shall fully warrant all services it performs against poor and inferior quality or workmanship for a period of not less than one (1) year from date of final acceptance by the COUNTY. Time is of the essence of this AGREEMENT. CONTRACTOR shall repair or replace any inoperable materials or equipment in a timely manner during warranty period.

S22.0 NOTICES

S22.1 Notices required to be given to the respective parties under this AGREEMENT shall be deemed given by any of the following means: (1) when personally delivered to County's contract administrator or to CONTRACTOR'S responsible officer; (2) when personally delivered to the party's principle place of business during normal business hours, by leaving notice with any person apparently in charge of the office and advising such person of the import and contents of the notice; (3) 24 hours after the notice is transmitted by FAX machine to the other party, at the party's FAX number specified pursuant to this AGREEMENT, provided that the party giving notice by FAX must promptly confirm receipt of the FAX by telephone to the receiving party's office; or, (4) three (3) days after the notice is deposited in the U. S. mail with first class or better postage fully prepaid, addressed to the party as indicated below.

S22.2 Notices mailed or faxed to the parties shall be addressed as follows:

TO COUNTY:
Contracts/Purchasing Officer
County of Monterey, Contracts/Purchasing
168 W. Alisal Street, 3rd Floor.
Salinas, CA 93901-2439
Tel. No.: (831) 755-4990
FAX No.: (831) 755-4969
derm@co.monterey.ca.us

TO CONTRACTOR:
Name _____
Address _____

Tel. No. _____
FAX No. _____
Email _____

—

S23.0 LEGAL DISPUTES

S23.1 CONTRACTOR agrees that this AGREEMENT and any dispute arising from the relationship between the parties to this AGREEMENT, shall be governed and interpreted by the laws of the State of California, excluding any laws that direct the application of another jurisdiction's laws.

S23.2 Any dispute that arises under or relates to this AGREEMENT (whether contract, tort, or both) shall be resolved in the Superior Court of California in Monterey County, California.

S23.3 CONTRACTOR shall continue to perform under this AGREEMENT during any dispute.

S23.4 The parties agree to waive their separate rights to a trial by jury. This waiver means that the trial will be before a judge.

--END OF SAMPLE AGREEMENT SECTION--

RFQ SIGNATURE PAGE, ATTACHMENT A, EXHIBIT 1

RFQ SIGNATURE PAGE

COUNTY OF MONTEREY
CONTRACTS/PURCHASING DIVISION

RFQ # 10401
ISSUE DATE: Nov. 30, 2012



RFP TITLE: ARCHITECTURAL SERVICES FOR SCHEMATIC DESIGN THROUGH CONSTRUCTION SERVICES OF JAIL HOUSING ADDITION PROJECT

PROPOSALS ARE DUE IN THE OFFICE OF THE CONTRACTS/PURCHASING OFFICER BY 3:00 P.M., LOCAL TIME, ON TUESDAY JANUARY 14, 2013

MAILING ADDRESS:
COUNTY OF MONTEREY
CONTRACTS/PURCHASING OFFICE
168 W. ALISAL STREET, 3rd FL.
SALINAS, CA 93901-2439

QUESTIONS ABOUT THIS RFQ SHOULD BE DIRECTED TO Jaime Ayala via email: AyalaJ@co.monterey.ca.us

CONTRACTOR MUST INCLUDE THE FOLLOWING IN EACH PROPOSAL (1 original plus 6 copies):

ALL REQUIRED CONTENT AS DEFINED PER SECTION 7.1 HEREIN

This Signature Page must be included with your submittal in order to validate your proposal.
Proposals submitted without this page will be deemed non-responsive.

CHECK HERE IF YOU HAVE ANY EXCEPTIONS TO THIS SOLICITATION.

CONTRACTOR MUST COMPLETE THE FOLLOWING TO VALIDATE PROPOSAL

I hereby agree to furnish the articles and/or services stipulated in my proposal at the price quoted, subject to the instructions and conditions in the Request for Proposal package. I further attest that I am an official officer representing my firm and authorized with signatory authority to present this proposal package.

Company Name: _____ Date _____

Signature: _____ Printed Name: _____

Street Address: _____

City: _____ State: _____ Zip: _____

Phone: () _____ Fax: () _____ Email: _____

License No. (If applicable): _____

License Classification (If applicable): _____

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COUNTY OF MONTEREY LOCAL BUSINESS DECLARATION FORM

Bidders claiming to be a "Local Vendor" as defined by the "Monterey County Local Preference Policy", adopted by the Monterey County Board of Supervisors on August 29, 2012, must certify they meet the definition of "Local Vendor" as defined and in accordance to the adopted policy.

Any bidder claiming to be a local business as defined by the policy, shall so certify in writing herein that they meet all of the criteria listed within the policy, which can be accessed online at the following link:

Policy Link: <http://www.co.monterey.ca.us/admin/pdfs/LocalPreferencePolicy082912.pdf>

County shall not be responsible or required to verify the accuracy or any such certifications, and shall have sole discretion to determine if a bidder meets the definition of "local vendor" as provided herein.

Any business which falsely claims a preference pursuant to Monterey County Local Preference Policy shall be ineligible to bid on county purchases or contracts for a period of three (3) years from the date of discovery of the false certification(s).

Any business eligible for the local business preference who desires to have the preference applied during the award selection process shall return this completed Local Business Preference Declaration form with its proposal or qualifications package response. Upon request, bidder agrees to provide additional information to substantiate this certification.

Bidder certifies under penalty of perjury they have both read and confirm they meet the requirements as outlined within the County's Local Preference Policy for the procurement in question.

Business Legal Name (and Dba name if any): _____

Business Address: _____

City: _____ *State:* _____ *Zip Code:* _____

Signature of Authorized Representative: _____ *Date:* _____

Title of Authorized Representative: _____

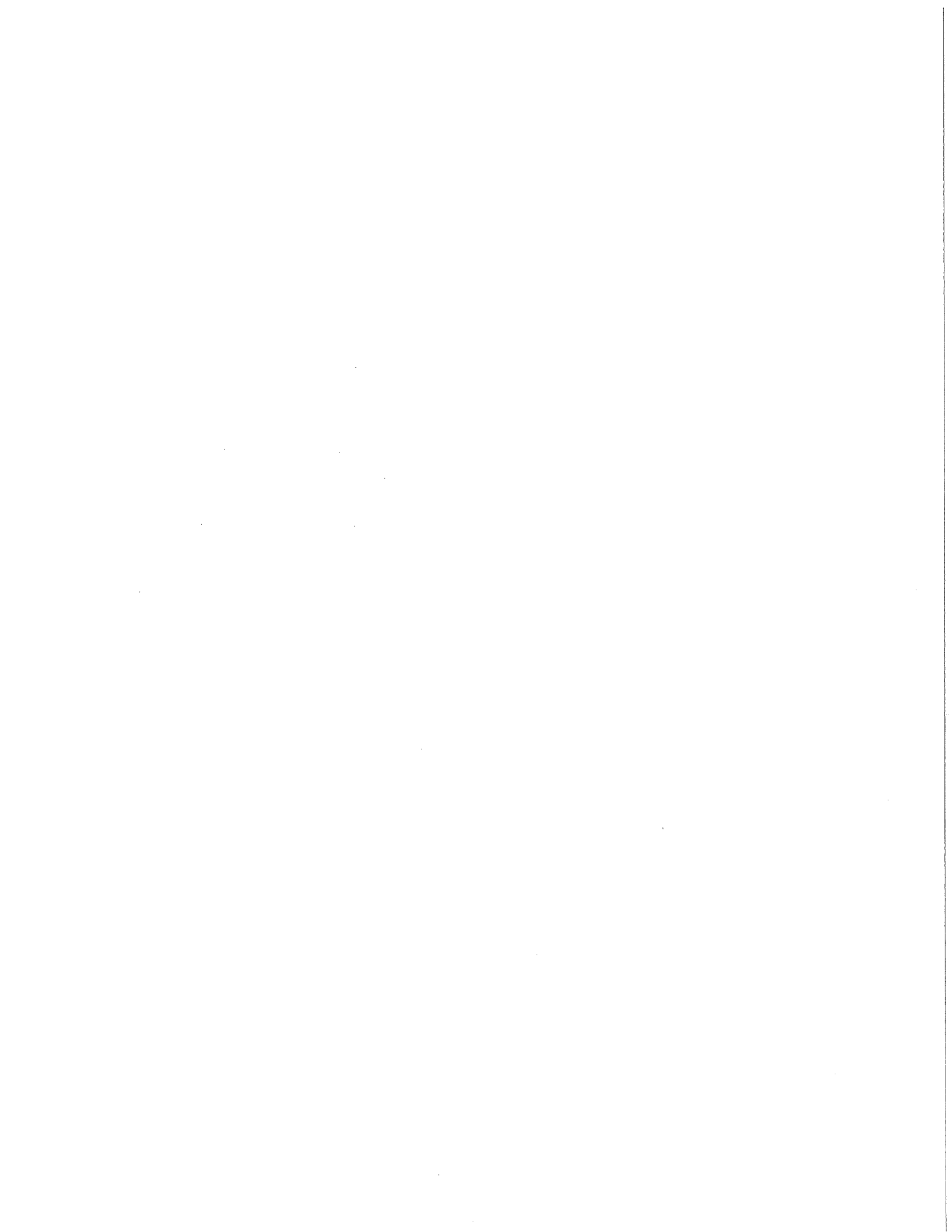
Telephone Number: () _____ *E-Mail:* _____

This form must be submitted within a bidder's proposal or qualifications package in order for the County to apply the applicable local preference. Failure to submit this form means that the bidder is not declaring itself a local business and there will be no local preference applied.

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RFQ #10401 EXHIBIT 1 – JAIL HOUSING ADDITION PROJECT SCHEDULE

Issue Design “Notice to Proceed”	N/A at this time
Schematic Design	August 9, 2013 to February 10, 2014
Design Development	February 13, 2014 to November 15, 2014
Construction Documents	November 16, 2014 to July 27, 2015
Construction Bids	July 27, 2015 to October 29, 2015
Issue Construction “Notice to Proceed”	October 30, 2015 to November 12, 2015
Construction	November 13, 2015 to November 2, 2017
Staffing and Occupancy	November 3, 2017 to November 30, 2017





ADDENDUM

COUNTY OF MONTEREY
CONTRACTS/PURCHASING DEPARTMENT

Date: Tuesday December 11, 2012

To: All Contractors Submitting Qualifications for RFQ # 10401 ARCHITECTURAL SERVICES FOR SCHEMATIC DESIGN THROUGH CONSTRUCTION SERVICES OF JAIL HOUSING ADDITION FOR THE COUNTY OF MONTEREY

From: Jaime Ayala, Deputy Purchasing Agent

Subject: Addendum No. 1

This addendum consists of QUESTIONS AND ANSWERS, from walk-through for RFQ # 10401 ARCHITECTURAL SERVICES FOR SCHEMATIC DESIGN THROUGH CONSTRUCTION SERVICES OF JAIL HOUSING ADDITION FOR THE COUNTY OF MONTEREY.

- This acknowledgement signature page of Addendum No. # 1 must be submitted with your bid proposal.
- If this acknowledgement signature page is not submitted with your bid proposal, your entire bid package may be considered non-responsive.

RECEIPT IS HEREBY ACKNOWLEDGED OF ADDENDUM NO. 1, RFQ #10401

Authorized Company Signature

Printed Name

Company Name

Date

This addendum consists of QUESTIONS AND ANSWERS, from walk-through for RFQ # 10401 ARCHITECTURAL SERVICES FOR SCHEMATIC DESIGN THROUGH CONSTRUCTION SERVICES OF JAIL HOUSING ADDITION FOR THE COUNTY OF MONTEREY.

Overall the Scope of Work within this request for proposal has not changed.

Q1. How does the local preference policy affect this RFQ?

A1. Please see section 10 of RFQ 10401 Preference for Local Contractors,

Local Preference Policy which is online at: www.co.monterey.ca.us/admin/policies.htm

Q2. Is the agreement included in the RFQ similar to what will eventually be signed with the selected firm?

A2. Yes, sample agreement has language that will become the final Agreement with selected firm, see page 21, through Page 33 of RFQ 10401.

Q3. According to the amended funding application form, video visitation will be the primary means of visitation.

- Do you currently use video visitation?

A2a. No, not at this location.

- Do you currently have infrastructure in place, including visitor stations for video visitation with the excess capacity to support the new housing addition?

A2b. No, but it will be part of the new Housing Addition.

Q4. If video visitation is a new amenity in the jail, we assume the inmate video visitation stations for the new housing units will be located in or adjacent to those housing units.

A4. Yes, it will be in the new Housing Addition.

Q5. Where will the visitor stations be located and is this visitor visitation area included in the scope of this project?

A5. This will be determined in pre-design phase, and will be part of the Scope.

Q6. According to the amended funding application form, central control will monitor and operate all security perimeter penetrations. Central control should be separate from housing control. According to the Concept Presentation and Conceptual Renderings links on your website, there is a separate building addition component which appears to house the new central control. This separate addition also appears to accommodate the new public entry and visitor visitation.

Addendum #1 RFQ 10401

- Please confirm that a separate visitor entry/visitation/control building this is part of the scope?
A6a. *Yes, that is correct.*
- If this is not part of the scope, will visitors enter at the same location they do now? It appears the existing visitor entry will be blocked by the new housing units.
A6b. *Final location will be determined during pre-design phase.*
- Will the new central control also be capable of monitoring/controlling the existing parts of the jail?
A6c. *Yes.*

Q7. According to the amended funding application form, the project includes enclosed, secure outdoor exercise area(s). The document also states "There will be at least one completely fenced outdoor exercise area of not less than 600 square feet for use by those inmates who have earned this privilege."

- Is this a separate outdoor recreation area which is part of the scope of this project? Is it also observable from housing control?
A7a. *It will not be "separate," but part of the new housing unit, and will be observable from housing control.*

Q8. Can you send me the link to the County Web Site for the Jail Expansion for the project information.

A8. *Here is the link per your request, <http://www.co.monterey.ca.us/jailexpansion/>*



ATTENDEE LIST
RFQ 10401 Pre-Bidders Conference held 12/11/12

SOLICITATION: ARCHITECTURAL SERVICES & SCHEMATIC DESIGN THROUGH CONSTRUCTION FOR JAIL HOUSING ADDITION, RFQ # 10401

DEPARTMENT: PUBLIC WORKS - CONTRACTS/PURCHASING

DATE: TUESDAY, DECEMBER 11 2012

	AGENCY/FIRM	REPRESENTATIVES NAME	EMAIL ADDRESS	PHONE # & FAX #	SIGNATURE
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2	Colin Blaney	Kristen Bouma	kristen@crobygroup.com	(650) 367-0100 (650) 598-0277	<i>Kristen Bouma</i>
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4	KMD Justice	Monica Clarke			
5	WRD Architects	Frank M. Dost	FRANK@WRDARCH.COM	251 649-4642 F 851 649-3590	<i>Frank M. Dost</i>
6	HMC+Beverly Prior Architects	Charles Dilworth	Charles.dilworth@hmcarchitects.com	415-777-9422	<i>Charles Dilworth</i>
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8	The Design Partnership LLP	Rachel Bennett			
9	Walter Moore	William A Andrews			
10	DLR Group	Dacia Eastin Darrell Stellan	daciastellan@dlr.com	(415) 446-0256	<i>Dacia Eastin</i>
11	Dewberry Justice Architects	Jeff Purtell			

Ph...



ATTENDEE LIST
RFQ 10401 Pre-Bidders Conference held 12/11/12

SOLICITATION: ARCHITECTURAL SERVICES & SCHEMATIC DESIGN THROUGH CONSTRUCTION FOR JAIL HOUSING ADDITION, RFQ # 10401

DEPARTMENT: PUBLIC WORKS - CONTRACTS/PURCHASING

DATE: TUESDAY, DECEMBER 11 2012

	AGENCY/FIRM	REPRESENTATIVES NAME	EMAIL ADDRESS	PHONE # & FAX #	SIGNATURE
12	HDR Architecture	Cathrine Chan	Chan@hdr.com	415-546-4328	<i>[Signature]</i>
13	Arsenal Equipment Rental				
14	Calpo Hom & Dong Architects	John Petrucci,	jp@tr echdarchitects.com	916-207-8511	<i>[Signature]</i>
15	Pacific Geotechnical Engineering	G. Reid Fisher	rfisher@pacific-geotechnical.com	T (408)-778-2818 x 402 C (408)-639-3199	
16	Monterey County	<i>[Signature]</i>			<i>[Signature]</i>
17	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	831-716-3094	<i>[Signature]</i>
18	Pacific Geotechnical Engineering	Reid Fisher	rfisher@pacific-geotechnical.com	408-778-2818 x 402	<i>[Signature]</i>
19	TAMT & Z ARCHITECTS	TOMI KIET	TKIET@TAMT-Z-ARCHITECTS.COM	435 4730	<i>[Signature]</i>
20	FRANK WALTER RICK ENGINEERING	Frank Walter	frank@rickengineering.com	805 940-7301	
21	THE DESIGN PARTNERSHIP	WALTER LEALE	lisa@dpst.com	415-777-3737	<i>[Signature]</i>

[Handwritten notes]



ATTENDEE LIST
RFQ 10401 Pre-Bidders Conference held 12/11/12

SOLICITATION: ARCHITECTURAL SERVICES & SCHEMATIC DESIGN THROUGH CONSTRUCTION FOR JAIL HOUSING ADDITION, RFQ # 10401

DEPARTMENT: PUBLIC WORKS - CONTRACTS/PURCHASING

DATE: TUESDAY, DECEMBER 11 2012

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3 AVS ENGINEERS, INC.	David Leung (Security)	dleung@avs-engineers.com	(666) 232-0588	[Signature]
4 NACHT & LEWIS	ERIC FARRER LORENZO LOPEZ	erofarr@nachts.com llopez@nachts.com	(416) 329-1000	[Signature]
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7 MONTECALVO S.B.	JEFF TAYLOR	jeff@montecalvo.com	(916) 355-3354	[Signature]
8 TEE.COM	SAM FASNER	Samuel.Fasner@tee.com	916 250 8060	[Signature]
9				
10				
11				



ADDENDUM

COUNTY OF MONTEREY
CONTRACTS/PURCHASING DEPARTMENT

Date: Wednesday December 19, 2012

To: All Contractors Submitting Qualifications for RFQ # 10401 ARCHITECTURAL SERVICES FOR SCHEMATIC DESIGN THROUGH CONSTRUCTION SERVICES OF JAIL HOUSING ADDITION FOR THE COUNTY OF MONTEREY

From: Jaime Ayala, Deputy Purchasing Agent

Subject: Addendum No. 2

This addendum consists of written QUESTIONS AND ANSWERS, submitted for RFQ # 10401 ARCHITECTURAL SERVICES FOR SCHEMATIC DESIGN THROUGH CONSTRUCTION SERVICES OF JAIL HOUSING ADDITION FOR THE COUNTY OF MONTEREY.

- This acknowledgement signature page of Addendum No. # 2 must be submitted with your bid proposal.
- If this acknowledgement signature page is not submitted with your bid proposal, your entire bid package may be considered non-responsive.

RECEIPT IS HEREBY ACKNOWLEDGED OF ADDENDUM NO. 2, RFQ #10401

Authorized Company Signature

Printed Name

Company Name

Date

This addendum consists of written QUESTIONS AND ANSWERS, submitted for **RFQ # 10401 ARCHITECTURAL SERVICES FOR SCHEMATIC DESIGN THROUGH CONSTRUCTION SERVICES OF JAIL HOUSING ADDITION FOR THE COUNTY OF MONTEREY.**

Overall the Scope of Work within this request for qualifications has not changed.

Q1 I have not been able to locate the full needs assessment for this project, I have seen some of the graphic images that Beverly Prior prepared but is there a full report you can send or post?

A1 *Yes, Needs Assessment will be made available along with Addendum #2.*

Q2 Has the sign-in sheet from the pre-proposal been posted?

A2 *Yes, pre-proposal sign in sheet was made available with Addendum #1.*

Q3 Could you clarify the scope – the graphics that were posted to the website and prepared by Beverly Prior show a new central control and visiting section- is this included in the funding from the County?

A3 *Yes.*

Q4 We understand that limited geotechnical work has been done for pre-design and EIR support. Are there any reports or documents available from that work? If no reports are available, what was their scope of work? What firm(s) have done this work? Are there previous on-site (i.e. the jail as a whole) geotechnical investigation reports available for review?

A4 *All available reports have been issued.*

Q5 Please confirm our understanding that the “local preference” applies to primes only.

A5 *Any joint venture with another non-local firm, would qualify for local preference as long as the “Local” firm is performing at least 50% of the overall work. (See Recital F on page 1 of the policy)*

Local Preference Policy which is online at: www.co.monterey.ca.us/admin/policies.htm

Q6 Section 5: Local Preference

We would like clarification of 5% local preference: In order have the 5% local preference applied, how many of our consultants need to be registered with the County of Monterey?

A6 *In order to be eligible for a local preference a firm has to be considered local as per the policy. (See Recital L on pages 3 and 4 of the policy)*

Q7 What was the scope of the EIR?

A7 *The EIR is in progress. The Board of Supervisors will determine the final scope of the EIR at a public hearing under the California Environmental Quality Act.(CEQA) The EIR and accompanying resolutions will contain all the information.*

Q8 Will a magazine format (11x17 folded to create 8.5x11 pages) meet the requirements of 7.2.2: "Qualifications packages shall be prepared on 8-1/2" x 11" paper, preferably duplex printed and stabled together without binder or plastic enclosure (environmentally friendly)."

This format is environmentally friendly, uses both sides of pages, and uses only staples to bind it together.

A8 *No, County requires all Qualifications to be submitted as per section 7.2.2 of the RFQ*

Q9 Section 7: Fees:

Our understanding of Section 7 is that you are seeking hourly rates and schedules of the architect and consultants as the scope has not yet been defined to provide a detailed Fee proposal. Can you please confirm or clarify what you would like in this section?

A9 *CONTRACTOR shall identify all key personnel assigned to this project and submit the hourly rates associated with their positions as part of the qualifications package. Examples would include an hourly rate for the Principal, the PM, Project Architects, CADD Technicians, etc..Therefore, hourly rates should be included as requested in the RFQ.*

Q10 Section 8: Exceptions

The contract included in the proposal appears to be a general contractor agreement form rather than a professional services agreement form. Does Section 8, Exceptions refer to the general contractor agreement and exceptions to this? Or will the agreement be negotiated after the awarding of the project? Can you please clarify what the exceptions relates to?

A10 *The Sample Agreement is, indeed, a County standard professional services agreement. If there are any paragraphs/sections of the sample agreement that you take exception to then yes, this would be an item you would identify as an "Exception" within your submitted qualification package.*

Q11 Section 4. Project Specific Components:

This section references Critical Path Schedules. Typically, these are used during construction projects and not during the design phase. However, our firm uses Microsoft Project 2010 and/or Gantt Layout Schedules, which can show Critical Paths. Is this acceptable?

A11 *Exhibit 1 of the RFQ [Page 39] shows the timeline for both design and construction.*

Q12 Section 7. Fee to be Submitted in a Separate Sealed Envelope:

The first paragraph in this section states selection shall be based on qualifications and that fees be negotiated after a tentative award. Can you then please clarify the intent of the statement in the second paragraph?

A12 *Please see response to Question 9 in this Addendum.*

Q13 For the Sealed Envelope submittal, the instructions mention to "include a list of all expected reimbursables". This would imply you are looking for a full design fee. Please clarify whether you are simply looking for hourly rates or a full design fee?

Please note it is not customary for a full design fee to be presented until the entire scope of services can be defined and negotiated.

A13 *Section 7 states "CONTRACTOR shall submit its fees in a separate sealed envelope. Fees should consist of hourly rates for all key personnel assigned to this project and shall also include a list of all expected reimbursable expenses."*

Q14 Is the County requesting hourly rates for all consultants or primarily architectural?

A15 *Section 7 partially states "... hourly rates for all key personnel assigned to this project..."*

Q15 If a fee is required, is it acceptable for only the shortlisted firms to submit the Sealed Envelope Fee during interviews? Can you please clarify if this is your intent in lieu of requiring all submitting consultants to include with the RFQ response? This is typically the case for RFQ responses since fees are not required until the interview.

A15 *The intent is to have an hourly rate sheet submitted for all key personnel assigned to this project.*

Q16 As noted during the mandatory pre-proposal meeting, example contract appears to be for construction rather than AE services. Will an example contract be issued in upcoming addendums?

A16 *The Sample RFQ Agreement is the only agreement which will be issued as part of this RFQ. As noted in Answer 10 above, If there are any paragraphs/sections of the sample agreement that you take exception to then, this would be an item you would want to clearly identify as an "Exception" within your submitted qualification package.*

COUNTY OF MONTEREY
OFFICE OF THE SHERIFF

Jail Needs Assessment
December 30, 2011

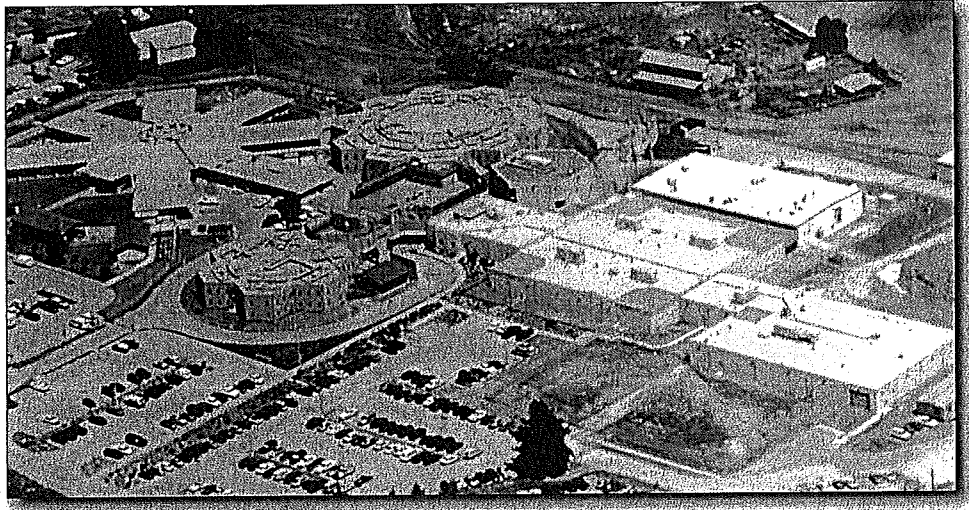


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Acknowledgements

The preparation of this needs assessment would not have been possible without the assistance of a number of professionals from Monterey County. While the following list by no means represents all of the people who participated in this effort, it is our attempt to recognize the primary contributors who helped make this planning effort a success

The efforts and participation of the following individuals are gratefully acknowledged.

Monterey County Board of Supervisors

Fernando Armenta - Supervisor, District 1
Louis R. Calcagno - Supervisor, District 2
Simon Salinas - Supervisor, District 3
Jane Parker - Supervisor, District 4 (Chair CY 2011)
Dave Potter - Supervisor, District 5 (Chair CY 2012)

Monterey County Administrative Office

Lew C. Bauman - CAO
DeWayne Woods - County Budget Director
John Guertin - Principal Administrative Analyst

Monterey County Sheriff's Office

Scott Miller - Sheriff-Coroner-Marshal
Chief Jeffrey J. Budd - Custody Bureau Chief
Commander Jose L. Mendoza - Jail Commander
Commander Lisa A. Nash, Professional Standards Division

Monterey County Resource Management Agency, Department of Public Works

Benny J. Young - Resource Management Agency Director
Richard P. Sauerwein - Architectural Services Manager
Shawne Ellerbee - Finance Manager
Patricia Lopez - Grant Manager

HMC + Beverly Prior Architects

Beverly Prior - Practice Leader

TRGConsulting Project Team

William Harry Munyon - Project Manager and Lead Planner
Kay Mead - Project Administration, Senior Research Staff, Data Coordinator
Jim Marmack - Operations & Staffing
JoAnn Martinez - Planner
Alex Damon - IT Operations

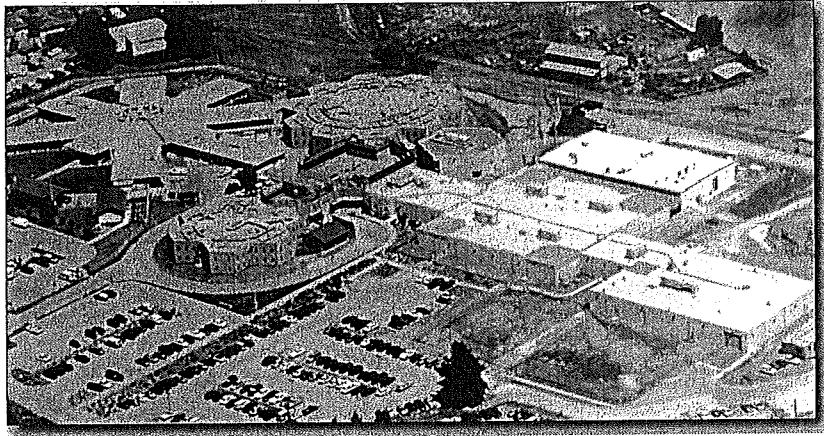
Executive Summary

A. Elements of the System

Existing Monterey County Jail. The Monterey County Jail is located at 1410 Natividad Road, Salinas, California 93906. The jail consists of three components:

1. The Rehabilitation Facility.
2. The Main Jail.
3. The Woman's Jail.

Existing Jail Bed Capacity. The rated jail capacity as calculated by the Corrections Standards Authority (CSA) is illustrated in Table EX.1.



Monterey County Jail

Table EX.1
CSA Rated Jail Bed Capacity

Rated Beds	Total Beds
Main Jail/Woman's Jail	575 Beds
Rehabilitation Facility	250 Beds
Total Beds	825 Beds

Source. Corrections Standards Authority. April 2010.

Shortfall Using the High Projection. When the 825 existing beds are considered, the additional bed requirements for 2020 through 2040 *using the average projection* are illustrated in Table EX.2 below.

Table EX.2
Adult Detention Facility *Additional* Bed Need 2020 - 2040 (Average)

Year	Additional Beds Needed
2020	1,727 Beds
2030	2,008 Beds
2040	2,307 Beds

Source. TRGConsulting. December 2011.

The table above indicates that an additional 2,008 beds will be required in 2030 if the county elects to construct enough beds to meet their twenty-year needs using the average projections.

Please note that it is recommended that Monterey County target the 2030 needs as an immediate requirement since the new adult detention facility will start to become overcrowded almost immediately upon opening should the first phase only consist of enough beds to meet the 2020 needs. The existing severely overcrowded conditions have been exacerbated by the enactment of AB 109.¹

¹ AB 109, Criminal Justice Alignment, has been modified by AB 117, Criminal Justice Realignment.

Urgent Service Gap in the Adult Criminal Justice System. The most urgent service gap is the need for a new detention beds and additional staff. The current combination of insufficient beds, an inadequate detention facility and understaffing has resulted in an almost untenable situation. This service gap is illustrated by the following.

- There are not enough beds to meet the current adult detention needs, let alone the needs in the near future. Worse, the county has the wrong type of beds for the population currently incarcerated. As an example, over 75% of the beds are in dormitories; while over 80% of the inmates are felons. The facility was designed for minimum and low medium-security inmates while the bulk of the inmates currently held are medium and maximum-security inmates. This situation is exacerbated by AB 109 as modified by AB 117, which requires counties to house selected inmates who previously were housed by the state. If additional beds are not constructed, criminals who should be incarcerated will not be incarcerated since beds space will not be available. Criminals serving time will serve little or none of their time since the beds to which they are assigned will be needed for others who pose a greater danger to public safety. An extensive and unpopular early release system (i.e. releasing inmates well before their full sentence is served) will be required to prevent even more severe overcrowding.²
- Overcrowding, the lack of adequate staff and an insufficient number of single and double cells has resulted in the necessity of classifying inmates primarily by gang affiliation. While gang membership typically is one of the factors used in classifying inmates, it is not normally the primary consideration. Existing court decisions allow for segregation by race and gangs only as a "temporary measures" when classification by race is necessary to allow staff to get the facility under control.
- Officer safety is compromised by the severe lack of an adequate number of single and double cells.
- The jail is so overcrowded that no allowance can be made for peaking and classification or the routine or emergency maintenance required in inmate housing areas.
- Severe overcrowding has resulted in inmates being held in the intake area for up to forty-eight hours. This is not permitted by the *California Code of Regulations*.
- Severe overcrowding has forced the Sheriff to use areas for housing that were not designed or intended for that use (e.g. the rotunda area). This makes these areas much more difficult for officers to manage and control.
- Overcrowding has forced the Sheriff to operate the jail as an indirect supervision facility, while the jail was designed for direct supervision. This creates significant command, control and management problems.
- Adequate separation and segregation resulting from the classification of inmates cannot occur because of the severe overcrowding and the lack of a sufficient number of single and double cells. Thus, while the staff has the ability to classify, they do not have the ability to physically segregate those inmates who should be separated because of their classification. This creates an environment that is unsafe for officers, inmates and visitors.
- The design of the jail and the manner in which additions have been constructed results in a physical plant that is difficult to manage and control and unnecessarily expensive to operate. Numerous blind spots and the labyrinth like design requires more staff than would be required in a state-of-the-art podular facility. There is poor observation from most deputy stations. Officers cannot observe inmate areas in Pods A through J. The wing walls in the dormitories are approximately four feet high and provide a number of areas where inmates cannot be observed.
- The manner in which additions have been constructed has resulted in a facility that lacks any real central control or command post that would be used in the event of a major disturbance or disaster. The existence of multiple control stations is unnecessarily staff intensive in facility that is understaffed.
- The age of the building systems in the sections of the jail constructed prior to 1993 require extensive maintenance and, as a result, these systems are more expensive to operate. Maintenance costs already are increasing and will continue to increase at a faster rate as the facility deteriorates.

² The jail population regularly exceeds 1,000 inmates in a facility rated at 825. Overcrowding already has reached a dangerous level.

- The older design of the cells and dormitories constructed prior to 1993 does not meet today's minimum standards for acceptable detention facilities. Examples include:
 - Suicide hazard elimination is not as stringent as it should be to prevent self-harm and the attendant liability.
 - Medical/mental health treatment spaces are not adequate for the rated beds, let alone the actual number of inmates held.³
 - Design requirements to improve security and the management of inmates are not met (e.g. number of toilet fixtures and showers per inmate, number of safety and sobering cells needed for efficient operation, adequate intake and release facilities, sufficient storage, etc.).
 - There are insufficient spaces dedicated to programs. Effective programs are necessary to manage the jail population and reduce recidivism.
 - Overcrowding forces the entire facility to operate as an indirect supervision jail. Mental health issues are considerably more difficult to recognize, manage and treat in an indirect supervision facility. A direct supervision, podular design in which staff is able to interact continuously with inmates makes it significantly easier to detect inmates with mental health problems. Additionally a direct supervision model reduces conflict and allows better observation of those requiring treatment.
- Understaffing has resulted in insufficient staff coverage. This all too frequently results in a four-hour gap in the middle of twelve-hour shifts. At times the middle of a shift may be as many as three or four officers short. This has been exacerbated by recent staff reductions.⁴ As a result there are not enough officers present in the jail to respond to a major crisis or natural disaster.⁵
- Understaffing has resulted in the extensive use of CCTV cameras to monitor inmate activities. CCTV never can substitute for officer presence.
- The attrition rate of trained detention officers is quite high.⁶
- Because of understaffing, the Sheriff is forced to use pre-academy hires in the jail.
- Understaffing has increased the span of control for first line supervisors to an unacceptable level.
- Sergeants are sometimes forced to work line positions because of lack of staff. This results in a lack of supervision of the staff in the jail.
- There are insufficient staff on some shifts to make the required safety checks.
- Reduced staffing makes it difficult for staff to supervise inmates in the kitchen and the laundry.
- Staff shortages have resulted in the excessive use of overtime.

Identified Need (Facility Type). As discussed above, additional beds urgently need to be constructed at the Natividad site. The Monterey County Jail will remain a Type II Facility (i.e. a local detention facility used for the detention of persons pending arraignment, during trial and upon sentence of commitment as defined in Title 24 of the *California Code of Regulations*).

³ For example, it is estimated that at least fifteen to twenty percent of the inmate population have mental health issues.

⁴ In January 2011 there were 220 personnel in the Custody Bureau (Sworn and Unsworn). The recent budget cuts (\$6.4 million in the Sheriff's Office) have reduced Custody Bureau staff to 183 people assigned, a reduction of thirty-seven positions in a facility that already was woefully understaffed. All vacant positions were eliminated in the most recent budget cuts. Finally, on December 13, 2011, the Board of Supervisors approved twelve new civilian (non-sworn) hires to replace deputies serving in unit control stations. This will make those deputies serving in control available to work in the jail. The twelve deputies now serving in control then will be available for other duties in the jail. The civilian hires are expected to be trained and on duty in February 2012. Thus the net loss of jail personnel since January 2011 is twenty-five positions. Unfortunately the net loss includes a Captain's position and two Commander's positions.

⁵ Staff in the jail work twelve-hour shifts. When insufficient staff is available for a particular shift for whatever reason, the Sheriff is forced to hold over staff from the previous shift for four hours and bring in staff from the following shift four hours early. This results in a four-hour gap in the shift that is short of staff. Worse, this results in some officers working sixteen-hour shifts.

⁶ The Custody Bureau has indicated that they continue to lose trained deputies for a variety of reasons including the desire of newer deputies to work in patrol, the opportunity to work nearer to home in another agency and the fact that there are other more desirable opportunities available in law enforcement.

B. Operational and Design Philosophy

Purpose. The purpose of the Monterey County Adult Detention and Rehabilitation Facilities is the detention of persons charged with crimes and awaiting arraignment or trial.

1. The detention of persons, in the Sheriff's custody, to ensure their attendance as witnesses in criminal cases.
2. The confinement of persons sentenced to imprisonment in the County Facilities.⁷

Goal. By means of the continuing process of education and training of the deputies and professional staff employed herein, to provide for the security, health and welfare of inmates in custody and to rehabilitate them whenever possible through programs designed for this purpose.⁸

Design Goals for the New Adult Detention Beds and Support Spaces. The immediate design goal is to maximize the number of new detention beds in cells at the current site, using existing support infrastructure and administrative space as much as possible. The specific design objectives for the new adult detention beds and support space are discussed in detail in the body of this assessment.

Construction and Administrative Work Plan. Similarly, the construction and administrative work plan for the new adult detention facility is discussed in the body of this report.

C. Current Adult Population



The Monterey County Main Jail.

Current Adult Population. The Corrections Standards Authority (CSA) provides summary data collected for the Jail Profile Survey. Crime and arrest data for Monterey County also is available for 2006 through 2009 from the California Department of Justice (DOJ). A "snapshot" from 2006 through 2009 (the last full data year of information from the California Department of Justice) is indicative of the current jail population. This section provides statistical data on the jail population, including:

1. Felony Sentenced Dispositions;
2. Crime and Crime Rates; and
3. Sentenced and Non-Sentenced Adult Detention Populations by Gender.

Conclusion. Over the last decade, violent felony reports and arrests according to statistics maintained by the California Department of Justice have fluctuated; therefore a predictable upward or downward trend has not occurred. Unfortunately the number of beds available for holding these offenders has been well below the number and type needed throughout that timeframe. As a result, the classification and segregation of inmates is extremely difficult given the type of beds available to house them. This places staff, visitors and inmates in the facility at risk of injury or death. With an insufficient number of maximum and medium-security beds the staff must choose the "least violent" of the violent offenders to house in minimum-security dormitory beds since there are no medium-security double cells. It is obvious that the system is dangerously out of balance in terms of the types of beds available and the classification of inmates held.

⁷ *Monterey County Sheriff's Manual*, Section 1101.03 A. *Purpose*. Page 4.

⁸ *Monterey County Sheriff's Manual*, Section 1101.03 B. *Goal*. Page 4.

D. Classification of Inmates

Classification Issues. The proper classification of inmates is critical in the Monterey County Jail because of the age of the facility and the lack of enough single and double cells to properly separate and segregate inmates. The number of violent gang members currently held at the existing adult detention facility further exacerbates the difficulty in classification. Classification officers classify primarily by gang affiliation because of insufficient staff, inadequate facilities and severe overcrowding.

In Monterey County there is the possibility of misclassifying inmates based on space rather than security level. Overcrowding reduces the ability to classify. This is further compounded by the dormitory design. Normally, 10% - 15% of the beds should be empty and available for classification spikes and maintenance.

“Need” Resulting from the Desire to Properly Separate and Segregate Inmates. Proper separation and segregation of inmates as envisioned in the Sheriff’s classification plan is very difficult because of insufficient staff, an inadequate physical plant layout and the severe overcrowding that makes it necessary to unofficially add well over 300 beds above the CSA rated capacity. These problems can be alleviated with the construction of new housing or a new facility properly sized to meet future needs. (One of the design goals for the new facility is to have a sufficient number of single and double cells for the proper separation of inmates of differing classification.)

E. Programs



Severe overcrowding and lack of space make it extremely difficult to offer programs.

Programs Present and Future. The existing Monterey County Jail lacks adequate space to conduct any kind of meaningful programs to reduce recidivism. Worse, the severe overcrowding and insufficient staff make it almost impossible for the Sheriff to conduct any but the most basic programs (e.g. religious services and counseling, basic mental health programs and counseling, visiting, commissary, counseling by health care providers, Alcoholics Anonymous and Narcotics Anonymous classes, etc.).

A new adult detention facility with adequate program space will allow for a wide variety of programs to reduce recidivism. Not only will the Sheriff’s Office be able to enhance existing programs, but staff also will be able to introduce a number of programs that have been successful in other jurisdictions. Examples include:

- expanding mental health programs and therapy sessions;
- additional programs specifically designed for female inmates;
- developing an adult literacy program;
- providing tutoring for inmates seeking a GED;
- increasing the number of Bible study sessions and expanding religious programs;
- increasing the number of AA meetings and providing additional alcohol abuse counseling;
- enhancing the narcotics abuse program with additional meetings and therapy sessions; and
- providing health education on a wider variety of subjects.

Additional programs that are being considered for implementation in the new facility are discussed in the body of the report.

F. Analysis of Local Trends and Characteristics.

Analysis and Projections. An analysis of local trends and characteristics resulted in the bed need projections illustrated in Table EX.3. The high Average Daily Population (ADP) was used to determine bed needs for 2020 - 2050 for the reasons explained in the body of the report.

Table EX.3

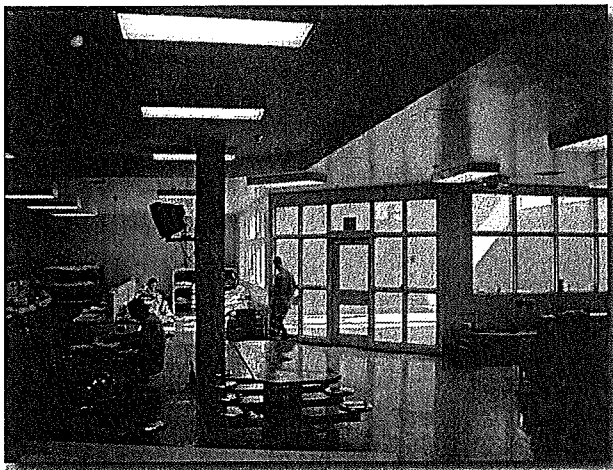
• Projected ADP with Peaking and Classification Factors 2020 – 2050 Summary

Calendar Year	Revised Low ADP	Revised Median ADP	Revised Average ADP	Revised High ADP
2020	2,385	2,563	2,552	2,708
2030	2,648	2,845	2,833	3,006
2040	2,927	3,145	3,132	3,323
2050	3,235	3,477	3,462	3,674

Source: TRGConsulting, November 2011.

The report includes a detailed description of the projection methodology along with the algorithms used. Anticipated Average Lengths of Stay (ALS) statistics also are included in this section of the report.

G. Adequacy of Staffing Levels



Eighty percent of the beds at the Monterey County Jail are in dormitories while eighty percent of the inmates are felons.

Existing Conditions. The Monterey County Jail is facing a number of staff related issues. These issues affect the overall security of the facility and the morale of the staff.

Staffing Issues. Detention facilities must be staffed 24 hours a day, 7 days a week (24/7) in order to fulfill their mandate to provide safe and secure housing for those inmates under their care. Staff within the Monterey County Jail must be available to receive new bookings in the jail, provide medical care, classify and move inmates within the facility, maintain staff and inmate safety and security, provide recreation and exercise, ensure inmates are fed, transport inmates to court or outside agencies and lawfully release inmates. Due to its nature, a jail cannot simply discontinue operation (e.g. refuse to accept prisoners) if there is not a person available to fill a position. When detention facilities are not staffed adequately, overtime is necessary to cover an unfilled post.

The major staffing issues facing the Monterey County Jail are:

1. It appears that the staffing provided by the County salary ordinance is based on the rated capacity of the facility, not on how many inmates are actually in custody.
2. There has not been an updated relief factor calculated for quite some time.

3. Baseline staffing should be above minimum staffing. Due to vacancies and other factors, the Monterey County Jail constantly is using overtime to staff *up* to their self-imposed minimum staffing. This level is *not* adequate to provide basic safety and security for staff and inmates.
4. Vacancies, extended periods of leave, and normal staff attrition have resulted in a significant amount of vacant POST positions. The jail has an increased reliance on overtime to meet minimum staffing.
5. The extensive use of overtime can be dangerous since staff may have recently completed a 12-hour shift, when they are required to work additional overtime. Efforts must be made to reduce the number of overtime hours. To fill a vacancy in Monterey County, the practice has been to have an onsite employee work 4 hours over his normal shift and another employee called in early for 4 hours. This practice required two employees to work 16-hour days. Of additional importance is the 4-hour gap that is left uncovered in the middle of the shift. In an emergency situation the facility would be dangerously understaffed.
6. Supervision is a critical task in any detention facility. Supervisors ensure that policy is followed, tasks are completed, critical decisions are made and exposure to liability from "failure to supervise" claims are limited. In Monterey County, sergeants fill in for line positions when relief is unavailable. This leaves a gap in first line supervision. All vacant sergeant positions⁹ should be filled and, except for an unusual situation, sergeants should supervise and not fill in for a line vacancy. Even at full authorized staffing, it appears the span of control for sergeants is weak and additional positions for minimum supervision are necessary.
7. Chronic understaffing lowers morale, employees are unable to take breaks (in violation of the Fair Labor Standards Act), employees get "burned out" with mandatory overtime, employees must take "shortcuts" to get the job done and employees are forced to assume collateral duties to allow the facility to function.
8. The current authorized staffing for the Monterey County Jail is woefully inadequate. Even if every vacancy were filled with a fully trained staff member, the facility would not have enough staff to meet the minimum staffing, let alone adequate staffing.
9. A review of the current staffing pattern as practiced by the Monterey County Jail and the best practices staffing plan included in the 2006 *Staffing Analysis*¹⁰ indicates that the critical needs are for the extra staffing in the housing units and for facility-wide escort deputies. These positions will ensure required safety checks are made, there is some level of supervision in the kitchen, laundry and medical areas and adequate staffing is available to respond to emergencies and unusual situations. Recent cuts in staffing have made this situation much worse, thereby exposing the county to additional lawsuits.

Recruitment, Selection and Retention. The Monterey County Sheriff's Department experiences difficulty in the recruitment, selection and retention of detention officers for the following reasons.

- Monterey County deputies' pay and benefits are less than those that are offered by several local, state and federal agencies for similar positions.
- The Custody Bureau estimates that 93% of the applicants for deputy positions in the Sheriff's Office fail the background investigation for a number of reasons including financial insolvency, drug use and psychological issues.

While the above difficulties are common in most county detention systems, the poor working conditions and antiquated design of the jail exacerbate Monterey County difficulties. The feeling of draconian confinement and disorientation created by a maze-like layout are more than most potential applicants are willing to bear.

⁹ At the time of this assessment, one sergeant was out on long-term illness and one sergeant was scheduled to retire this month (December 2011). This will leave two sergeants positions vacant. Additionally the Custody Bureau lost one captain's position and two commander's positions in the budget cuts earlier this year (2011).

¹⁰ *Monterey County Sheriff's Office, Staffing Analysis*. Voorhis Associates, Inc. June 21, 2006.

Thus, the “need” for a new adult detention facility goes well beyond a simple “need” for additional beds that is, in itself, quite critical. The additional “need” is for a facility that protects the safety of deputies and provides them with a professional environment in which to work.

H. Ability to Provide Visual Supervision



Transportation van parked in front of the Monterey County Rehabilitation Facility.

Visual Supervision. While visual supervision is problematic in the existing jail, the new Monterey County housing units will be designed to enhance visual supervision as indicated in Section B *Operational and Design Philosophy* of this needs assessment.

Existing Facility Design. A glaring example of the physical plant limitations in the existing jail is the design of the control or “guard” station, and the ability of staff to directly supervise inmates. At best there is intermittent observation of the inmates. In the Rehabilitation Facility, a Deputy Sheriff must walk into the inmate housing area to see the entire living and shower area. It appears there is an attempt to remedy the problem with the use of cameras. Unfortunately, this is not working. Cameras should not be used in place of staff, but as a tool for staff in overall security.

New Housing Design. It is envisioned that the new housing units will offer direct visual supervision from unit control into the housing pods and the attached outdoor recreation areas. Similarly, roving officers will provide direct visual supervision of all areas in all pods including the toilet and shower areas. Partitions providing modesty to inmates in the toilet area and the showers will be designed so that inmate’s heads and feet always are visible. There will be no blind corners in the housing pods when observed by the roving officers.

I. Adequacy of Record Keeping

Record Keeping. Record keeping at the Monterey County Jail is quite detailed. Not only does jail staff maintain all records required by Title 15, but they also keep additional records to effectively manage the inmate population. Examples include the detailed records relating to overcrowding and early release, inmate management records, information on inmates with mental health needs and logs of those on psychotropic medications, statistics on gang affiliation, historic needs assessments and records relating to the effectiveness of programs (including records of the effectiveness of alternatives to incarceration).

J. Compliance with Standards

Existing Conditions. The Monterey County Sheriff’s Office operates a Type II adult detention facility. The facility is used for the detention of males and females pending arraignment, during trial, and upon a sentence of commitment. This facility has a unique physical plant design that complies with minimum standards for local adult detention facilities. The facility’s four main housing areas and reception area have a Corrections Standards Authority (CSA) rated capacity of 825 inmates. On any given day, there can be as many as 1,000 inmates in custody. The existing Monterey County Jail faces three significant issues affecting the success of its overall mission and the ability of the Sheriff’s Office to comply with Title 15 and Title 24 standards:

1. poor facility design;
2. severe overcrowding; and
3. understaffing.

Poor Facility Design. The Monterey County Jail is located at 1414 Natividad Road, Salinas, California. The original rehabilitation facility was built in 1970 with additions to the jail complex occurring in 1977, 1988, 1993, and 1995. Adult male and female inmates are housed in the facility. The Corrections Standards Authority has given the facility a rated capacity of 825 inmates. This facility has some physical plant limitations that are causes for concern in terms of the safety and security of staff, visitors, volunteers and inmates.

A common thread through all of the four main housing units is the use of the dormitory design. Dormitories are much like military barracks, as opposed to single cell or four-man cellblocks. Dormitories are cheaper to build and theoretically are more cost effective to supervise. Normally, dormitories are for the lowest level of classification. In Monterey County, the jail facility has approximately 80% dormitory beds. The conflict occurs because the Monterey County regularly incarcerates approximately 80% felony sentenced and unsentenced inmates. These are usually the highest level of inmate classification and require single and double cell housing. Jail staff does not have the ability to classify or segregate problem inmates from other inmates or staff.

The type of inmate entering local county jails has changed dramatically since the Monterey County Jail opened in 1970. Courts are releasing non-threatening felons prior to trial. Judges are sentencing more misdemeanants to alternatives to custody. The jail is left with serious felons awaiting trial and sentenced felons awaiting transportation to the state prison system. In some ways, the local jail population is no different than those in state prisons. Local jail populations will become even more similar to state prison populations as the full impact of AB 109 is felt. The design of the housing units at the Monterey County Jail was never intended to house the type of felony inmates it now holds or the type of inmates that will be held as mandated recently by AB 109.

Overcrowding. The Corrections Standards Authority (CSA) inspects and rates the Monterey County Jail. Rated capacity means the number of inmate occupants for which a facility's single and double occupancy cells or dormitories (except those dedicated for health care or disciplinary isolation housing) were planned and designed in conformity to the standards and requirements contained in the California Code of Regulations, Title 15 and Title 24. The entire Monterey County Jail facility is rated at 825 inmates. As discussed earlier, there can be as many as 1,000 inmates in custody at any given time. There are approximately 13,500 inmates booked into the Monterey County Jail a year.

Overcrowding creates a number of issues that affect staff and inmates, and put the County at risk. Overcrowding causes stress both on inmates and staff. Inmates vs. inmate assaults typically occur more frequently, as do other disciplinary infractions. Overcrowding affects inmates' mental and physical health by increasing the level of uncertainty with which they regularly cope. There is less space per inmate. In Monterey County there is the possibility of misclassifying inmates based on space rather than security level. (Anecdotal information from staff indicates this occurs occasionally.) Overcrowding reduces the ability to classify. This is further compounded by the dormitory design. Normally, 10% - 15% of the beds should be empty and available for classification spikes as well as routine and emergency maintenance. With the severe overcrowding in the Monterey County Jail, programming is little, to nonexistent.

Understaffing. The Monterey County Jail is facing many staff related issues. These issues affect the overall security of the facility and the morale of the staff.

As discussed in detail in Section G, *Adequacy of Staffing Levels*, detention facilities must be staffed 24 hours a day, 7 days a week (24/7) in order to fulfill their mandate to provide safe and secure housing for those inmates under their care. Staff within the Monterey County Jail must be available to receive new bookings in the jail, provide medical care, classify and move inmates within the facility, maintain staff and inmate safety and security, provide recreation and exercise, ensure inmates are fed, transport inmates to court or outside agencies, and lawfully release inmates. Due to its nature, a jail cannot simply discontinue operation (e.g. refuse to accept prisoners) if there is not a person available to fill a position. When detention facilities are not staffed adequately, overtime is necessary to cover an unfilled post.

K. Unresolved Issues

Unresolved Issues. Six issues remain unresolved, mostly due to the uncertainty surrounding the final impact of AB 109 (Criminal Justice Alignment) as modified by AB 117 (Criminal Justice Realignment) on the Monterey County criminal justice system. Unresolved issues include:

1. The impact of Phase II of the *Public Safety and Offender Rehabilitation Services Act of 2007* on Monterey County.
2. The final impact of AB 109 (as modified by AB 117) on the Monterey County criminal justice system.
3. Sources of funding for the construction, project and operational costs that are associated with meeting the projected bed need for 2020 and 2030;
4. The construction phasing of the 2030 need;
5. The ultimate disposition of the three components¹¹ of the existing Monterey County Jail (e.g. continued use of one or more components for detention, demolition of one or more components, etc.); and
6. The specific location of the new construction on the Natividad site.

These six issues are discussed in detail in the body of this report.

Appendix

Stakeholders. A list of stakeholders for the proposed construction project is included in the appendix.

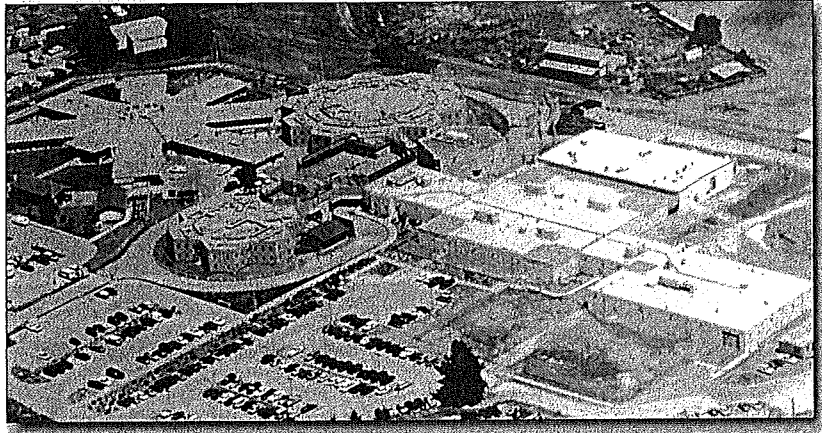
¹¹ The jail consists of three components (i.e. the Rehabilitation Facility, the Main Jail and the Woman's Jail).

A. Elements of the System

Existing Monterey County Jail. The Monterey County Jail is located at 1410 Natividad Road, Salinas, California 93906. The jail consists of three components:

1. The Rehabilitation Facility.
2. The Main Jail.
3. The Woman's Jail.

Additional Beds Required. The additional beds required (including the existing 825 beds) *using the average and high projections*¹ are discussed below.



Monterey County Jail

Existing Jail Bed Capacity. The rated jail capacity as calculated by the Corrections Standards Authority (CSA) is illustrated in Table A.1.

Table A.1
CSA Rated Jail Bed Capacity

Rated Beds	Total Beds
Main Jail/Woman's Jail	575 Beds
Rehabilitation Facility	250 Beds
Total Beds	825 Beds

Source. Corrections Standards Authority. April 2010.

Shortfall Using the Average Projection. When the 825 existing beds are considered, the additional bed requirements for 2020 through 2040 *using the average projection* are illustrated in Table A.2 below.

Table A.2
Adult Detention Facility *Additional* Bed Need 2020 - 2040 (Average)

Year	Additional Beds Needed
2020	1,727 Beds
2030	2,008 Beds
2040	2,307 Beds

Source. TRGConsulting. December 2011.

The table above indicates that an additional 2,008 beds will be required in 2030 if the county elects to construct enough beds to meet their twenty-year needs using the average projections.

Please note that it is recommended that Monterey County target the 2030 needs as an immediate requirement since the new adult detention facility will start to become overcrowded almost immediately upon opening should the first phase only consist of enough beds to meet the 2020 needs. The existing severely overcrowded conditions have been exacerbated by the enactment of AB 109.²

¹ The projected bed need is calculated in Section F: Analysis of Local Trends and Characteristics of this report. Please see Table F.17 on page F.9.

² AB 109, Criminal Justice Alignment, has been modified by AB 117, Criminal Justice Realignment.

Shortfall Using the High Projection. Alternatively, if *the high projection* is used, the current maximum capacity of only 825 beds requires that the county construct an additional 2,181 beds to meet the 2030 bed need. The bed requirements for 2020 through 2040 using *the high projection* are illustrated in Table A.3.

Table A.3
Adult Detention Facility *Additional* Bed Need 2020 - 2040 (High)

Year	Additional Beds Needed
2020	1,883 Beds
2030	2,181 Beds
2040	2,498 Beds

Source. TRGConsulting. December 2011.

The table above indicates that to meet the 2030 need, an additional 2,181 beds will need to be constructed between now and 2030.

Urgent Service Gap in the Adult Criminal Justice System. The most urgent service gap is the need for a new detention beds and additional staff. The current combination of insufficient beds, an inadequate detention facility and understaffing has resulted in an almost untenable situation. This service gap is illustrated by the following.

- There are not enough beds to meet the current adult detention needs, let alone the needs in the near future. Worse, the county has the wrong type of beds for the population currently incarcerated. As an example, over 75% of the beds are in dormitories; while over 80% of the inmates are felons. The facility was designed for minimum and low medium-security inmates while the bulk of the inmates currently held are medium and maximum-security inmates. This situation is exacerbated by AB 109 as modified by AB 117, which requires counties to house selected inmates who previously were housed by the state. If additional beds are not constructed, criminals who should be incarcerated will not be incarcerated since beds space will not be available. Criminals serving time will serve little or none of their time since the beds to which they are assigned will be needed for others who pose a greater danger to public safety. An extensive and unpopular early release system (i.e. releasing inmates well before their full sentence is served) will be required to prevent even more severe overcrowding.³
- Overcrowding, the lack of adequate staff and an insufficient number of single and double cells has resulted in the necessity of classifying inmates primarily by gang affiliation. While gang membership typically is one of the factors used in classifying inmates, it is not normally the primary consideration. Existing court decisions allow for segregation by race and gangs only as a “temporary measures” when classification by race is necessary to allow staff to get the facility under control.
- Officer safety is compromised by the severe lack of an adequate number of single and double cells.
- The jail is so overcrowded that no allowance can be made for peaking and classification or the routine or emergency maintenance required in inmate housing areas.
- Severe overcrowding has resulted in inmates being held in the intake area for up to forty-eight hours. This is not permitted by the *California Code of Regulations*.
- Severe overcrowding has forced the Sheriff to use areas for housing that were not designed or intended for that use (e.g. the rotunda area). This makes these areas much more difficult for officers to manage and control.
- Overcrowding has forced the Sheriff to operate the jail as an indirect supervision facility, while the jail was designed for direct supervision. This creates significant command, control and management problems.

³ The jail population regularly exceeds 1,000 inmates in a facility rated at 825. Overcrowding already has reached a dangerous level.

- Adequate separation and segregation resulting from the classification of inmates cannot occur because of the severe overcrowding and the lack of a sufficient number of single and double cells. Thus, while the staff has the ability to classify, they do not have the ability to physically segregate those inmates who should be separated because of their classification. This creates an environment that is unsafe for officers, inmates and visitors.
- The design of the jail and the manner in which additions have been constructed results in a physical plant that is difficult to manage and control and unnecessarily expensive to operate. Numerous blind spots and the labyrinth like design requires more staff than would be required in a state-of-the-art podular facility. There is poor observation from most deputy stations. Officers cannot observe inmate areas in Pods A through J. The wing walls in the dormitories are approximately four feet high and provide a number of areas where inmates cannot be observed.
- The manner in which additions have been constructed has resulted in a facility that lacks any real central control or command post that would be used in the event of a major disturbance or disaster. The existence of multiple control stations is unnecessarily staff intensive in facility that is understaffed.
- The age of the building systems in the sections of the jail constructed prior to 1993 require extensive maintenance and, as a result, these systems are more expensive to operate. Maintenance costs already are increasing and will continue to increase at a faster rate as the facility deteriorates.
- The older design of the cells and dormitories constructed prior to 1993 does not meet today's standards for state-of-the-art detention facilities. Examples include:
 - Suicide hazard elimination is not as stringent as it should be to prevent self-harm and the attendant liability.
 - Medical/mental health treatment spaces are not adequate for the rated beds, let alone the actual number of inmates held.⁴
 - Preferred design requirements to improve security and the management of inmates are not met (e.g. number of toilet fixtures and showers per inmate, number of safety and sobering cells needed for efficient operation, adequate intake and release facilities, sufficient storage, etc.).
 - There are insufficient spaces dedicated to programs. Effective programs are necessary to manage the jail population and reduce recidivism.
 - Overcrowding forces the entire facility to operate as an indirect supervision jail. Mental health issues are considerably more difficult to recognize, manage and treat in an indirect supervision facility. A direct supervision, podular design in which staff is able to interact continuously with inmates makes it significantly easier to detect inmates with mental health problems. Additionally a direct supervision model reduces conflict and allows better observation of those requiring treatment.
- Understaffing has resulted in insufficient staff coverage. This all too frequently results in a four-hour gap in the middle of twelve-hour shifts. At times the middle of a shift may be as many as three or four officers short. This has been exacerbated by recent staff reductions.⁵ As a result there are not enough officers present in the jail to respond to a major crisis or natural disaster.⁶

⁴ For example, it is estimated that at least fifteen to twenty percent of the inmate population have mental health issues.

⁵ In January 2011 there were 220 personnel in the Custody Bureau (Sworn and Unsworn). The recent budget cuts (\$6.4 million in the Sheriff's Office) have reduced Custody Bureau staff to 183 people assigned, a reduction of thirty-seven positions in a facility that already was woefully understaffed. All vacant positions were eliminated in the most recent budget cuts. Finally, on December 13, 2011, the Board of Supervisors approved twelve new civilian (non-sworn) hires to replace deputies serving in unit control stations. This will make those deputies serving in control available to work in the jail. The twelve deputies now serving in control then will be available for other duties in the jail. The civilian hires are expected to be trained and on duty in February 2012. Thus the net loss of jail personnel since January 2011 is twenty-five positions. Unfortunately the net loss includes a Captain's position and two Commander's positions.

⁶ Staff in the jail work twelve-hour shifts. When insufficient staff is available for a particular shift for whatever reason, the Sheriff is forced to hold over staff from the previous shift for four hours and bring in staff from the following shift four hours early. This results in a four-hour gap in the shift that is short of staff. Worse, this results in some officers working sixteen-hour shifts.

- Understaffing has resulted in the extensive use of CCTV cameras to monitor inmate activities. CCTV never can substitute for officer presence.
- The attrition rate of trained detention officers is quite high.⁷
- Because of understaffing, the Sheriff is forced to use pre-academy hires in the jail.
- Understaffing has increased the span of control for first line supervisors to an unacceptable level.
- Sergeants are sometimes forced to work line positions because of lack of staff. This results in a lack of supervision of the staff in the jail.
- There are insufficient staff on some shifts to make the required safety checks.
- Reduced staffing makes it difficult for staff to supervise inmates in the kitchen and the laundry.
- Staff shortages have resulted in the excessive use of overtime.

Identified Need. As discussed above, additional beds urgently need to be constructed at the Natividad site. The Monterey County Jail will remain a Type II Facility (i.e. a local detention facility used for the detention of persons pending arraignment, during trial and upon sentence of commitment as defined in Title 24 of the *California Code of Regulations*).

Housing (Average Projections). To begin to meet 2030 needs using the *average* projections in Table A.2, 2,008 beds will need to be added to the existing 825 beds as described below. Housing will be designed as 192-bed units (each with two, 96-bed pods) to provide adequate control and to maximize staffing efficiency. The allocation of new beds using the *average* projections is summarized in Table A.4 below.

Table A.4
Additional Bed Allocation 2030 (Average)

Bed Type	New Construction
Single Cells	42
Double Cells	1,966
Dormitory Beds	0
Total Beds	2,008

Source. TRGConsulting. December 2011.

The allocation of beds by type of bed if the *average* projection is used is discussed below.⁸

Single Occupancy Cells. A total of 42 new beds in single occupancy cells for maximum-security, disciplinary segregation, administrative segregation and protective custody inmates need to be added to the system. Stainless steel combination fixtures will be used. All cell doors will be hung doors constructed of steel. One bed and a desk will be wall mounted.⁹

Double Occupancy Cells. A total of 1,966 new beds in 981 double occupancy cells will be added for medium-security inmates. Adequate ADA cells will be provided. Stainless steel combination fixtures will be used. All cell doors will be hung doors constructed of steel. Two beds and two desks will be wall mounted.

Housing (High Projections). To meet 2030 needs using the *high* projections, 2,181 beds will need to be added to the existing 825 beds as described below. Again, housing will be designed as 192-bed units (each

⁷ The Custody Bureau has indicated that they continue to lose trained deputies for a variety of reasons including the desire of newer deputies to work in patrol, the opportunity to work nearer to home in another agency and the fact that there are other more desirable opportunities available in law enforcement.

⁸ Note that the actual number of beds to be constructed will be adjusted for staff and construction efficiency during the architectural programming when actual projects are undertaken. The number of beds to be constructed also will be adjusted based on available resources.

⁹ Please note that per Title 24, the only difference between single cells and double cells is the addition of a second bunk and desk in the double cell. This size of the cell remains the same (70 net square feet).

with two, 96-bed pods) to provide adequate control and to maximize staffing efficiency. The allocation of new beds using the *high* projections is summarized in Table A.5 on the following page.

Table A.5
Additional Bed Allocation 2030 (High)

Bed Type	New Construction
Single Cells	45
Double Cells	2,136
Dormitory Beds	0
Total Beds	2,181

Source. TRGConsulting. December 2011.

The allocation of beds by type of bed if the *high* projection is used is discussed below.

Single Occupancy Cells. A total of 45 new beds in single occupancy cells for maximum-security, disciplinary segregation, administrative segregation and protective custody inmates will be added to the system. All cells will be "wet." Stainless steel combination fixtures will be used. All cell doors will be hung doors constructed of steel. One bed and a desk will be wall mounted.

Double Occupancy Cells. A total of 2,136 new beds will be in 1,068 double occupancy cells for medium-security inmates. Adequate ADA cells will be provided. All cells will be "wet." Stainless steel combination fixtures will be used. All cell doors will be hung doors constructed of steel. Two beds and two desks will be wall mounted.

Dayrooms. Dayrooms will be provided at the rate of thirty-five square feet per inmate and will contain anchored tables and seating to accommodate the maximum number of inmates allowed access to the dayroom at any given time in each housing unit. Access will be provided to toilets, washbasins, drinking fountains and showers from the dayroom. Dining will occur in the dayroom of each housing unit.

Visiting. Contact, non-contact and video visiting spaces will be provided.

Program Space. Program rooms will be provided at each housing unit. Activities that will occur in these spaces include adult education, religious services and counseling, Alcoholics Anonymous and Narcotics Anonymous classes, group counseling, mental health evaluations and classes along with other programs to reduce recidivism. Additional program space will be provided for the existing rated beds.

Medical and Mental Health Services. Medical examination rooms and secure pharmaceutical storage will continue to be provided for medical screening and routine medical care. More advanced care will continue to be provided outside of the facility. Mental health professionals will evaluate inmates and provide mental health programs as necessary. Interview rooms and program space will be provided for this purpose.

Outdoor Exercise. An enclosed, secure outdoor exercise area will be attached to each new housing unit. This area will be observable from within the housing unit and from central control. The area will be a secure area that is partially covered for use in inclement weather and have a clear height of at least fifteen feet. The "open" area of the roof structure will be covered with high security mesh to prevent escape. Access will be provided to a toilet, washbasin and drinking fountain.

There will be at least one completely fenced outdoor exercise area of not less than 600 square feet for use by those inmates who have earned this privilege.

Special care will be taken to eliminate opportunities for escape and the introduction of contraband. All exercise areas will be observed by central control.

Recreation areas will accommodate inmates with disabilities.

Attorney Interview Rooms. Selected non-contact visiting rooms will be configured with a secure and lockable paper pass to allow attorneys to consult confidentially with inmate clients.

Confidential Interview Rooms. Confidential interview rooms will be provided near the new housing areas. The interview rooms will be used by custody, mental health and health care staff as well as by attorneys and religious advisors. The interview rooms will be accessible to male and female inmates and they will not be monitored.

Central Control. A new central control room will monitor and operate all security perimeter penetrations. Additionally central control will monitor each new and existing housing unit.

Central control will have visual supervision of the housing units, the attached outdoor exercise areas and the program spaces. CCTV will be used to provide visual control and to assist in the control of the perimeter penetrations. Central control will function as the Sheriff's command post during natural disasters or inmate disturbances.

Unit Control. New unit control stations capable of visually controlling a unit and will be located between housing pods.

A new integrated control system will link all existing housing areas to the new construction.

Staff Positions. A draft staffing plan will be prepared before the facility is designed. Thus, care will be taken during the design to be certain that the facility does not generate additional staff positions not required by "best practice." All staff stations will be ergonomically designed.

Food Service. The existing food service operation will accommodate the additional beds.

Inmates will be fed in the dayrooms of their respective housing units. Sack lunches will be provided for inmates who are away from the facility for the day (e.g. on work crews, inmates likely to be in court for the day, etc.).

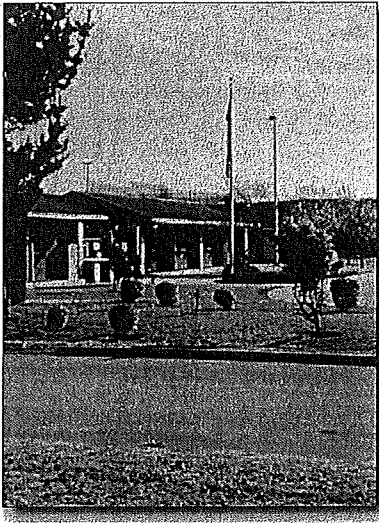
Storage. Institutional storage will be provided as required by Title 24. Additionally, storage areas will be provided in the new housing units. Inmate property storage will be provided. The inmate property storage area will include secure storage for inmate valuables.

Bed Need Remains Paramount. Although the Monterey County detention facilities have a CSA rated capacity of 825 beds, it must be remembered that all but 153 of the rated beds are dormitory beds. Even at the 825 bed rated capacity the Sheriff regularly incarcerates over 1,000 inmates. This results in an immediate shortage of 175 beds but, more importantly, a shortage of approximately 850 beds of the bed type needed to house the felons currently incarcerated as well as those that will be incarcerated as a result of AB 109 (i.e. beds in single and double cells).

There also is a need for additional and/or remodeled administration and support spaces to operate an efficient Custody Bureau. Once the Sheriff is comfortable that enough of the available resources are devoted to beds, he should then address the administration and support needs.¹⁰

The county and their planner have determined that there also is an immediate need for a minimum of 5,000 sq. ft. of relocated administrative space to improve the flow of inmate induction and visitor control. This relocation is required in Phase 1 to prepare for the construction of future housing units.

¹⁰ Please note that additional beds require specific support spaces (e.g. increased storage, recreation areas, etc.) as outlined in Title 24. These mandatory support spaces must be included in any project that increases the rated bed capacity.



Monterey County Rehabilitation Facility Entrance.

B. Operational and Design Philosophy

Introduction. The purposes and goals for the Monterey County Adult Detention and Rehabilitation Facilities are discussed in the *Monterey County Sheriff's Manual* in Section 1101.00 *Bureau Organization*.

Purpose. The purpose of the Monterey County Adult Detention and Rehabilitation Facilities is the detention of persons charged with crimes and awaiting arraignment or trial.

1. The detention of persons, in the Sheriff's custody, to ensure their attendance as witnesses in criminal cases.
2. The confinement of persons sentenced to imprisonment in the County Facilities.¹

Goal. By means of the continuing process of education and training of the deputies and professional staff employed herein, to provide for the security, health and welfare of inmates in custody and to rehabilitate them whenever possible through programs designed for this purpose.²

Long Range Design Goals for New Adult Detention Beds and Support Spaces. The immediate design goal is to maximize the number of new detention beds in cells at the current site, using existing support infrastructure and administrative space as much as possible. The specific design objectives for the new adult detention beds and support space are discussed in detail in the body of this assessment.

- be a state-of-the-art, new generation, direct visual supervision, podular, adult detention facility that meets all of the requirements of Title 24 of the *California Code of Regulations*;
- provide a safe and secure environment for staff, visitors, volunteers and adults with a well defined secure perimeter that includes pedestrian and vehicular sally ports;
- include a new central control station that controls the secure perimeter and has visual supervision of the housing units and recreation areas as well as other secure areas;
- Include unit control stations to supervise the new housing pods;
- consist of housing units with the flexibility to meet a wide variety of varying classification needs (e.g. mental health housing units, female housing units, special needs housing units, units of varying security levels, etc.);
- meet Monterey County's adult detention requirements for twenty years after initial occupancy (with planned expansion);
- provide spaces for a wide variety of programs to reduce recidivism and thus reduce county, state and federal criminal justice system costs;
- provide a professional work environment and adequate space for custody staff, teachers, medical and mental health professionals, other professionals providing services and volunteers;
- be cost efficient to build and operate;
- be energy efficient and environmentally friendly to reduce operating costs;
- be staff efficient to preserve county resources;
- include intake/release/processing areas that are large enough to meet all booking needs and, simultaneously, provide an area for release and transportation staging (intake/release/ processing spaces often are undersized in detention facilities);
- provide adequate medical, dental and mental health spaces to reduce the need for transportation outside the facility and to ensure that each inmate is evaluated, treated, monitored and assigned to appropriate programs;

¹ *Monterey County Sheriff's Manual*, Section 1101.03 A. *Purpose*. Page 4.

² *Monterey County Sheriff's Manual*, Section 1101.03 B. *Goal*. Page 4.

- meet the requirements of the Americans with Disabilities Act (ADA);
- provide adequate, easily supervised adult exercise and recreation spaces (including those required for large muscle group activities) to reduce tension and contribute to the success of programs;
- include expanded food service space and facilities as necessary to ensure that meals meet the nutritional requirements determined by the county and to provide vocational education opportunities;
- provide laundry services to clean inmate clothing, bedding and associated items related to the additional beds;
- include adequate storage (storage also often is undersized in detention facilities);
- provide secure spaces for contact, non-contact and video visiting; and
- include a court suite with all necessary support services to handle arraignments and other proceedings, thus reducing the need to transport inmates who are incarcerated in the jail.

Construction and Administrative Work Plan. The construction and administrative work plan for the new adult detention facility is discussed below.

The delivery process is designed specifically to make the most efficient use of available resources while achieving the project scope (quality), budget and schedule. This methodology has been used successfully on several adult detention facility projects throughout the United States including projects in California counties and projects under the aegis of state and federal grant managers.

This work plan includes proven project delivery methods to ensure successful completion of the proposed scope on time and within budget. The plan also includes federally mandated requirements for grant funding. The plan consists of the following elements:

- Detailed conceptual level planning that includes:
 - information on and required by funding sources including the monitoring of matching funds;³
 - development of the preliminary program statement;⁴
 - development of the preliminary staffing plan;⁵
 - development of the preliminary architectural program;
 - refinement of the conceptual budget;
 - analysis of the construction costs and total project costs;
 - development of Monterey County Sheriff's Office operational and staffing costs that will be incurred once construction is complete;
 - development of maintenance costs that will be incurred once construction is complete;
 - refinement of the preliminary schedule; and
 - plans for continued compliance with state and/or federal pre-contractual requirements.
- Presentation to and approval by the Monterey County Board of Supervisors during planning, design, the development of construction documents and during construction (including the preparation of appropriate graphics for the presentation).
- Development of the architectural program including:
 - preliminary code analysis;
 - an analysis of the requirements of Titles 15, 19 and 24;
 - staffing and operational analysis which will include a refinement of the staffing plan and refinement of the Program Statement; and
 - any required refinement of the project timeline.
- Preparation of traditional schematic design and design development documents.

³ If the project receives federal funding it will include certain reporting, inspection and auditing requirements.

⁴ It is important to finalize the program statement early so that it forms the basis for the design effort.

⁵ Similarly, it is important to finalize the staffing plan at this stage to insure staffing efficiency and reduced operational costs.

- Transition planning that begins with the establishment of the transition team during schematic design and continues through move-in and post-occupancy activities.
- Continuous design/value engineering to make the most efficient use of available resources (i.e. provide a cost effective design) and preserve life cycle costs.
- Continuous user input from the Monterey County Sheriff's Office staff and others providing programs and services at the proposed adult detention facility.
- Continuous code analysis.
- Independent cost estimates during the design and construction document phases to remain within 5% of the conceptual budget.
- Continuous analysis of the requirements of the Titles 15, 19 and 24.
- Ongoing schedule review and analysis to be certain that the project is ready for occupancy as planned.
- The preparation of construction documents (drawings and specifications).
- Constructability reviews during design and during the preparation of construction documents to use the most effective construction means and methods in order to ensure competitive bidding and to reduce change orders.
- Peer review during the preparation of design and construction documents to provide the best possible and most cost effective solutions to design and construction issues.
- Continuous analysis of staffing, operations and life cycle costs in order to design and build the most cost effective facility possible.
- Marketing of the project to potential contractors and sub-contractors to increase the potential for competitive bids and to increase the number of bidders.⁶
- Bidding activities including the opening of the bids and the preparation and signing of the construction contract.
- Construction administration, coordination and observation.
- Preparation of the quarterly invoices and progress reports if required by grant funding procedures.
- Construction close-out activities including:
 - punch list development and monitoring of the completion of punch list items;
 - cost reconciliation and final audit;
 - final invoice and progress payment;
 - collection of warranties;
 - preparation of the final "as-built" drawings; and
 - collection of operation and maintenance manuals.
- Transition and move-in activities including:
 - equipment commissioning;
 - facility "shake-down;"

⁶ Particular attention should be paid to marketing the project to those sub-contractors responsible for detention hardware and security electronics. This will help assure that competitive bids from these sub-contractors are provided to the general contractors bidding on the project.

- operations and security “walk through;”
 - staff occupancy training; and
 - the phased move-in of inmates.⁷
- Periodic post-occupancy evaluations at one, two and five years after occupancy.

- Other services as desired by the Monterey County Sheriff’s Office.

⁷ Experience has shown that initial occupancy is an intense time for staff and inmates. A phased move-in allows staff and inmates to adjust with less tension. This results in the reduced risk of self-harm by inmates and reduced sick leave requests by staff.

C. Current Inmate Population

Current Inmate Population. The California Department of Corrections and Rehabilitation (CDCR), Corrections Standards Authority (CSA) provides summary data collected for the Jail Profile Survey. Crime and arrest data for Monterey County also is available for 2006 through 2009 from the California Department of Justice (DOJ). A "snapshot" from 2006 through 2009 (the last full data year of information from the California Department of Justice) is indicative of the current jail population. Included in this section is statistical data on the jail population, including:

1. Felony Sentenced Dispositions;
2. Crime and Crime Rates; and
3. Sentenced and Non-Sentenced Adult Detention Populations by Gender.

Felony Arrests and Dispositions. A "snapshot" of felony sentenced disposition data for 2006 through 2009 from the DOJ, is presented in Table C.1 below.

Table C.1
Monterey County Adult Felony Sentenced Dispositions, 2006 – 2009

Sentence	2006	2007	2008	2009
Death	0	0	0	0
Prison	71	6	195	86
Probation	18	13	44	21
Probation with Jail	699	111	1,109	430
Jail	61	7	53	13
Fine	19	4	18	20
CRC (Civil Addict)	0	0	0	0
Other	2	5	8	6
Total	870	146	1,427	576

Source: California Department of Justice, November 2011.

Crimes and Crime Rates. As with felony sentenced dispositions, a "snapshot" of crimes and crime rate data for Monterey County (again, available from The California Department of Justice for 2006 through 2009) is illustrated in Table C.2 below.

Table C.2
Monterey County Adult Crimes and Crime Rates, 2006 – 2009

Category/Crime	2006	2007	2008	2009
Violent Crimes	2,014	2,191	1,973	2,118
Homicide	15	29	36	51
Forcible Rape	116	123	99	125
Robbery	599	638	587	657
Aggravated Assault	1,284	1,401	1,251	1,285
Property Crimes	7,289	8,934	7,006	6,885
Burglary	2,712	3,020	3,056	3,151
Motor Vehicle Theft	2,202	3,364	1,894	1,808
Larceny - Theft \$400+	2,375	2,550	2,056	1,926
Total Larceny-Theft	8,204	8,043	6,541	6,245
Over \$400	2,375	2,550	2,056	1,926
\$400 and Over	5,829	5,493	4,485	4,319
Arson	81	79	78	90

Source: California Department of Justice, November 2011.

Sentenced and Non-Sentenced Inmates. Table C.4 illustrates the percentages of non-sentenced and sentenced inmates (by gender) held at the Monterey County Jail from January 2011 through March 2011 (the most recent data available from the Corrections Standards Authority).

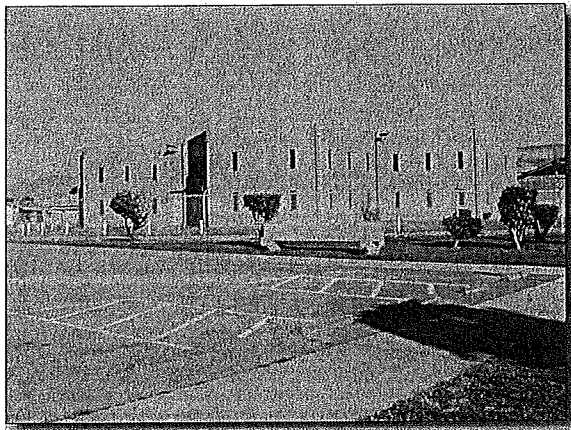
Table C.3
 Monterey Jail Population by Sentenced and
 Non-Sentenced Inmates, January – March 2011

Category	Number	Percent
Non-Sentenced		
Male	712	89%
Female	85	11%
Total	796	100%
Sentenced		
Male	257	89%
Female	30	11%
Total	288	100%
Grand Total	1,084	

Corrections Standards Authority. November 2011

Conclusion. Over the last decade, violent felony reports and arrests according to statistics maintained by the California Department of Justice have fluctuated; therefore a predictable upward or downward trend has not occurred. Unfortunately the number of beds available for holding these offenders has been well below the number and type needed throughout that timeframe. As a result, the classification and segregation of inmates is extremely difficult given the type of beds available to house them. This places staff, visitors and inmates in the facility at risk of injury or death. With an insufficient number of maximum and medium-security beds the staff must choose the "least violent" of the violent offenders to house in minimum-security dormitory beds since there are no medium-security double cells. It is obvious that the system is dangerously out of balance in terms of the types of beds available and the classification of inmates held.

D. Classification of Inmates



The Monterey County Main Jail.

Introduction. The proper classification of inmates is critical in the Monterey County Jail because of the age of the facility and the lack of enough single and double cells to properly separate and segregate inmates. The number of violent gang members currently held at the existing adult detention facility further exacerbates the difficulty in classification. Classification officers classify primarily by gang affiliation because of insufficient staff, inadequate facilities and severe overcrowding.

In Monterey County there is the possibility of misclassifying inmates based on space rather than security level. Overcrowding reduces the ability to classify. This is further compounded by the dormitory design. Normally, 10% - 15% of the beds should be empty and available for classification spikes and maintenance.

Classification Training. A majority of the classification training for staff is performed in house.

Classification of Inmates. The county's classification system is explained in the verbiage below from the *Monterey County Sheriff's Manual*.

1110.00 INMATE CLASSIFICATION

1110.01 Receiving Deputies are responsible for the initial classification and housing of inmates. They shall use information in CJIS to assess the inmate's classification history. This shall include inmate's current charges, past custody record, gang affiliation and criminal history. Deputies shall use the following guidelines for assigning housing. They may also use the on duty Classification Deputy as a resource in classifying inmates.

- A. The different levels of security and inmate classification categories shall be determined as follows. These categories shall require maximum-security housing at initial housing.
 1. *Protective Custody* - Inmates that need to be housed separately because they are in danger of being assaulted by other inmates because of their charge, gang affiliation, sexual preference, occupation, or inmate informants.
 2. *Violently Assaultive or Predatory Behavior* - Inmates that are prone to assaultive or threatening behavior toward other inmates or staff. Inmates that are found to be in possession of deadly weapons while in custody. Inmates that have an extensive criminal history of violence and assaults on peace officers.
 3. *Escape Risk* - Inmates that have escaped or attempted to escape from custody to include participation in any escape or possession of escape tools. Inmates that have been sentenced to or are pending sentence to death or life in prison shall be considered an escape risk.
 4. *Violent or Serious Criminal Charges* - Inmates that are charged with murder, attempted murder, kidnapping, aggravated assault and sex crimes. This may include inmates that have a past history of these charges even if currently in custody on lesser charges.
 5. *Sophisticated Criminal History* - Inmates that have been found in possession of prison weapons or are sophisticated gang members.

6. *State/Federal Prison Inmates* - Inmates held locally for court proceedings that have holds from federal or state prisons.
 7. *Uncooperative Attitude* - Inmates that display an anti-establishment and uncooperative behavior.
 8. *Exhibiting Behavior that Fits the Criteria of 5150 W&I or Diagnosed Mental Illness* - Inmates that are a danger to themselves or others, unable to care for themselves or have been diagnosed with psychological problems. Referral to medical staff for treatment and clearance for housing is required.
 9. *Under the Influence of Psychedelic Drugs* - P.C.P., L.S.D., or other hallucinogenic drugs or mind-altering drugs.
- B. The following categories may be housed in medium security general housing.
1. *Misdemeanor and General Felony Charges* - Inmates that are charged with misdemeanor and felony charges that are not violent and assaultive in nature. Inmates that can adapt to the jail setting and adjust to the open housing setting. This category includes inmates sentenced to county jail waiting classification clearance for minimum security.
- C. The following categories of inmates shall be housed in minimum security.
1. Inmates sentenced to county jail.
 2. Inmates who can adapt to an open housing environment.
 3. Inmates that can participate in work details and correctional programs.
- D. Processing and Housing Civil Prisoners.
1. Any person committed to jail on a civil charge (civil contempt of court, failure to abide by a court order, etc.) shall be housed in a single cell away from the general population. They shall be dressed out in a WHITE jumpsuit.
 2. Priority shall be given to assigning all civil commitments to the Isolation Cells in the Men's Section and Holding Cells in the Women's Section.
 3. The Receiving Deputy shall make the cell assignment with the assistance of Classification or the Watch Supervisor. In the event that no isolation cell is available, a temporary assignment in Booking can be made. The civil inmate shall be moved to an isolation cell at the earliest possible time.
 4. A civil prisoner cannot be offered the option of being housed in general population.

1110.02 Facility Housing Levels

- A. The different levels of security such as minimum, medium, and maximum are based on charge, past criminal history, and current and past conduct in custody. The different housing units in the facility fall into the following security categories.
1. *Maximum* – Isolation Cells, A-Pod, B-Pod, C-Pod, D-Pod, G-Pod, H-Pod, I-Pod, J-Pod, Women's Holding Cells, R-Pod, and S-Pod.
 2. *Medium* – E-Pod, F-Pod, Rotunda, K-Pod, Dorm-A, Dorm-B, Dorm-C, Dorm-D, B-Wing, C-Wing, T-Pod, and U-Pod.

3. *Minimum* – Q-Pod, E Wing, F-Wing, D-Wing, and Dorm-E.
- B. The following classes of inmates shall be kept separate (PC 4002(a)):
1. Male prisoners shall be confined separately from female prisoners.
 2. Persons confined on civil charges shall be kept separate from those confined on criminal charges.
 3. Juvenile inmates shall be kept separate from adult inmates.
- C. Following is a list of housing units and a description of the types of inmates housed in each unit. Deputies shall use these categories to correctly house inmates. Inmates shall not be housed directly into the dorms without review by the Classification Deputies or approval of the Team Commander.

Table D.1
 Inmate Classification
 Revised 09/06

<i>Main Jail</i>	TYPE OF HOUSING	ARMBAND COLOR	CLOTHING COLOR
A-POD	Adm. segregation, 5150, incompatible sex crimes	GREEN	ORANGE
B-POD	Adm. segregation, 5150, incompatible sex crimes	GREEN	ORANGE
C-POD	Adm. segregation for heavy Surenos ¹ and compatible inmates	ORANGE	ORANGE
D-POD	Adm. Segregation	WHITE	ORANGE
E-POD	General housing restricted to Norteno gang members and compatibles	WHITE	RED
F-POD	General housing restricted to Norteno gang members and compatibles	WHITE	RED
G-POD	Adm. segregation for Norteno/Sureno dropouts	WHITE	ORANGE
H-POD	Adm. segregation for Nortenos, Blacks, and Whites	WHITE	ORANGE
I-POD	Adm. segregation for Nortenos, Blacks, Whites and handicapped inmates	WHITE	ORANGE
J-POD	Adm. segregation for Nortenos, Blacks, and Whites	WHITE	ORANGE
ROTUNDA	General housing for misd./elderly/weak. Housing by Classification ONLY!	WHITE	RED
K-4	General housing. B/C Wing overflow and immigration	WHITE	RED
K-5	General housing restricted to gang dropouts	ORANGE	ORANGE
K-16	General housing. B/C Wing overflow and immigration	WHITE	RED
K-17	General housing restricted to gang dropouts	ORANGE	ORANGE
A-DORM	General housing for inmates with light felony charges. No Nortenos	WHITE	RED
B-DORM	General housing for Sureno gang members	ORANGE	ORANGE
C-DORM	General housing for inmates with sex charges	GREEN	ORANGE
D-DORM	General housing for parolees and compatibles (No Nortenos)	WHITE	RED
E-DORM	General housing restricted to sentenced Surenos	ORANGE	BLACK
ISOLATION	Adm. segregation for extreme protective custody, high risk, civil, or juvenile inmates	BLUE	ORANGE

¹ Heavy Surenos are gang leaders or "shot callers."

Table D.1 (Continued)
Inmate Classification

Rehab Center	TYPE OF HOUSING	ARMBAND COLOR	CLOTHING COLOR
B-WING	General housing for felons. No black inmates	WHITE	RED
C-WING	General housing for light felons, misdemeanor or sentenced inmates	WHITE	RED
D-WING	General housing restricted to sentenced Nortenos	WHITE	BLACK
E-WING	General housing for sentenced inmates (non-workers)	WHITE	BLACK
F-WING	General housing for sentenced inmates assigned to work details	WHITE	BLACK OR KP GREEN
Women's Jail	TYPE OF HOUSING	ARMBAND COLOR	CLOTHING COLOR
Q-POD	General housing for sentenced females and work details	WHITE	BLUE
R-POD	Adm. segregation for 187 PC, 5150, or problem inmates	WHITE	ORANGE
S-POD	Adm. segregation for 187 PC, 5150, or problem inmates	WHITE	ORANGE
T-POD	General housing - felony charges	WHITE	RED
U-POD	General housing - misdemeanor charges, sentenced, or overflow felons	WHITE	RED OR BLUE
HOLDING	Adm. segregation - extreme protective custody, high risk, or civil inmates	WHITE	ORANGE

1110.03 *Lockdown/Inmate Movement Forms* - A Lockdown/Inmate Movement Form documents the justification for an inmate's housing. The Lockdown/Inmate Movement Form establishes a record of where an inmate has been housed and the circumstances of the housing change. A Lockdown/Inmate Movement Form shall be completed in the following cases:

- A. Anytime an inmate is housed in maximum security.
- B. Anytime an inmate is moved to higher level of security.
- C. Whenever an inmate is moved from one location to another (except when moved per the Mainline Transfer List).
- D. Anytime an inmate is rolled up to the Receiving Area pending re-classification.
- E. The original copy of the *Lockdown/Inmate Movement Form* shall be placed in the Inmate File. Copies shall be distributed to the Bureau Captain, the Team Commander, and Classification.

1110.04 Classification Deputy Responsibilities.

- A. The primary responsibility of the Classification Unit is to classify and house inmates. Classification Deputies shall review the initial housing of inmates housed in lockdown.
- B. Secondary duties of the Classification Unit include incident investigation, assisting and sharing intelligence with other agencies, monitoring the inmate phone system, and gathering and disseminating gang intelligence.

1. The goal of the Custody Operations Bureau is to work cooperatively to assist other agencies in gathering and disseminating investigative information.
2. Routine requests shall be handled by the Classification Deputy receiving the request (e.g., recording of an inmate telephone call, reading a specific inmate's mail for investigative purposes).
3. Non-routine requests (such as searching an inmate's cell to remove contents) require necessary precautions. The following guidelines shall be followed when out of the ordinary requests are received:
 - a. The Classification Deputy receiving the request shall contact the Classification Sergeant. The Classification Sergeant will determine if the Classification Unit can assist, in consultation with the appropriate Commander, if necessary.
 - b. If the Classification Sergeant is not available, the Classification Deputy shall contact the on-duty sergeant. The Classification Deputy shall ensure the affected Commander is made aware of the planned activity. The Commander has the authority to approve or disapprove the agency's request.
 - c. An incident report shall be distributed to the Classification Sergeant and the Classification Commander.
- C. Classification Deputies are authorized to change the level of an inmate's classification in order to protect the security of the facility and the welfare of inmates and staff. All increases in classification shall be reported to the Bureau Captain via memorandum or *Lockdown/Inmate Movement Form*.
- D. Classification Deputies shall conduct routine reviews of inmate classification levels to maintain an awareness of inmate activity so that housing assignments and space can be best utilized.
- E. Classification Deputies shall screen and approve sentenced inmates for transfer to Mainline.
- F. Classification Deputies shall receive copies of all disciplinaries, crime reports, and lockdown/inmate movement forms. They shall use these reports to update inmate custody histories and maintain facility statistics.
- G. Inmates who have been sentenced to more than 60 days have the right to write to Classification for a review of their level of classification every 30 days. Classification shall respond in writing to the inmate with the result of their review.
- H. Inmates have the right to appeal their housing classification to the Classification Sergeant. Inmates may further appeal to the Bureau Administrative Commander whose decision is final.
- I. The Bureau Administrative Commander has the authority to change the classification level of an inmate as deemed appropriate.
- J. Any time the Classification Unit has special security information on an inmate, they shall send a memo alerting the jail, Transportation and Court Security staff of the inmate's security risk.

"Need" Resulting from the Desire to Properly Separate and Segregate Inmates. Proper separation and segregation of inmates as envisioned in the Sheriff's classification plan is very difficult because of insufficient staff, an inadequate physical plant layout and the severe overcrowding that makes it necessary to unofficially add well over 300 beds above the CSA rated capacity. These problems can be alleviated with the construction of new housing or a new facility properly sized to meet future needs. (One of the design goals

for the new facility is to have a sufficient number of single and double cells for the proper separation of inmates of differing classification.)

E. Programs



Dormitory housing in the Rehabilitation Facility at the Monterey County Jail. Severe overcrowding and lack of adequate program space make it extremely difficult to offer meaningful programs.

Introduction. The existing Monterey County Jail lacks adequate space to conduct any kind of meaningful programs to reduce recidivism. Worse, the severe overcrowding and insufficient staff make it almost impossible for the Sheriff to conduct any but the most basic programs (e.g. religious services and counseling, basic mental health programs and counseling, visiting, commissary, counseling by health care providers, Alcoholics Anonymous and Narcotics Anonymous classes, etc.).

New detention housing with adequate program space will allow for a wide variety of programs to reduce recidivism. Not only will the Sheriff's Office be able to enhance existing programs, but staff also will be able to introduce a number of successful programs in other jurisdictions.

Programs currently offered at the Monterey County Jail:

Alcoholics Anonymous is offered to both men and women. This is a program designed for men and women to share their experiences, strength and hope with each other to work on solving their common problems and help others to recover from alcoholism. *Offered in both English and Spanish.*

The B.I. Incorporated program is offered to both men and women. This program describes services that are offered to the inmates upon release. The program provides cognitive and behavioral treatment programs for probationers and prepares them for employment in their community. Clients receive additional employment assistance based on their needs as well as personalized help to overcome any obstacles, which may occur with productive employment.

Commissary is offered to both men and women. This program provides inmates with a "taste from the outside" by providing snacks as well as personal hygiene items. Inmates also can receive "iCare" packages from friends and family members when they go online and order packages, which range in price and seasonal specials.

The Financial Class is offered as part of the Nutritional Curriculum on the last day of incarceration. This class teaches basic financial topics such as how to manage their money, how to balance a check book, etc.

Forklift training is offered to both men and women who are sentenced and are assigned to a work detail. This is an interactive course where inmates receive classroom and hands on instruction on the safety, parts and operation. Inmates must be able to pass a classroom test and the practical test in order to obtain a successful certificate of completion. Once the inmate is released from custody they may go to C.E.T. (Center for Employment Training) to take their certification test in order to obtain a forklift license. This test is offered free to only those individuals that completed the instructional part while in custody. They must present their certificate of successful completion.

G.E.D. Preparation and Testing is offered to both men and women who are sentenced and are housed in the inmate areas that are assigned to a work detail. This program provides inmates with five subject tests which, when passed, certify that they have successfully completed the General Educational Development (G.E.D.) equivalent to a high school diploma.

H.I.V./John XXIII Awareness presentation and testing is offered to both men and women. The presentation offers awareness on the topic. The test is done in a private setting and is confidential.

Janitorial Instruction is offered to both men and women who are sentenced and are housed in the inmate areas that are assigned to a work detail. This program is designed to provide skills in addition to simple janitorial services. Instruction topics include:

- Handling of Hazardous and Infectious Waste
- Basic Cleaning for Floor Surfaces
- Cleaning for Restrooms/Shower rooms

Kick Start will be offered to both men and women. This program is designed to help inmates "between release and re-entry" with employment and employment-related services. Inmates are assisted with completing applications, preparing résumés, preparing for interviews as well as providing opportunities for employment.

Kitchen Basics is offered to both men and women who are sentenced and are housed in the inmate areas that are assigned to a work detail. The course objective is to prepare students for work in the food service industry. Students will be able to apply the skills learned from this program in a food service job in the community. Topics covered are:

- Personal Hygiene
- Equipment
- Sanitation
- General Safety
- Food Safety
- Production
- Storage

Each student is given a workbook for pre-work, class work and homework. A quiz is given at the end of each class with a final exam at the end of Kitchen Basics. Students must maintain an average of 75% or they will be asked to leave the course and repeat.

Library Instruction is offered to women who are sentenced and are housed in the inmate areas that are assigned to a work detail. Inmates essentially become the inmate library assistant. This inmate(s) is assigned to keep the library organized, prepare the donated books for placement on the shelves, prepare bags with books for the library book exchange throughout the jail, return the library books to the shelves, fill the special book requests and provide cleaning services for the library and library office.

Microsoft Office training is offered to both men and women. This program provides inmates with basic computer skills needed for future employment. Courses will include instruction on Word, Excel, PowerPoint, etc.

Narcotics Anonymous is offered to both men and women. N.A. is a twelve-step program. This is a program designed for men and women to share their experiences, strength and hope with each other to work on solving their common problems and help others to recover from chemical dependency. *Offered in both English and Spanish.*

The Nutritional Curriculum is offered only to female sentenced inmates in Q-pod and U-Pod. This program is designed to help the inmates make healthier food/snack choices.

Papas in Rehab is offered to men only. This program is designed to help incarcerated fathers continue to build a bond with their children by teaching the "6 Basics of Being a Great Dad:"

- Provide unconditional love and affection
- Spend T-I-M-E
- Communicate constantly and creatively
- Partner with Mom
- Instill moral and spiritual values
- Establish "My Fathering Legacy" Offered only in Spanish.

Parenting currently is offered to both men and women under Pride and Choices to limited housing areas pending the identification of additional volunteers with the experience, training and certification. This class provides inmates with skills in raising responsible and independent children. Ways of rethinking the approach of teaching, discipline, etc. also are part of the curriculum.

Pride and Choices is offered to both men and women who are sentenced and are housed in the inmate areas that are assigned to a work detail. This program is designed to help with recovery inside and out. "Choices" is a two-week self-assessment intervention group designed to give the client information about addiction and the tools necessary for change. "Pride" is an eight-week intensive drug and alcohol recovery program. Topics include:

- Anger Management
- Critical Thinking
- Aptitude and Interest
- Substance Abuse Subtle Screening Inventory and other subjects

S.O.A.R. (Starting Over Accessing Re-Entry)¹ is offered to both men and women. This is a 6-week program whose goal is "re-entry oriented to break the cycle of recidivism." Topics include:

- Transitioning into the Community
- Relapse Prevention
- Cognitive Skills and Communication
- Coping with Trauma
- Self Care
- Accessing Community Resources

Turning Point presentations are offered to both men and women. This program offers presentations of services that are available to inmates upon release. Adult employment programs that help those who have an arrest record match their skills and aspirations with employers in the community. They offer:

- On-the-job training
- Résumé and interviewing techniques
- Employment workshops
- Computer access
- Career counseling
- Job placement and other core services.

¹ This program currently is not offered, but hopefully it will soon be offered. Behavioral Health Department staff was teaching the class.

Veteran Orientation Workshop is designed to help veterans find employment and/or get them connected to services. Topics will include:

- CALVET Welcome Home Program
- Veteran Benefits G.I. Bill
- Résumé and Job Search Assistance
- Disability and Pension
- Priority Job Referrals.

Examples of enhancements to existing programs include:

- expanding mental health programs and therapy sessions;
- additional programs specifically designed for female inmates;
- developing an adult literacy program;
- providing tutoring for inmates seeking a GED;
- increasing the number of Bible study sessions and expanding religious programs;
- increasing the number of AA meetings and providing additional alcohol abuse counseling;
- enhancing the narcotics abuse program with additional meetings and therapy sessions; and
- providing health education on a wider variety of subjects.

Additional programs that are being considered for implementation include:

- life skills programs targeted by age, gender and need;
- a program to identify community resources and provide initial contact prior to release;
- family awareness and responsibilities;
- parenting programs;
- mentoring programs for young inmates;
- anger management classes and counseling;
- self-esteem enhancement;
- cultural awareness programs;
- developing communication skills and enhancing human relations;
- aptitude assessment and career planning;
- special education classes;
- classes offering high school credit;
- vocational education classes in conjunction with local labor unions modeled after programs that have been successful in other counties (e.g., computer skills, food service, laundry service, landscaping, printing, construction technologies, automobile maintenance and repair, automobile body work, etc.);
- academic and vocational education correspondence courses;
- college level courses by correspondence or through the local college system;
- English as a second language;
- arts and crafts;
- physical education classes; and
- other programs that will assist inmates in returning to the community as productive citizens.

Inmate Programs and Detention Alternatives. Inmate programs, including alternatives to detention, are described in the verbiage below from the *Monterey County Sheriff's Manual*.

1116.00 CUSTODY PROGRAMS

1116.01 *Exercise and Recreation*

- A. Inmates shall be allowed a minimum of three hours of exercise and/or outdoor recreation distributed over a seven-day period.

1. The day sergeant shall prepare and post yard schedules to meet the requirements of Title 15, Minimum Standards (Section 1065). The on-duty sergeant shall approve any changes to the posted schedule.
 2. Deputies shall notify the sergeant when inclement weather conditions exist. The sergeant shall decide when to cancel the yard. Cancellations shall be noted on the daily yard schedule.
 3. The yard deputy shall place the daily yard schedule in the 24-file at the end of the day.
- B. The yard deputy shall search the yard at the beginning and end of each day. The yard deputy shall inspect the yard (including vents and perimeter fencing) for contraband, faulty equipment, and facility damage that presents a security risk. Deficiencies shall be reported to the on-duty sergeant. If defects are found, inmates shall not be taken to the yard unless approved by the on-duty sergeant.
- C. The 135 door leading from the main jail to court holding shall be closed and locked when men's yard is being conducted. This is essential for the security of the facility.
- D. Inmate Yard Rules
1. Inmates shall not be taken to the yard without their armband.
 2. Inmates shall only be allowed to wear jail issued clothing to the yard. Sheets, towels, cup, spoon, food, writing paper, pencils, etc. are prohibited.
 3. Inmates shall wear their jumpsuits to and from the exercise yard.
 4. Inmates shall not cross the painted red lines on the exercise yard without permission from the yard deputy. Violators shall be removed from the yard and a disciplinary written.
- E. Men's Section Exercise Yard (Upper Yard)
1. The total number of inmates on the upper yard at one time shall not exceed 30.
 2. The yard chain link fence gate shall be padlocked with the security chain whenever inmates are on the yard.
 3. Inmate counts ensure proper security and accountability of inmates. The yard deputy shall count the inmates as they walk onto the exercise yard, and make numerous counts during the exercise period.
 4. The yard deputy shall immediately report suspicious activities and summons assistance to respond to the yard.
 5. The yard deputy shall not open the gate to respond to an emergency on the yard until sufficient back-up is on the scene to safeguard the security of the yard.
 6. The yard deputy is responsible for the security and supervision of inmates on the yard. The exercise yard is a key point for escape. The yard deputy shall maintain constant vigilance.
 - a. The yard deputy position is non-stationary. While there is a shed erected on the yard floor to provide shelter from the elements, deputies shall not remain inside for extended periods of time.

- b. The yard deputy shall not leave the exercise yard unattended at any time while inmates are on the yard. If the yard deputy needs relief from his duties, he shall notify the floor deputies or on-duty sergeant.
 - c. The yard telephone shall only be used for official business.
 - d. Reading materials and any devices that distract from continual observation of inmates on the yard is prohibited.
 - e. The yard deputy shall not engage in conversation with inmates that detract from the primary function of ensuring the security of the yard.
- F. Women's Section Exercise Yard. The same guidelines that apply to the men's yard apply to the women's yard except that the yard position is a stationary position and the yard deputy shall observe inmates from the yard booth. There is no red off-limit line, however, inmates shall not be allowed contact with the yard fencing.
- G. Inmate Movement
- 1. Normally two deputies will be responsible for moving inmates to the yard. **One deputy shall remain on the floors at all times.** The Yard Deputy shall remain in the Deputy security area of the yard and shall not assist the floor deputies with the inmate movements.
 - 2. The yard deputy shall provide housing deputies with a printed roster for each housing unit scheduled for yard. Deputies shall mark the yard roster as inmates file out of the pod and are identified by their armband. The roster printout will not reflect yard restrictions. The floor deputy is responsible for ensuring that only authorized inmates are permitted to go to the yard.
 - 3. Inmates shall be searched randomly going to and from the yard.
 - 4. The yard deputy shall be in the area that is secure from direct inmate contact before the inmates enter the yard.
 - 5. The housing deputies shall escort the inmates to the yard. One housing deputy shall walk across the yard and give the yard deputy the yard roster. The yard deputy shall verify that the count is correct before the housing deputy leaves the yard.
 - 6. Five minutes before the end of the exercise period, the yard deputy shall advise the housing deputies that the inmates are ready to return to their housing unit.
 - 7. Two deputies shall escort inmates off of the yard. One deputy shall remain at the top of the stairwell and count inmates as they file down the stairs. One deputy shall remain at the bottom of the stairs to observe inmate movement.
 - 8. Deputies shall conduct a final headcount as inmates file through the entrance door to their housing unit.
 - 9. Deputies shall immediately notify the on-duty sergeant whenever a count is not correct. The on-duty sergeant shall secure the jail and initiate a search for the missing inmate.
- H. Dorm Exercise Yards
- 1. The dorm-housing deputy shall conduct the security checks as described in Section 1116.01.B.

2. Dorm yards will be opened after the 0800 hour head count and dorm clean-up is complete. The yard will be closed no later than sundown.
3. Dorm yards shall be closed on Saturday and Sunday due to visiting.

I. Isolation Exercise Yard

1. The daytime sergeant shall schedule yard for inmates housed in the isolation cells. The sergeant shall ensure that only compatible inmates are exercised together.
2. The E-Dorm yard shall be used to exercise inmates in isolation. Deputies shall secure the door to the E dorm-housing unit.
3. Two deputies shall escort inmates housed in isolation to the yard. One deputy shall observe yard activity from the interior of E-Dorm.

J. Rehabilitation Center Exercise Yards

1. The daytime Rehab. Sergeant shall schedule the exercise yard for inmates housed at the Rehabilitation Center.
2. The exercise deputy shall conduct a security inspection as described in Section 1116.01.B.
3. The exercise deputy shall collect volleyballs from the roof and surrounding at the beginning of the day before beginning yard.
4. When conducting B/C wing yard, the yard deputy shall be stationed at the post outside the yard before the inmates enter the yard.
5. The maximum number of inmates allowed on the B/C wing yard is 30. The B & C Wing deputy shall count inmates going out to the yard and confirm his count with the yard deputy. The B & C-Wing Deputy shall count inmates returning from the yard and ensure the yard door is secure after yard exercise is over.

1116.02 *Religious Programs*

- A. The Jail Chaplain provides for the religious needs of inmates in the Jail and Rehabilitation Center.
1. The Chaplain is authorized to recruit assistance from local faith communities. The Chaplain shall develop and provide appropriate volunteer training to ensure volunteers understand security concerns, limitations and scope of services to be rendered.
 2. Inmates may contact the Jail Chaplain by submitting a request in writing. Inmate requests shall be placed in the Chaplain's mailbox.
 3. Persons interested in becoming a religious volunteer shall submit a Volunteer Referral application form to the Jail Chaplain. The Jail Chaplain shall verify the volunteer's affiliation with a recognized church and determine the person's ability to conduct religious services. Religious volunteers shall complete an orientation class provided by the Jail Chaplain.

- B. The Chaplain shall prepare a schedule of religious services for each housing section. A Program Binder, located in the lobby and in Control 5, lists the day and time for religious service by housing unit.
1. The Chaplain shall maintain and update the schedule of religious services in the Program Binder.
 2. The Program Binder shall contain a list of authorized volunteers. The Chief's secretary shall maintain and update the list of authorized volunteers.
- C. Religious Clergy shall be ordained or licensed ministers.
1. The Jail Chaplain shall approve all religious clergy who are eligible for contact visits.
 2. The Jail Chaplain shall list the authorized clergy's name and the name of the church in the Clergy Box located in the jail lobby and in Control #5.
 3. Clergy not listed in the clergy box shall not receive a contact visit unless a Facility Commander or the Captain has given prior approval. Clergy not authorized contact visits may use the non-contact visiting room.
 4. Clergy who are not listed in the clergy box shall be advised they must contact the Chaplain to obtain a clearance.
 5. Contact visits shall be held in the attorney rooms of each facility.
 6. Clergy are prohibited from using clergy privileges to visit members of their own family.
 7. Clergy shall not bring other people with them for contact visits.
 8. Clergy shall not give Bibles or other articles to inmates during visits, nor shall they leave these materials for the Chaplain to pass on to the inmates.
 9. Religious volunteers shall not be admitted for individual inmate contact visits if they are not listed in the clergy box. Religious volunteers who are not clergy may visit individual inmates as a visitor on visiting day.

1116.03 *Volunteers in the Custody Operations Bureau*

- A. The work of volunteers is a valued component of inmate programs offered in the Custody Operations Bureau. Volunteers provide rehabilitative services and represent a significant savings to the Bureau by providing services on a voluntary basis.
- B. Only persons who have completed a background and have been placed on the Program Roster are authorized to enter the facility as a volunteer.
- C. Persons desiring to become a volunteer in the Custody Operations Bureau shall complete a personal history background check in accordance with Monterey County Sheriff's Manual Sections 316.03 (a) and 316.10 (d). The Chief Deputy of Custody Operations, or his designee, shall review the volunteer's personal history investigation and approve all volunteer clearances.
 1. Volunteers shall complete the Monterey County Sheriff's Office Custody Operations Bureau Volunteer Referral form and obtain the written approval of the program coordinator (e.g., N.A., Chaplain, etc.). Applications shall be forwarded to the Inmate Services Sergeant for review. The Inmate Services Sergeant shall make an appointment

with the applicant for photo, prints and background interview. The Support Services Commander shall review all volunteer backgrounds for final approval.

2. Volunteers clearances shall not be issued to individuals who have been incarcerated in a county jail or penal institution or on probation or parole within the past two years, or who have a close association with a gang member or anyone involved in illegal activity.
 3. Volunteers shall possess a California Identification Card or California Driver's License.
 4. Volunteers shall read and sign a Hostage Policy and Search Informed Consent Release that shall be retained in the Background file.
 5. Only volunteers involved in programs that consist of academic or vocational courses, exercise and recreation, individual, family and/or social service programs and religious services shall be approved for clearance.
- D. Volunteers shall renew their clearance annually. The Chief's secretary shall send out renewal notices to each Program Coordinator. Program Coordinators shall be responsible for notifying program volunteers. Volunteers who do not return the renewal form shall be removed from the active volunteer list.
- E. Volunteers shall obtain an access badge and sign the Building Access Log. Volunteers shall present either a California Identification Card or California Driver's License in order to obtain building access and an access badge. (Reference Sheriff's Manual Section 317).
- F. The Inmate Services Sergeant is in charge of inmate programs. Problems with non-religious persons or groups shall be reported to the Inmate Services Sergeant. Problems with individual clergy or religious volunteers shall be reported in writing to both the Inmate Services Sergeant and the Jail Chaplain.

1116.04 *Commissary.*

- A. Commissary items such as toiletries, stationary and snack foods may be ordered once per week.
1. Inmates must have the funds on their account at the time the order is processed.
 2. Inmates must fill out the order form completely, including their full name, booking number, housing location, and signature. Incomplete forms shall not be processed.
 3. Completed commissary forms shall be picked up by the housing deputies as scheduled, and placed in the commissary box in the lobby.
- B. Commissary is distributed on Monday, Tuesday and Wednesday depending on the housing unit. Make-up commissary is delivered on Thursday. Deputies shall distribute commissary order forms the day before the scheduled delivery.
- C. Deputies shall provide security to the commissary employees during commissary delivery.
- D. Commissary employees shall inventory each inmate order in the presence of the inmate.
1. Commissary employees shall verify inmates by their identification wristband. Inmates without a wristband shall not receive commissary.

2. Commissary employees shall verify the contents of the inmate commissary bag and have the inmate sign the commissary receipt.
 3. The contract commissary provider shall handle shortages and apply credits, as appropriate.
- E. Complaints regarding commissary shall be directed to the contract commissary provider or to the Custody Support Commander.
- F. Inmates released from custody before commissary delivery shall be advised to contact the Jail on the following Tuesday to obtain a refund. Employees shall release the funds after verifying the identity of the former inmate entitled to the funds.
1. Inmates shall have one year within which to pick up money left in their account after release. After one year this money will be placed into the General Fund pursuant to Government Code 26642.
 2. The second watch corrections specialist supervisor shall notify inmates of uncollected refunds at the end of each calendar year. The supervisor shall maintain an audit trail of all notifications and disbursements.
- G. Indigent inmates (\$1.00 or less on their account) may receive a free care package. The inmate must ask commissary staff for a care package at the time commissary is delivered in the housing unit. A computer-generated report identifies inmates who are eligible for a care package. A care packet consists of one toothbrush, one toothpaste, one comb, two bars of soap, a disposable razor (if permitted), four sheets of writing paper, two envelopes and one pencil. Care packages are handed out with the inmate commissary.
- H. Inmates on disciplinary restriction (DAR) may purchase a DAR package. Inmates on disciplinary restriction may mail two personal letters free of charge through the jail mailroom.
- I. Inmates are responsible for keeping track of their account balance. This information is provided on their cash on books receipts, their last commissary receipt, or their booking sheet if no commissary has been ordered before.

1116.05 *Inmate Welfare Fund*

- A. The Inmate Welfare Fund is comprised of all monies and property accrued through the profits from commissary and the pay phones. In accordance with Penal Code Sections 4025 and 4026, profits shall be deposited in the Inmate Welfare Fund and expended by the Sheriff, based on recommendations of the Inmate Welfare Fund Committee, for the benefit of education, welfare of the inmates confined within the facilities, and the maintenance of facilities.
- B. The Inmate Welfare Fund Committee shall consist of the following:
1. Chief Deputy, Custody Operations Bureau – Chairman.
 2. Captain.²
 3. Support Services Commander.
 4. Inmate Services Sergeant.

² The Captain's position at the jail has been eliminated in the last round of staff cuts.

5. Librarian, Custody Operations Bureau.
 6. Rehabilitation Facility Educational Director.
 7. Jail Chaplain.
 8. Public member from the community.
- C. Rules of Order
1. The Inmate Welfare Fund Committee shall review and approve expenditures and examine accounting practices and procedures.
 2. A quorum of four (4) voting Committee members is necessary to transact business.
 3. The Chairman shall schedule Inmate Welfare Fund Committee meetings on a quarterly basis. Special meetings may be called when deemed necessary by the Chairman.
 4. The Chief's secretary shall take minutes of each meeting. A copy shall be forwarded to the Fiscal Division and the Sheriff.
- D. Guidelines for Inmate Welfare Fund Expenditures.
1. Capital items (\$500.00 or more in unit price with a useful life of three years or more) must be authorized by the Inmate Welfare Fund Committee and approved by the Inmate Welfare Fund Chairman.
 2. Expenditures in excess of \$1,000.00 shall be reviewed by the Inmate Welfare Fund Committee and approved by the Inmate Welfare Fund Chairman.
 3. The Support Services Commander shall approve routine replacement and purchases of equipment and supplies.
 4. The Inmate Welfare Fund is authorized to provide indigent inmates (those inmates defined as having \$1.00 or less on their books) with a bus ticket for transportation back to the area of residence outside the county, and for clothing if the inmate does not have civilian clothing and has no means to have clothing brought in at the time of release.
 5. Final approval of all Inmate Welfare Fund expenditures will be made by the Sheriff or Undersheriff.
- E. Revenue from the Inmate Welfare Fund shall be deposited with the Treasurer of Monterey County who shall deposit, invest, or re-invest any part of the Fund in excess of that deemed necessary for the day-to-day operation. The interest accrued on such fund shall be deposited in the Inmate Welfare Fund.
- F. The Support Services Commander shall be responsible for Inmate Welfare Fund Property purchased by/for Custody Operations.
- G. The Inmate Welfare Fund shall be audited regularly to ensure compliance with standard accounting principals and practices. A copy of this report shall be posted in each facility and be made available to the public and to inmates.

1116.06 *Sheriff's Passes*

- A. Penal Code Section 4018.6 authorizes the Sheriff to grant a temporary release from custody. The following guidelines shall be considered in the granting of passes in the Monterey County Sheriff's Custody Operations Bureau.
1. The inmate must be sentenced to the County Jail and have no outstanding holds, Parole Holds, domestic violence charges, or disciplinaries.
 2. Family emergencies may be considered as: life-threatening illness or death of an immediate family member (i.e. father, mother, sister, brother, spouse by marriage, child by marriage).
 3. An inmate needing medical or dental care that cannot be provided by the Jail Facility or Natividad Medical Center, with the review and recommendation of the jail physician, may be granted a pass to see their personal physician at their own expense (4011PC). In the event that the inmate does not meet the criteria for a pass but requests to see their own doctor, the inmate shall agree to pay for the cost of transportation and place a sufficient amount of money on their books to cover the costs of the escort deputy and the transportation vehicle. Doctor fees are the inmate's responsibility.
 4. The Bureau Administrative Commander approves all passes up to eight hours.
 5. Passes will not be granted for travel outside the county of Monterey absent exigent circumstances.
- B. The procedure for requesting a Sheriff's Pass is as follows:
1. The pass request (SO Form 135) shall be completed by the inmate and given to the Control 5 deputy at the Rehab Facility or the Desk Deputy/Corrections Specialist at the Jail. The Control Deputy or the Desk Deputy/Corrections Specialist shall verify that the inmate lists a reason for the pass. The inmate's charges, sentence, disciplinary problems, and outdate shall be noted on the pass form and forwarded to the Bureau Administrative Commander.
 2. If the pass request is for medical reasons, it shall be reviewed by the Jail Physician or his representative prior to being submitted to the Bureau Administrative Commander for review.
 3. The Bureau Administrative Commander shall approve/disapprove the pass, and sign and distribute the pass form.
 4. The releasing deputy/specialist shall advise the inmate of the pass conditions and require the inmate to sign the agreement. A copy shall be given to the inmate.
 5. The releasing deputy/specialist shall list the clothing that the inmate is wearing on the pass form. The name and valid drivers license of the inmate's driver shall be written on the pass form.
 6. When the inmate returns from pass, the clothing worn shall be compared with what was written down at release. Any changes shall be noted on the pass form and the changes entered on the inmate's original booking sheet in the lobby and in CJIS. The date and time that the inmate returned shall be written on the pass form. The original of the completed pass form shall be filed in the inmate's file and a copy shall be sent to the Bureau Administrative Commander.

7. Medications the inmate brings back from pass shall be picked up by the medical staff in the lobby before the inmate is processed back in.
8. If an inmate fails to return, escape charges shall be filed. If the pass is a court-ordered pass, a memorandum shall be sent to the judge who ordered the pass. Copies of this memo shall be placed in the inmate's file and sent to the Bureau Captain.

1116.07 *Inmate Marriages*

- A. Inmates wishing to be married while in jail must write the Jail Chaplain for a marriage package. The package includes instructions and an Affidavit re Marriage.
 1. The Affidavit re. Marriage shall be signed and dated by the inmate, licensed minister and the prospective spouse.
 2. After the inmate is sentenced to state prison on the local charges, the inmate shall submit the marriage documents to the Administrative Commander for approval. If approved, the affidavit must be picked up and presented to the County Clerk for a marriage license. (The County Clerk requires the presence of the minister listed on the affidavit.)
 3. Once the required documentation is in order, the Administrative Commander will call the prospective spouse for the date, time, and location of the ceremony. Only one person, a required witness, may attend. Cameras and flowers are prohibited. Potential spouses are advised that rings shall not be exchanged nor brought into the facility.
 4. Same sex marriages shall not be authorized.
- B. To qualify for a marriage while incarcerated, an inmate must be sentenced to state prison on his local charges and meet the following pre-requisites:
 1. He/she must be financially responsible for all costs incurred due to marriage, i.e. filing fee, marriage license, minister, blood tests, etc.
 2. The prospective spouse must be at least eighteen years of age.
 3. He/she must establish a sound reason for the marriage.
 4. He/she shall not have any spousal or child abuse charges.
 5. He/she is disciplinary free.
 6. Inmates returning to prison on parole charges shall not qualify.
- C. The Jail Chaplain shall not officiate or participate in marriage ceremonies.

Monterey County Courthouse
240 Church Street
Salinas, CA 93901

Attorney for the Defendant:

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF MONTEREY

PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff) No. _____ vs. AFFIDAVIT re MARRIAGE)

Defendant,)

_____, under penalty of perjury declares:

(Minister)

1. That at all times herein mentioned he was, and now is a licensed minister of the _____ Church, authorized by law to perform marriages and to solemnize a marriage between unmarried persons living together as man and wife;
2. That _____ (inmate) is physically unable to appear in person before the County Clerk, the clerk of the court, or a judge in private chambers because he is incarcerated in the Monterey County Jail. I declare under penalty of perjury that the foregoing is true of my own knowledge, except as to those matters that are stated on information and belief, and as to those matters, I believe them to be true.

Executed at Salinas, California, on _____ (Date)

X _____
(Licensed Minister Signature)

_____ (Church)

As the representative of Sheriff Michael Kasalakis, I do hereby approve this application for marriage.

Executed at Salinas, California, on _____ (Date)
(Administrative Commissioner)

I, the undersigned, do HEREBY DECLARE UNDER PENALTY OF PERJURY that I have read the foregoing and know the contents thereof; that the same is true of my own knowledge except as to those matters therein stated on information and belief and as to those matters I do believe the same to be true and I desire to marry

(Name of Inmate)

Executed at Salinas, California, on _____ (Date)

X _____
(Signature)

I, the undersigned, do HEREBY DECLARE UNDER PENALTY OF PERJURY that I have read the foregoing and know the contents thereof; that the same is true of my knowledge except as to those matters therein stated on information and belief and as to those matters I do believe the same to be true and I desire to marry

_____ (Prospective Spouse)
X _____
(Signature of Inmate)

1116.08 *News Media Interviews with Inmates*

- A. News media representatives may be allowed to interview or photograph inmates subject to the following conditions:
1. No interviews shall be permitted with inmates randomly encountered in the course of an institutional activity or visit. No inmates shall be selected at random for interviews.
 2. Sentenced inmates, who have no other charges pending may be interviewed; however, it is recommended the media visit during regular visiting hours under the usual visiting rules.
 3. Pre-trial detainees and sentenced inmates with pending charges may be interviewed and photographed subject to the following conditions:
 - a. The news media representative shall make a request to the Administrative Commander at least three business days prior to the actual interview.
 - b. After receiving the request, the Administrative Commander shall contact the inmate to determine if he or she wishes to voluntarily agree to the interview. If so, the inmate shall complete INMATE-MEDIA CONSENT/RELEASE Form (SO Form 162). The original shall be maintained by the Sheriff's Office and a copy given to the news media representative.
 - c. The inmate shall sign a separate SO Form 162 for each interview.
 - d. The news media representative shall obtain and submit to the Sheriff's Office or their representative, a written consent from the inmate's attorney of record. The inmate's attorney shall be given an opportunity to be present at the interview to ensure that their client's case is not prejudiced. The attorney's written consent shall indicate whether or not he intends to be present. If the inmate is a co-defendant, a copy of the attorney's written consent shall be sent to the other defendant(s) and their attorney of record.
 - e. If the court has issued a gag order, written authorization and consent must be obtained from the court.
- B. All interviews shall be conducted under such conditions as the Facility Commander may deem appropriate, including restrictions as to time, place and length of interview, size of film crew, and any other factors related to the interview. News media may be required to reimburse the County for costs of supervision, or any security arrangements deemed necessary.
- C. Interviews with inmates shall be prohibited when the Sheriff believes the interview would jeopardize the safety and peaceful order of the jail, or when such interviews would be detrimental to the welfare and best interest of the inmate. Interviews with inmates who are psychiatrically diagnosed as psychotic are prohibited. Interviews and photographs of inmates in physical restraint are prohibited without specific approval of the Sheriff.

NEWS MEDIA REPRESENTATIVE REQUEST FOR INTERVIEW AND RELEASE FORM

I request an interview with _____, who is now in the custody of the _____ (Inmate's Name) MONTEREY COUNTY SHERIFF. In consideration for the issuance of a Sheriff's Office press pass and the authorization to enter the premises of the Monterey County Adult Detention and Rehabilitation Facilities and there to take still or motion pictures, video tapings, sound recordings, interview inmates, or any of the foregoing, the undersigned, for themselves and for the news media they represents, their heirs, executors, administrators and assigns, hereby agrees as follows:

1. To release and hold harmless the County of Monterey, the Sheriff of Monterey County, and the Monterey County Sheriff's Office, and each and all of their deputies, employees, or agents from any and all liability, claims, or damages from death, harm, or injury, to person or property, incurred in or in any way resulting from the aforesaid entry or activities, or any of them.
2. To reimburse for property damage, and for the cost of any litigation, or either of them, the County of Monterey, the Sheriff of Monterey County, and the Monterey County Sheriff's Office, and each and all of their deputies, employees, or agents, from or resulting or arising out of the aforesaid entry to activities, or any of them.
3. To abide by the rules and regulations established for news media access to Monterey County Adult Detention and Rehabilitation Facilities, a copy of which has been read by the undersigned.
4. To a search of his person and equipment before, during, and after the aforesaid entry or activities, or any of them.
5. To give the Sheriff of Monterey County, the Sheriff's Office, or any of their deputies, employees, or agents against whom allegations are made by an inmate interviewed, a reasonable opportunity to respond.
6. To provide no compensation, either direct or indirect, to the inmate or his or her family for any interview or correspondence; and to respect the rights of privacy of all inmates.

The undersigned acknowledges that:

1. The Monterey County Sheriff's Office may limit, restrict, terminate or forbid touring, filming, taping, or recording at the Monterey County Adult Detention and Rehabilitation Facilities, as provided in news media access rules.
2. The Monterey County Sheriff's Office does not permit inmates or others to use hostages to escape from custody or otherwise interfere with orderly institutional operations. The Sheriff's Office does not recognize hostages for bargaining purposes.

NEWS MEDIA AGENCY:

APPROVED BY:

REPRESENTATIVE:

(Sheriff's Representative)

DATE: _____

INMATE-MEDIA CONSENT / RELEASE FORM

I, _____, have been informed that still or motion pictures, video tapings, voice
(Inmate's Name)

recordings, and/or interviews have been requested of me by

_____ who represents _____
(News Media Representative) (News Media Agency)

I understand that said still or motion pictures films, video tapings, voice recordings, and/or interviews may be for commercial or non-commercial distribution and transmission to the general public, and I hereby fully and forever release, acquit, and discharge to County of Monterey, the Sheriff of Monterey County, the Monterey County Sheriff's Office, and all of their deputies, employees, or agents from any and all liability which may accrue on account of any and all claims or causes of action which in any way arise from my participation in said still or motion pictures, video tapings, voice recordings, and/or interviews are concerned.

I further declare that I fully understand the terms of this release and that I have voluntarily and without duress entered into and signed the same. I have been advised that I do not have to consent to or participate in any way in said films, video tapings, voice recordings, and/or interviews.

My attorney of record is _____
(Attorney's Name)

_____ (Attorney's Business Address) _____ (Attorney's Telephone Number)

The court having jurisdiction of my case is:

Date: _____ (Inmate Signature)

WITNESSED BY:

_____ (Sheriff's Office Representative)

SO 162

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1116.09 *Visiting Procedures*

A. *Visitor Requirements*

1. Visitors must provide proper valid identification (i.e., driver's license, identification card, Military ID, passport, Matricula Consular ID Card, or any other identification with a photograph attached). This identification may vary widely and deputies shall be reasonable in interpreting what may constitute "valid" identification. The purpose of this requirement is not to prevent visits but to ensure security. Unacceptable IDs are Social Security cards, bank cashing cards, student ID cards, or other unofficial identification.
 2. Visiting Form (SO Form 155) shall be completed by the visitor for each inmate visited.
 3. The visitor information from the visiting cards shall be entered into CJIS by the visiting deputy either during visiting or immediately after visiting at the jail. At Rehab, entries shall be completed by the hallway deputy on the same evening as visiting occurred. The visiting card shall then be disposed of.
 - a. Deputies assigned to outside visiting posts shall be armed.
 4. Each inmate is allowed a minimum of one hour of visiting per week. This time may be divided among different visitors. One child and one adult are allowed in the secured visiting rooms at one time. A total of four visitors are allowed during contact visits at one time. This includes adults and/or children. It is the responsibility of the visitors to monitor their time in allowing all visitors an opportunity to visit with the inmate.
 5. Cameras, tape recorders, cellular phones and other electronic devices are prohibited and may be confiscated. A memo and property receipt (SO 59) of confiscated items shall be forwarded to the Facility Commander.
- B. Visiting schedules change to accommodate the needs of the facility. For current visiting schedules, see the schedules posted throughout the facility. The day of the week and time of visiting for each housing unit will be posted within each respective housing area.
- C. Visiting Procedures for Inmates Housed in the Infirmary (during scheduled visiting time):
1. If the inmate can leave the Infirmary, visits shall be in the non-contact visiting room.
 2. If the inmate cannot leave the Infirmary (and there is no medical reason for not receiving visitors (i.e. contagious diseases or security risk), the Team Commander will review the possibility of having the family visit in the infirmary. If approved, the following restrictions apply:
 - a. Adults only.
 - b. Must be members of the immediate family.
 - c. Must meet visitor requirements as listed in Sections 1116.09 A.
 - d. Visitors shall be limited to one person at a time and shall not be authorized to take extra items (e.g. purses or coats) with them.

D. *Visiting Procedures for Inmates Housed in the Hospital*

1. Inmates housed at the hospital not under the security of a deputy or contract security guard shall be allowed visitation under the policy of regular patient visiting at the hospital.
2. Inmates housed at the hospital under security of a deputy or contract security guard shall be allowed visiting under the jail regulations and guidelines set forth in Procedures for Guards at Hospitals (Section 1119.07).

E. *Rules for Visiting*

1. Main Jail inmates shall be allowed one sixty minute visit per week. Rehab Mainline sentenced inmates, E Dorm, D-Wing and sentenced women inmates shall be allowed a minimum of one hour contact visit per week. (Sentenced women inmates are housed in U-Pod and Q-Pod.)
2. An inmate may refuse to see a visitor.
3. A visitor may only visit one inmate at a time except when visitors are visiting inmates who are immediate family members and housed in an area that has outside visiting.
4. All visitors shall wear appropriate attire. Visitors shall wear shoes or sandals. Visitors shall be fully clothed. Shorts or skirts shall not expose more than mid-thigh. This includes slits in the garments. Buttons and zippers shall remain fastened. Persons attempting to visit with the following types of clothing will be prohibited from visiting:
 - a. Transparent clothing, tank tops or short shorts.
 - b. Strapless, halter, spaghetti straps or bare midriff clothing.
 - c. Attire displaying obscene or offensive language or drawings.
 - d. Skin tight clothing.
 - e. Articles of clothing that could be deemed gang colors, including but not limited to ball caps, belts, bandanas, shoes, etc.).
5. Any person under 18 years of age (unless married to an inmate) must be accompanied by a parent or legal guardian. It is the responsibility of the visitors to provide proof of their relationship to the satisfaction of the jail staff. Persons under the age of 18 that are married to an inmate must provide proof of emancipation in order to secure a visit without being accompanied by an adult.
6. Bringing firearms, explosives, alcoholic beverages, narcotics or any controlled substances including marijuana into the facility or on facility grounds is a crime and cause for arrest.
7. Visitors under the influence of alcohol or drugs shall be denied visiting and subject to arrest.
8. Persons who are unwilling or unable to control their minor children while in the facility shall not be allowed to visit or if visiting, will be requested to leave.
9. Visitors who are causing a disturbance shall be required to leave the facility and shall be denied access for that day.

10. Visitors shall not give anything to or take anything from an inmate without prior approval of the Watch Supervisor.
11. After visits, inmates shall be subject to search as deemed appropriate.
12. Violation of visiting rules and regulations by an inmate shall be dealt with in accordance with policy.
13. Violation of visiting rules, regulations, and procedures by a visitor shall result in the termination of the visit and removal from the facility. For severe violations, the Facility Captain shall be notified for review of visiting eligibility in the future.
14. Inmates of both facilities who are allowed contact visits shall only be allowed to make body contact by a short embrace at the beginning and at the end of visit. Holding of hands during visiting is permitted. Any other type of behavior shall result in termination of the visit and a disciplinary. Inmates shall sit on one side of the table while their visitors sit on the other side.
15. Any criminal conduct by a visitor or active warrant may result in arrest.
16. If a visitor leaves the visiting area, they shall not be allowed to return and continue the visit.
17. Smoking, chewing tobacco and gum are prohibited during visiting.
18. The drinking fountain and public bathrooms may only be used by visitors, and are off limits to inmates.
19. Visiting is a right guaranteed by Minimum Standards. Outside contact visiting is a privilege and not a right. Visits may be terminated for violations of any visiting rule, and may result in a Disciplinary Action Report. The DAR may result in the loss of one or all of the following:
 - a. Temporary or permanent loss of outside contact visits.
 - b. Loss of good time/work time credits.

F. Search of Visitors

1. When there is a reasonable suspicion that a visitor may be concealing contraband, probable cause to justify a search shall be submitted in writing to the Facility Captain or Team Commander. Upon approval of the strip search, the following steps shall be taken:
 - a. The Deputy shall advise the visitor that they shall not be allowed to enter the facility or grounds for a visit without submitting to an unclothed search.
 - b. The deputy shall advise the visitor of their right to refuse an unclothed search.
 - c. In the event the visitor refuses the search, the visitor shall be allowed to leave the facility, losing the visiting privilege on that date only.
 - d. In the event the visitor agrees to the unclothed search, the visitor shall be required to sign a Consent to Search form.

2. A memorandum shall be written by the deputy conducting the search of the visitor indicating not only the reason for the search, but what, if anything, is found. The Consent to Search form shall be attached with the incident report and forwarded to the Team Commander.

G. *Special Visits*

1. The Watch Supervisor MAY approve a special visit for persons who have traveled from out of county and arrive before or after regular scheduled visiting hours. This is a one-time authorization. The visitor shall be informed that any future visits shall be at the prescribed times.
2. The Facility Captain may approve a special visit for any unforeseen circumstances that arise which preclude a person from visiting during regular hours or using regular visiting facilities.
3. A cursory pat search may be conducted with the permission of the visitor.
4. All visitors are required to satisfactorily clear the metal detector prior to being authorized to visit.

H. *Intra-Jail Visiting*

1. Intra-jail visiting is granted to inmates who meet the following requirements.
 - a. Inmates must be legally married to each other. It is the responsibility of the inmates to provide proof of their marriage. This policy does not include common law marriages.
 - b. Both inmates must have been in custody over 30 consecutive days in the Monterey County Jail.
 - c. To be eligible, inmates shall not have any in-custody incidents, disciplinary action reports, or crime reports during the previous 30-day period.
2. Rules for intra-jail visiting:
 - a. Request must be in writing to the Administrative Commander.
 - b. A maximum of one intra-jail visit shall be authorized during any four week period.
 - c. The visit shall not exceed thirty minutes.
 - d. Intra-jail visiting shall be held on Wednesday evening between 6:00 p.m. and 7:00 p.m. (NOTE: contact visits are not authorized.)
 - e. Inmates who have been denied an intra-jail visit may re-apply if they later become eligible.
 - f. Any incident/crime report/D.A.R. on either inmate after an intra-jail visit has been approved shall cause the intra-jail visit to be canceled.

1116.10 *Procedures for Use of the Attorney Visiting Rooms*

- A. Attorney rooms are available for official visits with inmates by attorneys, probation officers, social workers, investigators, etc., at any time
- B. Official visitors shall sign the Inmate Visitor Log located in the lobby. The Correction Specialist assigned to the lobby shall enter all official visits into CJIS as a permanent record. The Inmate Visitor Log shall be retained by the Corrections Supervisor assigned to First Watch for 30 days, after which time it shall be given to the Support Services Commander for filing.

- C. The employee assigned to the Lobby shall verify the identity of the official visitor prior to admittance into the attorney rooms. Official visitors shall be prepared to show identification to validate their official status if they are not known. If an attorney does not have the necessary identification in their possession, every attempt shall be made to establish proper identification by phone or other methods available so as not to hinder an authorized visit.
- D. If the official visit is for a female inmate, the visitor shall wait between N103 and N104 until a deputy can escort them into the Women's Section. Control 3 shall advise the floor deputy of the visit. The deputy shall ensure that the inmate is secured in the attorney visiting room.
- E. If the official visit is for an inmate in the Men's Section, the lobby employee shall advise Control 1 to admit the official visitor into the Men's attorney rooms.
- F. Lobby personnel shall notify Control 8 of the inmate's name and location. Control 8 shall notify the appropriate housing deputy to have the inmate brought to the attorney room.
- G. Interviews shall take place in the attorney visiting rooms on a first come/first serve basis. If the attorney visiting rooms are full, visitors may be offered the use of the regular visiting area (on a non-contact basis) or wait until an attorney visiting room is available.
- H. Security Assessment Precautions: Attorneys or other official visitors may request the inmate be restrained during the visit. Justification for the request shall be based upon their knowledge of the inmate's history, conduct, or potential for violence.
 - 1. No inmate shall be unnecessarily restrained.
 - 2. Restraints shall be selectively applied only to inmates who have a history of violence/acting out, or whom the attorney has a reasonable belief may become violent or act out in a harmful manner during the visit.
 - 3. Deputies shall brief the attorney or other official visitor when they know the inmate is exhibiting signs of violence or there are potential risks to the visitor's personal safety.
 - 4. Attorneys or other official visitors shall complete a Request for Restraint form, stating the reasons for restraining the inmate. The form shall be signed by the requestor and filed in the inmate file.
 - 5. Restraint options:
 - a. *Unrestrained* - The inmate is brought to the attorney visiting room without restraints and will be locked in the room with the attorney.
 - b. *Restrained* - The inmate is locked in the attorney room in restraints. Restraints may include wall shackle, handcuffs, leg irons, belly-chain, or a combination thereof. The least amount of restraint possible should be used based on the circumstances of each visit.
 - c. *Non-contact* - Conversations are through the telephone. A pass-through is available for paperwork the inmate needs to sign.
 - d. *Deputy presence* - Upon special arrangements, a deputy will be present inside the room. This is only for extremely violent persons and when

confidentiality has been waived. The attorney and the inmate shall first provide a signed waiver.

I. Communication Equipment

1. *Telephone* - Attorney rooms are equipped with a wall-mounted telephone. When the phone receiver is picked up, it automatically rings into control 1 or control 3, depending on the location of the attorney room. The deputy will answer the telephone as soon as possible. If control does not pick up the phone within seven rings, and there is not an emergency, the official visitor should hang up the receiver and try again.
 - a. The telephone is not considered a part of the emergency equipment. However, if the receiver is knocked off of the phone, and no voice contact is made, the appropriate Control will radio for deputies to respond to the attorney room to investigate.
 - b. Phone extension #5550 in Control #8 is reserved for calls from the attorney rooms. This phone shall not be used for routine calls.
2. *Silver push button* - (located by the door frame). This is an emergency alarm. It rings directly into Control #1. When depressed, a light flashes above the attorney room door. When depressed, deputies shall respond to the attorney room immediately. This feature is not available in the Women's Section.
3. *Duress alarm (red button)* - This is the primary emergency alarm. A red button is located on the wall beside the table, and on the back wall. It rings directly into Control. Deputies shall respond immediately on an emergency status.

J. Security and Safety Issues

1. In the Men's Section, the official visitor shall sit on the door side of the table, and the inmate on the far side of the table. The visitor is to be next to the duress alarm mounted on the wall next to the table.
2. In the Women's Section, the attorney shall sit against the far wall, with the inmate closest to the door as the duress alarm is located on the far wall. All chairs in the interview rooms shall be made of plastic.
3. The door to the attorney visiting room shall be locked when in use to prevent escapes.
4. Visitors must remain alert to signs of potential violence. They are encouraged to initiate emergency procedures when they feel uncomfortable.
5. Officials should request assistance if they become concerned for their safety. Rapid speech, an increase in voice volume, agitation, gesturing, clenching of hands, threats, etc. are signs of potential violence
6. The visitors should remain calm and try to diffuse the situation until deputies arrive.
7. The visitor should keep as much distance as possible from the inmate. Do not block the doorway of the room, as deputies will enter to take control.

8. When deputies arrive, the visitor needs to remain out of the way so that deputies may control the situation.
9. Injuries shall be reported to the Watch Supervisor and to the employer.
10. The Monterey County Sheriff's Office has a no hostage policy.

K. Emergency Response

1. Control 1 shall notify deputies of an emergency situation whenever the alarms are depressed (refer to Communication Equipment - Section 1116.10 (J) above)
2. First responders to the Men's Section/Attorney Visiting Rooms shall include the K-Pod housing deputy, one dorm deputy, and one receiving deputy. Emergency responders to the Women's Section Attorney Visiting Rooms shall include the two Women's Section deputies and the K-Pod housing deputy. Emergency responders shall obtain control, secure and remove the inmate from the area if necessary and advise status via the radio.
3. Secondary responders include other available personnel until such time as a Code 4 is received. The responsibility of second responders is as follows:
 - a. Secure the scene pending further investigation.
 - b. Ascertain the status of the visitor and respond to any medical needs.
 - c. Obtain a list of all witnesses.
 - d. Other duties as directed by the watch supervisor.

L. Incident Investigation and Follow-up

1. The Receiving Sergeant shall respond to the attorney visiting room and take charge of the investigation. He/she shall determine whether or not to call the Investigations Division. The supervisor shall make notifications of the incident to include:
 - a. Victim's employer (if applicable)
 - b. Victim's family (upon request)
 - c. On-duty Commander
 - d. Captain
 - e. Chief of the Custody Operations Bureau
2. The receiving sergeant shall ensure that all crime reports and other internal reports are completed.
3. The receiving sergeant shall complete an Injury Investigation Report (SO 100 ADM) in accordance with the Department's Injury and Illness Prevention Program. Worker's Compensation documents are the responsibility of the victim's employer.

1116.11 *Rules for Attorneys, Investigators, and Legal Assistants.*

- A. Attorneys, law firms, and legal assistance agencies shall be responsible for the actions of their investigators, law students, and legal assistants.
- B. Investigators shall be authorized to visit inmates. Investigators include:
 1. Law enforcement officers.

2. Investigators for the District Attorney and Public Defender's Office.
3. Private Investigators who are licensed pursuant to provisions of the California Business and Professions Code.
- C. Legal Assistants - A law firm or legal assistance agency may designate other individuals to aid them in the legal representation of inmates. The category of "Legal Assistant" includes those persons called "Legal Worker" or "Paralegals" and includes non-certified law students and non-licensed investigators.
- D. An attorney may appoint two persons as Legal Assistants. The firm or agency shall notify the Custody Operations Bureau in writing of designated individuals.
- E. Persons not designated in the foregoing classifications shall only be permitted to visit with the inmate during normal visiting hours in the visiting area used for regular visits in accordance with the rules relating to public visits with inmates.
- F. Interviews shall be for a bona fide purpose and are limited to the following:
 1. Interviews with clients represented by the attorneys.
 2. Interviews with the prospective client who has requested an interview with the attorney or his agent or which has been requested by the family of the inmate.
 3. Interviewing a witness relating to a case that an attorney is handling for another client.
- G. The following are rules violations:
 1. Communication with inmates other than the inmate indicated at the time of registration. Should another interview be necessary, the party shall notify the control deputy via telephone of the inmate's name. A deputy will respond to the interview room with the inmate requested.
 2. Unnecessary physical contact.
 3. Entrance into an unauthorized area.
 4. Failure to follow the instructions of the deputy.
 5. Disrespect to jail staff.
 6. Bringing contraband into the jail (4573.5, 4573.6, 4574 PC).
 7. Altering identification to gain entrance to the jail or allowing another person to utilize identification other than their own in order to gain access to the jail (4570.5 PC).
 8. Theft or damage to property (484, 4600 PC).
 9. Instituting or aiding in a disturbance in jail or a violation of jail rules (404.6 PC).
 10. Extorting money or favors from jail personnel or inmates (519 PC).
 11. Aiding in the escape or attempted escape of any inmate (4532 PC).

12. Providing weapons or information on weapons to any inmate (4574 PC).
13. Committing any act or aiding or abetting another in the commission of any act, which is in violation of law or jail regulations.
14. Attorneys or their representatives shall not solicit or advertise in the jail except as provided by the Business and Professions Code.
15. If an employee has reasonable suspicion that an attorney, investigator, or legal assistant has violated a rule of the institution, he/she shall bring the matter to the immediate attention of the on-duty sergeant. If justified, the on-duty sergeant shall meet with the employee and the accused party against whom the charge is lodged in an attempt to determine whether the allegation of a rule violation has occurred. The on-duty sergeant shall also seek information from other individuals who may have information relevant to the allegations.
 - a. Should the sergeant find probable cause to sustain the allegation of the rule violations, the party against whom the charges were lodged will be immediately barred from access to the jail.
 - b. The sergeant shall prepare a written report of the allegations, the investigation, and findings. The report shall immediately be forwarded to the on-duty Commander.
 - c. Upon receipt, the Commander shall send a copy of the report to the Captain. The Captain may conduct an independent investigation.
 - d. The Captain shall forward all documentation, along with his recommendations, to the Chief of the Custody Operations Bureau.
16. Use of cameras by attorneys, investigators, or legal assistants may be allowed with approval of the on-duty Commander. Tape recorders and cameras shall be inspected before being allowed into the Attorney Visiting Room.
17. All persons are subject to inspection of their persons and possessions (including but not limited to purses, brief cases, etc.) prior to entry into the attorney visiting room. "Strip" or "body" searches of the person may only be authorized when there is a reasonable suspicion that contraband may be present. Facts supporting the suspicion shall be in writing and approved by the on-duty sergeant prior to initiating a strip search. If an attorney refuses to submit to the strip search, he/she shall be allowed a non-contact visit. All documents shall be forwarded to the Facility Commander.
18. Attorneys shall not leave such items as pens, magazines, books, any metal objects, etc., with the inmate except by approval of the on-duty sergeant. Transcripts, copies of legal pleadings, police reports, or other legal paperwork regarding the inmate's case may be left with the inmate upon termination of the interview, but shall not contain paper clips or metal fasteners and shall be approved by the on-duty sergeant.
19. Deputies may inspect written material to be left with the inmate. Inspections shall be sufficient to meet the security needs of the facility and may include, but are not limited to, careful searches for metal or plastic objects and for signs of possible impregnation of paper with contraband substances. Deputies inspecting such written or printed material shall not read the contents thereof. Should the

material be read inadvertently, the information therein shall not be revealed, except upon order of the Superior Court.

20. If the deputy conducting the examination believes, upon reasonable suspicion, that the written or printed material is not regarding the inmates' case, or presents a threat to the security of the facility, he/she shall notify the attorney. The material shall be presented to the on-duty sergeant for full inspection, including reading. The attorney may withdraw the material from submission to the on-duty sergeant or accede to the review. If the examination by the sergeant is accomplished, the material shall only be read to the extent necessary to make a proper determination. Contents shall be kept in strict confidence unless release is ordered by the Superior Court.

21. Employees shall make every effort to handle visits as expeditiously as possible. Disputes or complaints regarding the procedures and policies outlined herein, shall be brought to the attention of the on-duty sergeant.

1116.12 *Voting Registration for Inmates*

- A. A person entitled to vote shall be a United States citizen, a resident of California, not in prison or on parole for the conviction of a felony, and at least 18 years of age at the time of the next election (2101 Elections Code).
- B. Persons not eligible to vote include:
 - 1. Parolees (C.D.C. and C.Y.A.)
 - 2. Persons certified mentally incompetent by the court
- C. An inmate who is eligible to vote and wishes an absentee voter registration may request the Bureau librarian to call the County Elections Department) for the necessary forms.
- D. Absentee voter registration forms shall be filled out by the inmate and returned to the librarian as soon as possible.

1116.13 *Supervised Home Confinement*

- A. Supervised Home Confinement is administered by the Monterey County Probation Department under the provisions of Section 1203.016 of the Penal Code.
- B. Inmates may apply for Supervised Home Confinement through the Probation Department or ask deputies for a blank form. Forms are available in Control 5 and the forms room. Completed forms shall be forwarded to the Home Confinement office of the Probation Department.
- C. Rule violators will be returned to custody to serve the remainder of their sentence and may lose credit for the good time served on the Program.

1116.14 *Sheriff's Parole*

- A. Sheriff's Parole may be used for the purpose of emergency situations where inmates need extended medical care in the community and Home Confinement is not available. Sheriff's Parole shall comply with Penal Code Sections 3074 through 3089.

- B. The Sheriff's Parole Board shall consist of:
 - 1. The Sheriff, or a designee;
 - 2. A probation officer, or his/her designee;
 - 3. A member from the public, selected by the presiding judge. The public member's term shall not exceed three years (PC 3075(b)).
- C. The contract medical provider shall make a request for parole to the Facility Captain. The Captain shall review the urgency of the request, and notify the sentencing judge of the request.
- D. The Sheriff's Parole Board shall approve or deny the request for parole.
- E. The Chief Deputy of the Custody Operations Bureau has the authority to grant parole in emergency situations (PC 3079 (a)).

1116.15 *Work Alternative Program*

- A. The Work Alternative Program (WAP) is available to non-violent offenders with sentences of 30 days or less. The Program allows offenders to complete their sentence by working for public or non-profit agencies instead of serving the sentence in jail. The Program is administered by Sheriff's Work Alternative Coordinators under the direction of the Court Services Commander.
- B. Defendants may apply for the Program prior to their surrender date. Work assignments will be assigned to the defendants.
- C. Violators of the program will be removed from the Program and the judge will be notified.
- D. Violators will serve out the remainder of their sentence in jail.

1116.16 *Library Service*

- A. Library services are provided to inmates in all housing areas. The library is staffed from 0730 to 1530 hours on weekdays.
- B. Paperback books for general reading are distributed to the housing units every three weeks. Inmates are expected to turn in old books before new ones are issued. Inmates are allowed a total of four (4) books or three (3) magazines in their cell or in their possession (excluding legal books and materials). Inmates shall be held responsible for each book that they check out.
- C. Legal reference materials are available to inmates who wish to gather legal information. Inmates shall submit a written request to the librarian for specific legal material or request access to the law library.
- D. Pro Per inmates shall have first priority for use of the library law books. Requests from other inmates shall be considered on a first-come, first serve basis.
- E. Copying services are available to inmates at their own expense. Inmates are charged 10 cents per page. Revenues shall be placed into the Inmate Welfare Fund Trust Account.

- F. The library may provide inmates with some legal forms such as modification papers or divorce papers.

1116.17 *Inmate Telephones*

- G. Arrestees shall be authorized booking telephone calls as required by Penal Code Section 851.5. Phones in the receiving area are available throughout the day except from 0600 hours through 0730 hours when court is being transported out.
- H. Telephones are available in all housing units throughout the facility. The computer system automatically turns the telephones in the Main Jail on between 0730 and 2300 hours. On Mainline, telephones are turned on between 0900 and 2300 hours. Telephones may be turned off by phone switches located in the control areas, as necessary.
- I. The computer system, located in the Classification Office, records all inmate calls. Inmate abuse, harassment or threats may be investigated through the system.
- J. Deputies shall report broken phones to the on-duty sergeant. The on-duty sergeant shall place a service call to Securus at 866-558-2323 or 800-947-0899. The Site number 03712. Sergeants shall notify the Support Services Commander of service problems with the contractor.
- K. Public inquires and complaints about the inmates phones and/or phone blocks and payments shall be referred to Securus. The public shall be given Securus' customer service number (800- 844-6591).
- L. Requests from the public to block phone numbers shall be referred to the on-duty sergeant or the Classification Unit.

1116.18 *Inmate Correspondence*

- A. All legitimate mail sent to and from persons incarcerated in the Monterey County Custody Operations Bureau shall be delivered to the addressee without undue delay.
- B. Incoming Mail
 - 1. Mail shall be received through regular channels only. No deputy, employee, or volunteer shall accept incoming or outgoing mail for an inmate
 - 2. Mail shall be distributed to inmates on weekdays (excluding holidays).
 - 3. The mail clerk shall determine whether the mail is for an inmate who is not in custody. Mail for an inmate who is not in custody shall be returned to the sender without being opened or the stamps removed. Mail that has no return address and the inmate is not in custody shall be shredded.
 - 4. If the inmate is in custody, the mail clerk shall remove the stamps, write the housing location on the envelope, and sort the various mail by housing sections.
 - 5. All non-privileged incoming mail shall be opened and inspected for contraband.

C. Restrictions on Incoming Mail

1. Mail that contains unauthorized items shall be returned to the sender. Prohibited items include:
 - a. Blank paper, drawing paper or blank cards sent in to be mailed out.
 - b. Postage stamps.
 - c. Stickers on the envelope or inside the envelope/letters.
 - d. Photographs larger than 5 x 7 inches.
 - e. Photographs containing violent, sexually suggestive or unclothed women/men, or gang symbols.
 - f. Items that are pasted, glued, laminated, or contain glitter.
 - g. Polaroid pictures.
 - h. Plastic greeting cards or phone cards.
 - i. Musical cards designed to chime when opened
 - j. Mail order catalogs.
2. Personal packages SHALL NOT be accepted.
3. Multiple letters, newspapers, magazines, etc., that have been mailed to another address and have been packaged in a larger envelope and forwarded shall not be accepted.
4. Only newspapers, magazines, or books mailed directly from the publisher or Internet publisher (Amazon.com, Barnes&Noble.com, etc.) shall be accepted. Materials sent from a bookstore shall not be accepted. Only paperback books shall be permitted.

D. *Returning Inmate Mail to the Sender*

1. Unauthorized mail shall be stamped "Return to Sender" and the reason for rejection indicated on the envelope.
2. If the envelope has been opened, or the stamp removed, the mail clerk shall place the contents in a Departmental envelope along with an explanation for rejection. The envelope shall be sealed and mailed to the sender.
3. Inmates shall be notified, in writing, when mail is rejected and why.
4. Unauthorized mail shall not be placed in the inmate property room pending their release.

E. *Money Received in the Mail*

1. The mail clerk shall list all money orders received through the jail on the Money Order Log Form and stamp the back of the money order with the endorsement stamp. At the end of the day the mail clerk shall total the Money Order Log Form. The form and money orders shall be given to the receiving cashier for posting.
2. When the inmate's name and/or booking number is not noted on the money order, the mail person processing the check shall write the information on the check to ensure that the money is posted to the correct inmate's account.
3. Personal checks, payroll checks, tax refund checks, child welfare checks, unemployment checks, etc. shall be returned to the sender whenever possible. If

unable to return, the check shall be placed in the inmate's property, the inmate notified, and a notation made on the inmate's booking sheet.

F. *Legal Mail*

1. Legal mail is defined as correspondence from or to state and federal courts, any member of the State Bar or holder of public office, and the State Board of Corrections (reference Minimum Standards 1063). Legal mail is determined by the return address on the outside of the envelope. Questions as to whether or not a letter is legal mail shall be referred to the Inmate Services Sergeant
2. Legal mail shall only be opened in the presence of the inmate.
3. Deputies shall not read legal mail; however, it may be handled to search for contraband, cash, checks, or money orders.
4. A report shall be prepared whenever legal mail is opened in error. The report shall state the circumstances surrounding the opening of the correspondence. Copies of the report shall be distributed to the inmate, Inmate Services Sergeant, and Support Services Commander.

G. *Mail Delivery to Housing Units*

1. The housing unit deputy is responsible for picking up the mail in the lobby.
2. Housing deputies shall distribute mail to inmates in a timely manner.
3. The housing deputy shall deliver mail only to the addressee as identified by their wristband.

H. *Outgoing Inmate Mail*

1. Deputies shall collect inmate outgoing mail daily by 2300 hours. Outgoing mail shall be placed in the mail slot in the lobby. Deputies shall ensure that letters have the proper return address during collection. Inmate mail shall include the inmate's name and booking number and the Jail return address.

Monterey County Jail
P.O. Box 809
Salinas, CA 93902-0809

2. Mail without a completed return address shall be opened to determine to whom the correspondence belongs. If unable to make this determination, the mail shall be shredded.
3. Deputies shall not pass mail from one inmate to another. All letters shall be stamped and sent through the U.S. Mail.
4. There shall be no pictures or drawings on outgoing mail. Envelopes with drawings shall be returned to the inmate.

I. *No Fund Mail.*

1. Inmates with less than \$1.00, or inmates restricted from ordering commissary, are authorized to send out two free letters per week to family or friends. Inmates

with less than \$1.00 on their books may send an unlimited number of legal mail at no cost.

2. The mail clerk shall process "no fund" mail Monday through Friday (holidays excluded). The mail clerk shall maintain a log of "no fund" mail to prevent inmates from fraudulently gaining this privilege. The log shall be kept from Saturday to Friday. If it is determined that an inmate has sent out the quota for the week, the additional mail shall be returned to the inmate with a note stating that the inmate has exceed the authorized limit for the week.
3. If an inmate has funds to buy stamps, the mail clerk shall return the mail to the inmate, advising him/her to buy stamps.

J. *Contraband Received in the Mail*

1. Mail shall be closely inspected to prevent illegal drugs and contraband from entering the facility. Drugs may be concealed under the stamp, sealed in the envelope flap, in the seam of the envelope, or in greeting cards glued together.
2. The mail clerk shall notify the on-duty watch sergeant when illegal contraband is found in the mail. The on-duty sergeant shall assign a deputy to test the drugs and investigate the case. The on-duty sergeant shall decide whether to call in investigations. The assigned deputy shall write a crime report.

1116.19 *Inmate Grievance Procedure*

- A. It is the policy of the Monterey County Sheriff's Office Custody Operations Bureau that the inmate grievance process shall be utilized in order to provide an expedient and appropriate resolution to a complaint at the lowest possible level, and also allow for appeal to the next level of review.
 1. All inmate grievances shall start as a written Grievance by the inmate.
 2. Grievances that allege staff misconduct shall not be directly responded to by the grieved employee. The employee's supervisor shall investigate the complaint and respond to the inmate.
 3. If upon review of the Grievance the sergeant feels the Grievance alleges serious misconduct by an employee, the Grievance shall be forwarded to the Bureau Captain for proper assignment. The Captain can elevate the Grievance to the level of a Citizen's Complaint or an internal affairs investigation if appropriate.
 4. The inmate grievance process is an avenue for an inmate to grieve and resolve issues of confinement. The goal is to resolve complaints at the lowest level. Issues of complaints against employees can be at the level of a citizen's complaint. An inmate may request and receive a citizen's complaint form if so requested. All complaints will be reviewed and appropriately investigated.
- B. It is the policy of the Monterey County Sheriff's Office Custody Operations Bureau that an inmate may file and have resolved, within a reasonable amount of time, a grievance relating to any act, policy or condition of confinement.

C. Grievance Process:

1. Inmates who wish to grieve a condition of confinement may submit an Inmate Grievance Form within ten days from the date of the incident relating to the grievance.
 - a. Response to the grievance will be to the author of the grievance.
 - b. Anonymous or "group" grievances without an author will receive no response.
 - c. All grievance responses shall be in writing.
2. Inmate Grievance Forms shall be made available upon request. A blank form is provided in the Inmate Information Handbook.
 - a. Grievances shall be handled at the lowest level possible.
 - b. The deputy requested to provide the Grievance Form shall determine if the inmate's grievance can be resolved at that time by taking the appropriate action.
 - c. If the grievance cannot be resolved at line staff level, the inmate shall be provided an Inmate Grievance Form. The deputy shall provide the necessary information or instructions for the proper completion of the form.
3. The inmate shall sign and date the completed grievance form and place the form into the housing unit's Grievance Box.
4. The sergeant responsible for each housing unit will inspect the Grievance Box at least twice per shift and will remove any grievance.
 - a. The sergeant shall log the grievance onto the Grievance log form.
 - b. Sergeants shall review and assign investigation of the grievance to the appropriate level or team for resolution.
5. The designated investigating deputy shall make a recommendation that the grievance is either resolved or unresolved.
 - a. If the grievance is resolved, an explanation of the resolution shall be provided.
 - b. Should the grievance be unresolved, the steps taken to resolve the grievance shall be documented on the grievance and forwarded to the next level for resolution.
6. All resolved grievances shall be forwarded to the responsible team sergeant who shall review and sign them prior to distributing copies to the appropriate parties.
7. A formal written reply to the grievance shall be forwarded to the grieving inmate within ten calendar days of the original complaint.
8. If the grievance has not been resolved within ten calendar days, the Team Commander having jurisdiction over the grievance shall be responsible to investigate and determine the reason why the grievance has not been completed in a timely manner and shall ensure its completion.
9. An inmate may file a complaint with the County's Equal Opportunity Office, the California Department of Fair Employment & Housing, and/or the U.S. Equal Employment Opportunity Commission. County ordinance prohibits any retaliation for filing a discrimination complaint with the EOO, DFEH and /or EEOC Offices.

- D. The original grievance and copy of the written complaint shall be placed in the inmate file, a copy to the inmate and a copy to both the Team Commander and the Facility Captain.
- E. If the grievance is the result of an act or omission by an allied agency, i.e. medical complaint, or commissary complaint, or discrimination/sexual harassment complaint, the Facility Commander or his designee shall coordinate the investigation with the involved parties.
- F. All grievances shall be processed according to policy. Failure to respond to a grievance or destroying a grievance is an act of negligence of duty and subject to disciplinary action.
- G. Right of Appeal – If an inmate is dissatisfied with the grievance resolution, an appeal may be made to the next highest level by way of a letter of appeal. This letter shall be directed to the appropriate person in the chain of command. The final appeal is the Chief Deputy of the Custody Operations Bureau.
- H. Special Information:
 - 1. This policy and procedure does not preclude the right of any inmate to communicate confidentially with a Commander, Captain, Chief Deputy of the Custody Operations Bureau and/or the Sheriff.
 - 2. A copy of any grievance involving complaints of discrimination or harassment shall be forwarded to the Team Commander. This copy shall not include any findings/recommendations or reviews and dispositions. The Captain or the Chief will make the determination as to whether a grievance will be forwarded to the EOO. The Team Commander or the Captain will complete the redacting and copying of the grievance. The grievance will then be forwarded to the County's Equal Opportunity Office. The original copy of the grievance shall be investigated and responded to in the same manner as other grievances.
- I. Misuse of the Grievance Procedure:
 - 1. Inmates who file excessive, unfounded or frivolous grievances may have their right to file further grievances limited to one grievance per week.
 - 2. Replies to grievances determined to be unfounded or frivolous shall show documentation stating why it was so determined.
 - 3. Due to health and safety issues associated with medical grievances, inmates who file repetitive medical grievances claiming "absent medical concern" shall continue to be considered, despite their repetitious nature. They can, however be limited to one grievance per week.
 - 4. Inmates may not grieve the decision on a previous grievance, regarding the same matter, once all levels of resolution have been exhausted.

Additional Additional/Changes Since Last Revision of the *Monterey County Sheriff's Manual*. The following changes have occurred since the last revision of the manual:

- Another early release program has been provided related to PC Section 4018 (3-day) release. The Sheriff's Office meets with the Presiding Judge at the end of each month to obtain a 5-day early release (or 10% of sentence, ten days through fifty days release) under PC Section 4024.1.

- Since October 2011, the Sheriff's Office has revamped the Release on Own Recognizance (OR) program to include first time felons for 10851 VC, 11350 H.S., Penal Code Section 487 and few other non-violent/non-serious crimes. This results in a savings of an average of 200 days per month during which a person waiting for arraignment normally would occupy a bed. *This is to compensate somewhat for the influx of AB 109 inmates.*

Prevention of the Disproportionate Confinement of Minority Populations. The Monterey County Sheriff's Office formally monitors the entire continuum of services to be certain that minority populations are not treated differently in any respect. Specifically, proactive steps have been taken for the last ten years to be certain that there is not a disproportionate confinement of minorities. This is accomplished by assuring that minority populations receive the maximum possible benefits from all of the services in the continuum. Monitoring occurs during quarterly meetings of senior staff at which time statistics relating to the confinement of minorities are reviewed in great detail. Adjustments are made when necessary.

F. Analysis of Local Trends and Characteristics.

Introduction. This section is an analysis of local trends and characteristics that influence planning assumptions about future detention system growth. Different factors that influence change, including projected population increases (including those associated with AB 109), current and projected inmate populations and program costs based on continuation of current policies are measured. Projections of alternative policies or programs on inmate population growth and program costs, as well as observed factors that could affect the level of criminal activity in the jurisdiction including trends in felony and misdemeanor arrests and trends in average daily populations of detention facilities.

These population indicators will assist in determining the design, security level (i.e. minimum-security, medium-security, maximum-security, disciplinary segregation, administration segregation and protective custody) and type of detention beds required in a new or expanded facility. Discussions of the impact of alternative policies or programs on inmate population growth and program costs point toward exploring alternative methods to control and manage offender populations.¹

Projection of Average Daily Population (ADP). The purpose of these projections is to forecast the average daily population (ADP) for Monterey County adult detention for calendar years 2020, 2030, 2040 and 2050. This will allow the determination of future adult detention facility beds needs.

A. The following information is available from Monterey County Jail records for calendar years 2008 through 2010:

- 1.) Detention days per calendar year;
- 2.) Average Daily Population (ADP); and
- 3.) Average Length of Stay (ALS).

B. The following summaries were prepared from the available data:

- 1.) Annual number of admissions to the Monterey County Jail from 2008 through 2010 are shown on the following table.

Table F.1
Admissions 2008 – 2010

Year	Admissions
2008	14,155
2009	13,515
2010	13,266

Source: Monterey County Sheriff's Office, Custody Operations Bureau. November 2011.

- 2.) Number of detention days (person-days)² served in the Monterey County Jail (pre-sentenced and sentenced) from 2008 to 2010 (illustrated in Table F.2 on the next page).

¹ Please see Section E. Programs.

² Annual detention days equal the total number of days served in detention by all of the inmates detained during that year. If inmate #1 serves four days in the detention facility, inmate #2 serves six days and inmate #3 serves five days, then the inmates combined served a total of fifteen detention days. The number of days served by any inmate during the calendar year is equal to the number of days that elapsed between his or her date of admission and their date of release. If an inmate was received before the start of the year, the annual number of days that they serve is measured from the beginning of the year to the date of release. If an inmate is received, but not released by the end of the year, the annual number of days that they serve is measured from the date of admission to the end of the year. AB 109 admissions were estimated using court records.

Table F.2
Detention Days 2008 - 2010

Year	Detention Days
2008	593,095
2009	633,923
2010	564,642

Source: Monterey County Sheriff's Office, Custody Operations Bureau. Calculations by TRG Consulting. November 2011.

C. Projections of the Monterey County Jail population were determined by comparing ratios of admissions and detention day data to the County population for 2008 through 2010. The ratios then were multiplied by the projected county population for calendar years 2020, 2030, 2040 and 2050. The following population figures were used.

Figures from the U.S. Bureau of the Census, *U.S. Census of Population* are depicted in the following table.

Table F.3
Monterey County Population 1950 – 2010

Calendar Year	County Population
1950	130,498
1960	198,351
1970	250,071
1980	292,100
1990	356,800
2000	403,946
2010	415,057

Source: U.S. Bureau of the Census. November 2011.

The California Department of Finance has provided intercensal estimated population data for calendar years 2008 through 2010.

Table F.4
Monterey County Intercensal Population Estimates 2008 - 2010

Calendar Year	County Population
2008	405,660
2009	410,370
2010	415,057

Source: California Department of Finance, Demographic Research Unit. November 2011.

The projection of Monterey County's population growth from 2020-2050 is presented in Table F.5 on the following page.

Table F.5
Projected Monterey County Population 2020 - 2050

Calendar Year	County Population
2020	476,642
2030	529,145
2040	584,878
2050	646,590

Source: California Department of Finance, Demographic Research Unit. November 2011.

Forecasting Adult Detention Facility Admissions. Projections of the Monterey County Adult Detention Facility population required finding the ratio between annual jail data and the Monterey County population for 2008 through 2010.

- A. These ratios were found by obtaining the ratio between the annual number of inmates admitted to the jail and the Monterey County population in the same year. The ratio for each year is:

$$\frac{\text{Number of Adult Admissions}}{\text{County Population}}$$

Table F.6
Ratios: Adult Admissions/County Population 2008 - 2010

Calendar Year	=	Table F.1 Admissions	/	Table F.4 County Population	=	Ratio
2008	=	14,155	/	405,660	=	0.0348938
2009	=	13,515	/	410,370	=	0.0329337
2010	=	13,266	/	415,057	=	0.0319619

Source: TRGConsulting. November 2011.

- B. The data indicates that it is necessary to identify the low, median and high ratios in the series and then calculate the arithmetic average of all of the ratios.

Low	0.0319619
Median	0.0329337
Average	0.0332631
High	0.0348938

The average was determined as follows:

Table F.7
Determination of the Average Jail Ratio

Calendar Year	Ratio	=	Average
2008	0.0348938		
2009	0.0329337		
2010	0.0319619		
	0.0997893	=	0.0332631
	3		

Source: TRGConsulting. November 2011.

This procedure is one of examining historic inmate data for an estimate of the low, median, average and high rate of probable admissions per unit of population that occurred during the data years. Once this range in the rate of probable admissions per unit of population has been estimated, then the number of future admissions can be estimated by multiplying these ratios (low, median, average and high) by the projected population of the service area (Monterey County) as determined from data provided by the Demographic Research Unit of the California Department of Finance.

C. The projected number of adult offender admissions in the future to the Monterey County Adult Detention Facility (assuming a continuation of present practices in the law enforcement and judicial systems) was determined by multiplying the forecasted Monterey County population by the low, median, average and high ratios (number of adult offenders divided by the County population) as calculated from the adult offender data above.

1.) Projected number of adult admissions to the Monterey County Adult Detention Facility (assuming continuation of present practices):

Table F.8
Projected High, Average, Median and Low Admissions to Adult Detention Facility 2020 - 2050

Year	Projected County Population	x	Low	Median	Average	High
			0.0319619	0.0329337	0.0332631	0.0348938
2020	476,642	x	15,234	15,698	15,855	16,632
2030	529,145	x	16,912	17,427	17,601	18,464
2040	584,878	x	18,694	19,262	19,455	20,409
2050	646,590	x	20,666	21,295	21,508	22,562

Source: TRGConsulting, November 2011.

Forecasting Adult Detention Days.

A. The potential number of detention days that would be served by adult offenders per year in a future adult detention facility was projected by the same procedures used to project adult offender admissions. First it was necessary to obtain the ratio between the number of detention days served per year from 2008 through 2010 and the Monterey County population during the same years. The formula is:

$$\frac{\text{Detention Days Served}}{\text{County Population}}$$

Table F.9
Ratios: Detention Days/County Population 2008 – 2010

Calendar Year	=	Table F.2 Detention Days	/	Table F.4 County Population	=	Percentage
2008	=	593,095	/	405,660	=	1.4620495
2009	=	633,923	/	410,370	=	1.5447596
2010	=	564,642	/	415,057	=	1.3603963

Source: TRGConsulting, November 2011.

- B. An examination of this series of ratios indicates that, again, it is useful to identify the lowest and highest ratios and then calculate the arithmetic median and average of the ratios.

Low	1.3603963
Median	1.4620495
Average	1.4557351
High	1.5447596

The average was determined as shown in Table F.10 below.

Table F.10
Determination of the Average of Detention Day Ratios

Calendar Year	Ratio	=	Average
2008	1.4620495		
2009	1.5447596		
2010	1.3603963		
	4.3672054	=	1.4557351
	8		

Source: TRGConsulting. November 2011.

- C. To obtain the projected number of detention days served by adult offenders in the future Monterey County Adult Detention Facility (again, assuming the continuation of present practices) multiply the forecasted Monterey County population by the low, median, average and high ratios (potential detention days divided by the county population) as calculated from Monterey County Jail data.

Table F.11
Projected Low, Median, Average and High Detention Days
for Adult Detention Facility 2020 – 2050

Year	Projected County Population	Low	Median	Average	High
		1.3603963	1.4620495	1.4557351	1.5447596
2020	476,642	648,422	696,874	693,865	736,297
2030	529,145	719,847	773,636	770,295	817,402
2040	584,878	795,666	855,121	851,427	903,496
2050	646,590	879,619	945,347	941,264	998,826

Source: TRGConsulting. November 2011.

Average Daily Population (ADP) and Average Length of Stay (ALS).

- A. Using the number of adult offender admissions and detention days served per year it is possible to calculate:

$$\text{Average Daily Population} = \frac{\text{Total Detention Days Served per Year}}{365 \text{ Days}}$$

$$\text{Average Length of Stay} = \frac{\text{Total Detention Days Served per Year}}{\text{Number of Admissions per Year}}$$

1.) Since the projected number of detention days served per year was provided in the previous section, the projected average daily population can be obtained using the first formula listed above. The results are illustrated in Table F.12 and Figure F.4.

Table F.12
Projected Average Daily Population 2020 – 2050

Year	Projected County Population	Low	Low Daily Population	Median	Median Daily Population	Average	Average Daily Population	High	High Daily Population
		1,360,396	365	0,915,262	365	1,455,735	365	1,544,760	365
2020	476,642	648,422	1,776	696,874	1,909	693,865	1,901	736,297	2,017
2030	529,145	719,847	1,972	773,636	2,120	770,295	2,110	817,402	2,239
2040	584,878	795,666	2,180	855,121	2,343	851,427	2,333	903,496	2,475
2050	646,590	879,619	2,410	945,347	2,590	941,264	2,579	998,826	2,737

Source: TRGConsulting, November 2011.

Table F.13
Projected Range of Average Daily Population (ADP) 2020 – 2050

Year	Projected Low ADP	Projected Median ADP	Projected Average ADP	Projected High ADP
2020	1,776	1,909	1,901	2,017
2030	1,972	2,120	2,110	2,239
2040	2,180	2,343	2,333	2,475
2050	2,410	2,590	2,579	2,737

Source: TRGConsulting, November 2011.

Unauthorized Migrants. The data presented in Table F.13 above provides the baseline projection of average daily population that would occur absent other factors that influence these projections. In the case of Monterey County, an additional influential factor must be considered. Population figures used in the baseline projections are based on U.S. Census data that does not include unauthorized migrants and an adjustment is required to account for this additional population.³

B. Population figures used in the baseline projections are based on U.S. Census data that does not include unauthorized migrants. A percentage of increase factor is required to account for this unauthorized population particularly since a large part of the unauthorized population resides in California. The algorithm to estimate the percentage of increase compares the unauthorized migrants in California to the state population. The formula is illustrated on the following page.

³ This needs assessment uses Jeffrey Passel's term and definition of "unauthorized migrant" to describe an individual who resides in the United States, but is not a U.S. citizen, has not been admitted for permanent residence and is not in a set of specific authorized temporary statuses permitting longer-term residence and work. (See Passel, Van Hook and Bean 2004 for further discussion.) Various labels have been applied to this group of unauthorized migrants including "undocumented immigrants," "illegals," "illegal aliens" and "illegal immigrants." The term "unauthorized migrant" best encompasses this population because many migrants now enter the country of work using counterfeit documents and thus really are not "undocumented" because they have documents, but not legal documents. While many will stay permanently in the United States, unauthorized migrants are more likely to leave the country than other groups (Van Hook, Passel, Zhang and Bean 2004). "Migrant" rather than "immigrant" is used to highlight this distinction.

2005 Unauthorized Migrant Population (California) / 2005 Estimated California Population

$$2,750,000/37,172,015 = X$$

$$X = 7.4\%$$

This percentage of increase factor of 7.4% for unauthorized migrants should be added to the baseline projections in Table F.13 above. The results are shown in Tables F.14 and F.15

Table F.14
 Projected Range of Average Daily Population (ADP)
 With Unauthorized Migrants Percentage of Increase Factor 2020 - 2050

Year	Low Projected ADP	Unauthorized Migrants	Revised Low ADP
		7.4%	
2020	1,776	131.5	1,908
2030	1,972	145.9	2,118
2040	2,180	161.3	2,341
2050	2,410	178.3	2,588

Year	Median Projected ADP	Unauthorized Migrants	Revised Median ADP
		7.4%	
2020	1,909	141.3	2,051
2030	2,120	156.8	2,276
2040	2,343	173.4	2,516
2050	2,590	191.7	2,782

Year	Average Projected ADP	Unauthorized Migrants	Revised Average ADP
		7.4%	
2020	1,901	140.7	2,042
2030	2,110	156.2	2,267
2040	2,333	172.6	2,505
2050	2,579	190.8	2,770

Year	High Projected ADP	Unauthorized Migrants	Revised High ADP
		7.4%	
2020	2,017	149.3	2,167
2030	2,239	165.7	2,405
2040	2,475	183.2	2,659
2050	2,737	202.5	2,939

Source: TRGConsulting, November 2011.

Table F.15
 Projected Range of Average Daily Population (ADP) with Unauthorized Migrant
 Percentage of Increase Factor 2020 – 2050

Calendar Year	Revised Low ADP	Revised Median ADP	Revised Average ADP	Revised High ADP
2020	1,908	2,051	2,042	2,167
2030	2,118	2,276	2,267	2,405
2040	2,341	2,516	2,505	2,659
2050	2,588	2,782	2,770	2,939

Source: TRGConsulting. November 2011.

Thus it can be predicted that the average daily population will range from a low population of 1,908 in 2020 (if the facility is not artificially "capped") to a high of 2,939 in 2050.

Peaking and Classification. Finally, a peaking and classification factor is used to accommodate the higher "peaks" in adult detention facility population and the classification of incarcerated adults.

Peaks occur when bookings temporarily increase because of such occurrences as increased criminal or gang activity, an increase in crime after parties when adults are chemically impaired, etc. Typically peaking ranges from 10% to 20% depending on the jurisdiction. This report uses the average of 15% for estimating the probable future peaking of the adult detention population.

Proper classification procedures require separation of inmates based on such factors as the inmate's potential for violence, gender differences, status, gang affiliation, predatory tendencies, etc. Criminal justice planners typically use a classification factor of between 8% and 15%. This report uses the more conservative classification factor of 10%.

If a peaking and classification factor of 25% is added to the previous calculations, it is predicted that the *high* projected ADP will range from 2,708 in 2020 to 3,006 beds in 2030; 3,323 beds in 2040; and 3,674 beds in 2050.⁴ These results are illustrated in Tables F.16 below and Table F.17 on the following page. The projected high ADP is highlighted in yellow on those tables.⁵

Table F.16
 Projected ADP with Peaking and Classification Factors 2020 – 2050 Summary

Calendar Year	Revised Low ADP	Revised Median ADP	Revised Average ADP	Revised High ADP
2020	2,385	2,563	2,552	2,708
2030	2,648	2,845	2,833	3,006
2040	2,927	3,145	3,132	3,323
2050	3,235	3,477	3,462	3,674

Source: TRGConsulting. November 2011.

⁴ This statement assumes using the high projections within the range. High projections are used because of the uncertainty brought about by overcrowding in the state prison system and the demands of AB 109. The concern is that state prison inmates will continue to "backup" into county jail systems.

⁵ The projection methodology used throughout this section originally was developed by The Law Enforcement Assistance Administration (LEAA) and has been an accepted projection method use throughout the United States for the last three decades.

Table F.17
 Projected ADP with Peaking and Classification Factors
 Total Beds Required 2020 – 2050

Year	Low Projected ADP	Peaking & Classification Factor	Revised Low ADP
		25.00%	
2020	1,908	477	2,385
2030	2,118	530	2,648
2040	2,341	585	2,927
2050	2,588	647	3,235

Year	Median Projected ADP	Peaking & Classification Factor	Revised Median ADP
		25.00%	
2020	2,051	513	2,563
2030	2,276	569	2,845
2040	2,516	629	3,145
2050	2,782	695	3,477

Year	Average Projected ADP	Peaking & Classification Factor	Revised Average ADP
		25.00%	
2020	2,042	510	2,552
2030	2,267	567	2,833
2040	2,505	626	3,132
2050	2,770	692	3,462

Year	High Projected ADP	Peaking & Classification Factor	Revised High ADP
		25.00%	
2020	2,167	542	2,708
2030	2,405	601	3,006
2040	2,659	665	3,323
2050	2,939	735	3,674

Source: TRGConsulting, November 2011.

- C. Based on the projected number of detention days served per year in the future Monterey County Adult Detention Facility as calculated in the previous section, the average length of stay has AB 109 been in place can be obtained using the second formula identified previously. Given the previous projections of adult offender admissions and total adult offender detention days, the best single estimate of the average length of stay can be obtained by using the average range of projections of adult offender admissions and detention days.

$$\text{Average Length of Stay} = \frac{\text{Total Detention Days Served per Year}}{\text{Number of Admissions per Year}}$$

The average length of stay during these data years provides the best estimate of the average length of stay during the forecast period.

The range of departure from a low of 41.90 days in 2008 to a high of 46.91 days 2009 can be found in the following table:

Table F.18
Historical Detention Data 2008 – 2010 (with AB 109)

Year	Detention Days Table F.2	Admissions Table F.1	Average Daily Population	Average Length of Stay
2008	593,095	14,155	1,625	41.90
2009	633,923	13,515	1,737	46.91
2010	564,642	13,266	1,547	42.56

Source: Monterey County Sheriff's Office, Custody Operations Bureau. Aggregate: TRGConsulting, November 2011.

This table summarizes the original offender data from which projections have been made. In this table the original admissions and detention days data have been converted to average length of stay using the formula above. The average length of stay ranges from 41.90 days (2008) to 46.91 days (2009). Since it was shown previously that the admissions and days in detention data display no apparent trend in relation to the population of Monterey County during the data years, it can be assumed that any combination of the admissions and detention days data might have occurred during this period. Accordingly, the operating upper limits of the length of stay can be found by pairing the highest number of detention days during the data period (2009) with the lowest number of jail admissions (2010). Similarly, the lowest number of detention days (2010) should be paired with the highest number of jail admissions (2008). Substituting these paired extremes into formula an ALS algorithm results in the following:

	2010 / 2008 = ALS Days
Lowest Average Length of Stay	564,642 / 14,155 = 39.89
	2009 / 2008 = ALS Days
Highest Average Length of Stay	633,923 / 14,155 = 44.78

If past practices continue and calculations include the impact of AB 109, the average length of stay in the Monterey County Adult Detention Facility will fall between 39.89 days and 44.78 days during the projected period. This suggests the importance of an effective and intense aftercare component if programs are to have any long term, lasting impact that results in reduced recidivism.

Shortfall Using the Average Projection. When the 825 existing beds are considered, the additional bed requirements for 2020 through 2040 *using the average projection* are illustrated in Table F.19 below.

Table F.19
Adult Detention Facility *Additional* Bed Need 2020 - 2040 (Average)

Year	Additional Beds Needed
2020	1,727 Beds
2030	2,008 Beds
2040	2,307 Beds

Source: TRGConsulting, December 2011.

The previous table indicates that an additional 2,008 beds will be required in 2030 if the county elects to construct enough beds to meet their twenty-year needs using the average projections.

Please note that it is recommended that Monterey County target the 2030 needs as an immediate requirement since the new adult detention facility will start to become overcrowded almost immediately upon opening should the first phase only consist of enough beds to meet the 2020 needs. The existing severely overcrowded conditions have been exacerbated by the enactment of AB 109.⁶

Shortfall Using the High Projection. Alternatively, if *the high projection* is used, the current maximum capacity of only 825 beds requires that the county construct an additional 2,181 beds to meet the 2030 bed need. The bed requirements for 2020 through 2040 using *the high projection* are illustrated in Table F.20.

Table F.20
Adult Detention Facility *Additional* Bed Need 2020 - 2040 (High)

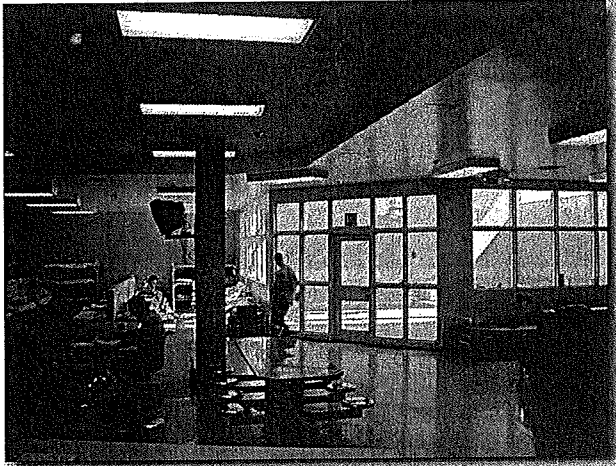
Year	Additional Beds Needed
2020	1,883 Beds
2030	2,181 Beds
2040	2,498 Beds

Source. TRGConsulting. December 2011.

The table above indicates that to meet the 2030 need, an additional 2,181 beds will need to be constructed between now and 2030.

⁶ AB 109, Criminal Justice Alignment, has been modified by AB 117, Criminal Justice Realignment.

G. Adequacy of Staffing Levels



Eighty percent of the beds at the Monterey County Jail are in dormitories while eighty percent of the inmates are felons.

Introduction. The Monterey County Jail is facing a number of staff related issues. These issues affect the overall security of the facility and the morale of the staff.

Staffing Issues. Detention facilities must be staffed 24 hours a day, 7 days a week (24/7) in order to fulfill their mandate to provide safe and secure housing for those inmates under their care. Staff within the Monterey County Jail must be available to receive new bookings in the jail, provide medical care, classify and move inmates within the facility, maintain staff and inmate safety and security, provide recreation and exercise, ensure inmates are fed, transport inmates to court or outside agencies and lawfully release inmates. Due to its nature, a jail cannot simply discontinue operation (e.g. refuse to accept prisoners) if there is not a person available to fill a position. When detention facilities are not staffed adequately, overtime is necessary to cover an unfilled post.

The major staffing issues facing the Monterey County Jail are:

1. While the 2010 inspection report appears to indicate that the jail is staffed adequately, a closer examination of the report reveals that CSA staff only was commenting on the fact that required safety checks were being made.¹ CSA staff did not examine the staffing required to safely operate the jail in any detail. As in 2006, it still appears that the staffing provided by the County salary ordinance is based on the rated capacity of the facility, not on how many inmates are actually in custody. There has been no adjustment for the increase in number of inmates or the criminal sophistication of the inmate now in custody.
2. There has not been an updated relief factor calculated for quite some time. For example, employees are due two 15-minute breaks away from their workstation per shift and have to be replaced by another staff member. The position cannot be left vacant. Also, in recent years family medical leave and other factors come into play that should be factored in to provide a realistic relief factor.
3. Minimum staffing is the level of staff required to operate a detention facility in a manner that will provide basic safety and security for the public, staff, and inmates. Minimum staffing levels establish a baseline by which detention facilities may operate, yet often times do not take into consideration the span of control between assigned duties and the actual ability to supervise and manage inmate populations. When a system's minimum staffing is precariously low, the county is exposed to potential liability because this implies that basic safety and security are no longer protected. Minimum staffing levels are influenced and affected by various factors including facility design and inmate capacity, adequate staffing of necessary POST positions, adequate shift relief factor, inmate profile/classification level and budget constraints. It is important to reiterate that minimum staffing is just that (i.e. minimum staffing to provide basic functions). The baseline staffing should be above minimum staffing. Due to vacancies and other factors, the Monterey County Jail is constantly using overtime to staff *up* to their self-imposed minimum

¹ For example, in the inspection report dated June 10, 2010, the following comments also relate. "Crowding continues to plague the Custody Operations Bureau, which inherently raises unit tensions leading to potential increases in inmate assaults on other inmates and staff. Increased exposure to litigation results in costly lawsuits." The report goes on to document the overcrowding (i.e. a total of 146 inmates over rated capacity at the time of the inspection).

staffing. This level is *not* adequate to provide basic safety and security for staff and inmates. This situation will be exacerbated by the influx of AB 109 inmates.

4. Vacancies,² extended periods of leave, and normal staff attrition underscore the importance of maintaining a minimum number of staff. Staff at the Monterey County Jail are leaving for employment at local and surrounding police departments that offer higher pay and enhanced benefits and a variety of other reasons. This has caused a lower than normal experience level of staff and the use of pre-academy hires. The workforce needs to level out. With a significant amount of vacant POST positions, the jail has an increased reliance on overtime to meet minimum staffing.
5. Sheriff's Offices often utilize overtime to cover an unfilled post. This practice can be dangerous since staff may have recently completed a 12-hour shift, when they are required to work additional overtime. There is no way for detention facilities to eliminate all use of overtime; it is a necessary component of staffing a 24-hour a day, 7-day a week operation. However, to save the Custody Bureau money and remove the potential for staff burnout, efforts must be made to reduce the number of overtime hours. To fill a vacancy in Monterey County, the practice has been to have an onsite employee work 4 hours over his normal shift and another employee called in early for 4 hours. This practice required two employees to work 16-hour days. Of additional importance is the 4-hour gap that is left uncovered in the middle of the shift.³ In an emergency situation the facility would be dangerously understaffed. An alternative would be to call or order someone on regular days off to fill the entire shift on overtime whenever possible; however, this is difficult to accomplish because of the severe staff shortage.
6. Supervision is a critical task in any detention facility. Supervisors ensure that policy is followed, tasks are completed, critical decisions are made and exposure to liability from "failure to supervise" claims are limited. In Monterey County, sergeants fill in for line positions when relief is unavailable. This leaves a gap in first line supervision. All vacant sergeant positions⁴ should be filled and, except for an unusual situation, sergeants should supervise and not fill in for a line vacancy. Even at full authorized staffing, it appears the span of control for sergeants is weak and additional positions for minimum supervision are necessary.
7. Chronic understaffing causes a host of other issues detrimental to the mission of the jail. It lowers morale, employees are unable to take breaks (in violation of the Fair Labor Standards Act), employees get "burned out" with mandatory overtime, employees must take "shortcuts" to get the job done and employees are forced to assume collateral duties to allow the facility to function.
8. The current authorized staffing for the Monterey Jail is woefully inadequate. Even if every vacancy were filled with a fully trained staff member, the facility would not have enough staff to meet the minimum staffing, let alone adequate staffing. The current roster carries vacancies, employees on medical leave, employees on light duty, employees on family leave and other assorted reasons for not filling a POST position. Monterey County should aggressively recruit and fill all vacant positions. They should also "over hire" Deputy Sheriffs above the authorized staffing to fill in when a vacancy occurs. Some counties refer to this as "pipeline" hiring. There are always people in the "system" or pipeline from background processing to attending the academy. Rarely does over hiring have a cost associated with it, but there is always cost avoidance for overtime when a vacancy occurs and a new employee is already trained.
9. A review of the current staffing pattern as practiced by the Monterey County Jail and the best practices staffing plan included in the 2006 *Staffing Analysis*⁵ indicates that the critical needs are for the extra

² There were twelve vacancies when this assessment was made. Additionally, the Custody Bureau lost thirty-seven positions (sworn and unsworn) between January 2011 and December 2011.

³ The Custody Bureau "sometimes uses on-duty classification deputies to fill the middle four hours, but most of the time [the post is not filled]."

⁴ At the time of this assessment, one sergeant was out on long-term illness and one sergeant was scheduled to retire this month (December 2011). This will leave two sergeant positions vacant. Additionally the Custody Bureau lost one captain's position and two commander's positions in the budget cuts earlier this year (2011).

⁵ *Monterey County Sheriff's Office, Staffing Analysis*. Voorhis Associates, Inc. June 21, 2006.

staffing in the housing units and for facility-wide escort deputies. These positions will ensure required safety checks are made, there is some level of supervision in the kitchen, laundry and medical areas and adequate staffing is available to respond to emergencies and unusual situations. Recent cuts in staffing have made this situation much worse, thereby exposing the county to additional lawsuits.

Recruitment, Selection and Retention. The Monterey County Sheriff's Department experiences difficulty in the recruitment, selection and retention of detention officers for the following reasons.

- Monterey County deputies' pay and benefits are less than those that are offered by several local, state and federal agencies for similar positions.
- The Custody Bureau estimates that 93% of the applicants for deputy positions in the Sheriff's Office fail the background investigation for a number of reasons including financial insolvency, drug use and psychological issues.

While the above difficulties are common in most county detention systems, the poor working conditions and antiquated design of the jail exacerbate Monterey County difficulties. The feeling of draconian confinement and disorientation created by a maze-like layout are more than most potential applicants are willing to bear. Thus, the "need" for a new adult detention facility goes well beyond a simple "need" for additional beds that is, in itself, quite critical. The additional "need" is for a facility that protects the safety of deputies and provides them with a professional environment in which to work. (This is one of the design goals for the new facility and is addressed in Section B, *Operational and Design Philosophy*.)

Historic Factors. The issues addressed in the section above historically have been a concern. As a result, the Sheriff's command staff has been required to devote a disproportionate amount of time to recruiting, testing, investigating, selecting, mentoring and retaining detention officers. A new facility will go a long way toward easing the recruiting and retention burden placed on senior officers and will allow them to devote more of their energies to law enforcement and inmate rehabilitation issues.

H. Ability to Provide Visual Supervision



Transportation van parked in front of the Monterey County Rehabilitation Facility.

Introduction. While visual supervision is problematic in the existing jail, the new Monterey County housing units will be designed to enhance visual supervision as indicated in Section B *Operational and Design Philosophy* of this needs assessment.

Existing Facility Design. A glaring example of the physical plant limitations in the existing jail is the design of the control or "guard" station, and the ability of staff to directly supervise inmates. At best there is intermittent observation of the inmates. In the Rehabilitation Facility, a Deputy Sheriff must walk into the inmate housing area to see the entire living and shower area. It appears there is an attempt to remedy the problem with the use of cameras. Unfortunately, this is not working well. Cameras should not be used in place of staff, but as a tool for staff in overall security. Unfortunately, staff is not observing the cameras that are in place, because they are overtaxed with other obligations.

New Housing Design. It is envisioned that the new housing units will offer direct visual supervision from unit control into the housing pods and the attached outdoor recreation areas. Similarly, roving officers will provide direct visual supervision of all areas in all pods including the toilet and shower areas. Partitions providing modesty to inmates in the toilet area and the showers will be designed so that inmate's heads and feet always are visible. There will be no blind corners in the housing pods when observed by the roving officers.

Video, contact and non-contact visiting will be visually observed at all times by officers circulating through the spaces. Again an "open" design will be used to ensure ease of observation in contact visiting. Video and non-contact visiting cubicles will be observed easily by roving officers supplemented by CCTV.

Program spaces including the medical examination room will be observed by those providing the programs and services as well as by roving officers. Again, spaces will be "open" for ease of observation.

Finally, the exterior of the building will be laid out such that visual observation is enhanced. Adequate night lighting and CCTV will aid the direct visual observation of all outside areas including the parking lots.

Adequacy of Staff. As discussed above the design will permit complete visual observation of all interior and exterior spaces in the new Monterey County Adult Detention Facility. Staffing efficiency will be improved by the improved visibility in the new housing units and support spaces. Thus, the staffing mandated by Title 15 will be more than adequate to observe all inmates regardless of the activity in which they are involved. The Board of Supervisors, the County Administrative Officer and the Sheriff and his staff are committed to staffing the new facility as required by Title 15.

I. Adequacy of Record Keeping

Introduction. Record keeping at the Monterey County Jail is quite detailed. Not only does jail staff maintain all records required by Title 15, but they also keep additional records to effectively manage the inmate population. Examples include the detailed records relating to overcrowding and early release, inmate management records, information on inmates with mental health needs and logs of those on psychotropic medications, statistics on gang affiliation, historic needs assessments and records relating to the effectiveness of programs (including records of the effectiveness of alternatives to incarceration).

In addition to the above, the Custody Bureau maintains a series of notebooks that include a variety of jail statistics and copies of media coverage related to the Monterey County Jail. These include:

- *Monterey County Department of Health; Detention and Rehabilitation; Annual Health, Medical and Nutritional Inspections*
- *Monterey County Sheriff's Office; Board of Corrections Biennial Inspections:*
- *Office of the State Fire Marshal; Fire/Life Safety Inspection Report Adult/Juvenile Detention Facilities*
- *Monterey County Sheriff's Office; Custody Operations Bureau; Historical Newspaper Articles; February 1978 through December 1990*
- *Monterey County Sheriff's Office; Custody Operations Bureau; Historical Newspaper Articles; January 1991 through December 2001*
- *Monterey County Sheriff's Office; Custody Operations Bureau; Historical Newspaper Articles; January 2002 through June 2005*
- *Monterey County Sheriff's Office; Custody Operations Bureau; Statistics of Jail Data*
- *Additional Correctional Facilities Requirements Analysis; Monterey County, California Omni Group; September 1985*
- *Major Corrections Needs Assessment Study Update; Monterey County October 1987; Omni-Group, Inc.*
- *Monterey County Jail Needs Assessment and Facilities Master Plan; September 1988*
- *Monterey County Facilities Master Plan; Prepared by ROMA Design Group; June 1989*
- *Monterey County Sheriff's Office Staffing Analysis; Prepared by Voorhis Associates, Inc.; June 21 2006*
- *County of Monterey Recommended Budgets*

Required records maintained by the Custody Bureau include:

- *Monterey County Sheriff's Manual*
- *fiscal records*
- *booking/arrest records*
- *admittance procedures*
- *intake screening records*
- *criminal history records*
- *classification records*
- *classification reviews*
- *release procedures*
- *incident reports*
- *disciplinary records*
- *grievances*
- *population accounting*
- *counseling and casework services plan*

- health care records (including mental health and dental)
- psychotropic medication logs
- employee files containing health care staff credentials
- Corrections Standards Authority (CSA) inspections (including documentation of the resolution of non-compliance issues)
- fire inspections
- health inspections
- environmental health inspections
- building inspections
- food service plan
- diet menus (including therapeutic diets when ordered)
- food preparation temperature logs (to verify food is served at the correct temperatures)
- emergency procedures
- evacuation plans
- construction documents (as available; including "as built" drawings)
- historic records and chronology of additions, renovations and modifications to the Monterey County Jail
- room check logs (safety checks)
- population accounting to CSA
- employee files and records
- staff training records
- staff assignments (current and historical)
- employee records of hours worked including overtime hours
- employee records of sick leave
- reports of legal actions
- annual security review
- transportation logs
- Title 24 needs assessments (current and historical)

J. Compliance with Standards

Introduction. The Monterey County Sheriff's Office operates a Type II adult detention facility. The facility is used for the detention of males and females pending arraignment, during trial, and upon a sentence of commitment. This facility has a unique physical plant design that complies with minimum standards for local adult detention facilities.¹ The facility's four main housing areas and reception area have a Corrections Standards Authority (CSA) rated capacity of 825 inmates. On any given day, there can be as many as 1,000 inmates in custody. The existing Monterey County Jail faces three significant issues affecting the success of its overall mission and the ability of the Sheriff's Office to comply with Title 15 and Title 24 standards:

1. poor facility design;
2. severe overcrowding; and
3. understaffing.

Poor Facility Design. The Monterey County Jail is located at 1414 Natividad Road, Salinas, California. The original rehabilitation facility was built in 1970 with additions to the jail complex occurring in 1977, 1988, 1993, and 1995. Adult male and female inmates are housed in the facility. The Corrections Standards Authority has given the facility a rated capacity of 825 inmates. This facility has some physical plant limitations that are causes for concern in terms of the safety and security of staff, visitors, volunteers and inmates.

A common thread through all of the four main housing units is the use of the dormitory design. Dormitories are much like military barracks, as opposed to single cell or four-man cellblocks. Dormitories are cheaper to build and theoretically are more cost effective to supervise. Normally, dormitories are for the lowest level of classification. In Monterey County, the jail facility has approximately 80% dormitory beds. The conflict occurs because the Monterey County regularly incarcerates approximately 80% felony sentenced and unsentenced inmates. These are usually the highest level of inmate classification and require single and double cell housing. Jail staff does not have the ability to classify or segregate problem inmates from other inmates or staff.

The type of inmate entering local county jails has changed dramatically since the Monterey County Jail opened in 1970. Courts are releasing non-threatening felons prior to trial. Judges are sentencing more misdemeanants to alternatives to custody. The jail is left with serious felons awaiting trial and sentenced felons awaiting transportation to the state prison system. In some ways, the local jail population is no different than those in state prisons. Local jail populations will become even more similar to state prison populations as the full impact of AB 109 is felt. The design of the housing units at the Monterey County Jail was never intended to house the type of felony inmates it now holds or the type of inmates that will be held as mandated recently by AB 109.

Normally in local detention facilities, there is an area designed as a central or main control. This area does not have the responsibility for inmate supervision. All staff alarms, fire alarms, and perimeter alarms terminate in this area. This area also controls all external doors and gates into the facility, and accounts for all keys. Depending on the design of the facility, other facility-wide responsibilities could be assigned to this position. In the case of a major facility emergency or inmate disturbance, this position would function as a command post. The Monterey County Jail does not have a central control area designed in this manner.

Overcrowding. The Corrections Standards Authority (CSA) inspects and rates the Monterey County Jail. Rated capacity means the number of inmate occupants for which a facility's single and double occupancy cells or dormitories (except those dedicated for health care or disciplinary isolation housing) were planned and designed in conformity to the standards and requirements contained in the California Code of Regulations, Title 15 and Title 24. The entire Monterey County Jail facility is rated at 825 inmates. As

¹ This detention facility is "grandfathered" and therefore only needs to comply with the standards in place at the time each section of the facility was constructed (i.e. the standards in place in 1973 and 1988). There was one minor issue of non-compliance in that the multiple occupancy cells in the female housing unit were rated for four beds but held eight bunks; however, on the day of the inspection the cells were not overcrowded. (Corrections Standards Authority inspection report of June 8, 2010.) The facility would not necessarily comply with today's more restrictive standards.

discussed earlier, there can be as many as 1,000 inmates in custody at any given time. There are approximately 13,500 inmates booked into the Monterey County Jail a year.

Overcrowding creates a number of issues that affect staff and inmates, and put the County at risk. Overcrowding causes stress both on inmates and staff. Inmates vs. inmate assaults typically occur more frequently, as do other disciplinary infractions. Overcrowding affects inmates' mental and physical health by increasing the level of uncertainty with which they regularly cope. There is less space per inmate. In Monterey County there is the possibility of misclassifying inmates based on space rather than security level. (Anecdotal information from staff indicates this occurs occasionally.) Overcrowding reduces the ability to classify. This is further compounded by the dormitory design. Normally, 10% - 15% of the beds should be empty and available for classification spikes as well as routine and emergency maintenance. With the severe overcrowding in the Monterey County Jail, programming is little, to nonexistent.

A review of the Monterey County Jail admissions and daily housing population indicates that, absent a court order, there are few inmates being booked who could be cited and released in lieu of booking. With 80% of the population having some type of felony charge, there is little that can be done to reduce this group. It appears parole violators are not staying an inordinate amount of time in custody, and sentenced felons are moving on to state prison within an acceptable time frame.

Understaffing. The Monterey County Jail is facing many staff related issues. These issues affect the overall security of the facility and the morale of the staff.

As discussed in detail in Section G, *Adequacy of Staffing Levels*, detention facilities must be staffed 24 hours a day, 7 days a week (24/7) in order to fulfill their mandate to provide safe and secure housing for those inmates under their care. Staff within the Monterey County Jail must be available to receive new bookings in the jail, provide medical care, classify and move inmates within the facility, maintain staff and inmate safety and security, provide recreation and exercise, ensure inmates are fed, transport inmates to court or outside agencies, and lawfully release inmates. Due to its nature, a jail cannot simply discontinue operation (e.g. refuse to accept prisoners) if there is not a person available to fill a position. When detention facilities are not staffed adequately, overtime is necessary to cover an unfilled post.

The major staffing issues facing the Monterey County Jail are:

1. It appears that the staffing provided by the County salary ordinance is based on the rated capacity of the facility, not on how many inmates are actually in custody.
2. It appears there has not been an updated relief factor calculated for some time.
3. Baseline staffing should be above minimum staffing. Due to vacancies and other factors, the Monterey County Jail is constantly using overtime to staff *up* to their self-imposed minimum staffing. This level is *not* adequate to provide basic safety and security for staff and inmates.
4. Vacancies, extended periods of leave, and normal staff attrition have resulted in a significant amount of vacant POST positions. The jail has an increased reliance on overtime to meet minimum staffing.
5. The extensive use of overtime can be dangerous since staff may have recently completed a shift, when they are required to work additional overtime. Efforts should be made to reduce the number of overtime hours.
6. Supervision is a critical task in any detention facility. Supervisors ensure that policy is followed, tasks are completed, critical decisions are made and exposure to liability from "failure to supervise" claims are limited. In Monterey County, sergeants fill in for line positions when relief is unavailable. This leaves a gap in first line supervision. Even at full authorized staffing, it appears the span of control for sergeants is weak and additional positions for minimum supervision are necessary.

7. Chronic understaffing lowers morale, employees are unable to take breaks (in violation of the Fair Labor Standards Act), employees get "burned out" with mandatory overtime, employees must take "shortcuts" to get the job done and employees are forced to assume collateral duties to allow the facility to function.
8. The current authorized staffing for the Monterey Jail is woefully inadequate. Even if every vacancy were filled with a fully trained staff member, the facility would not have enough staff to meet the minimum staffing, let alone adequate staffing.
9. A review of the current staffing pattern as practiced by the Monterey County Jail and the best practices staffing plan included in the recent Staffing Analysis² indicates that the critical needs are for the extra staffing in the housing units and for facility-wide escort deputies. These positions will ensure required safety checks are made, there is some level of supervision in the kitchen, laundry and medical areas and adequate staffing is available to respond to emergencies and unusual situations. Additionally there should be two additional positions assigned to classification that are not included in the Staffing Analysis.

² *Monterey County Sheriff's Office, Staffing Analysis.* Voorhis Associates, Inc. June 21, 2006.

K. Unresolved Issues

Unresolved Issues. Six issues remain unresolved, mostly due to the uncertainty surrounding the final impact of AB 109 (Criminal Justice Alignment) as modified by AB 117 (Criminal Justice Realignment) on the Monterey County criminal justice system. Unresolved issues include:

1. The impact of Phase II of the *Public Safety and Offender Rehabilitation Services Act of 2007* on Monterey County.
2. The final impact of AB 109 (as modified by AB 117) on the Monterey County criminal justice system.
3. Sources of funding for the construction, project and operational costs that are associated with meeting the projected bed need for 2020 and 2030;
4. The construction phasing of the 2030 need;
5. The ultimate disposition of the three components¹ of the existing Monterey County Jail (e.g. continued use of one or more components for detention, demolition of one or more components, etc.); and
6. The specific location of the new construction on the Natividad site.

1. The *Public Safety and Offender Rehabilitation Services Act of 2007*.² This act includes provisions for CDCR and county detention facilities. The provisions in the act that relate to local detention facilities include:

\$1.2 billion will be provided for local jail bed construction in two phases:

- Phase I will provide \$750,000,000 (plus an additional local match of 25%) for 8,000 beds.
- Phase II will provide \$602,881,000³ (plus an additional local match of 10%)⁴ for 5,000 beds.
- Compliance with the California Environmental Quality Act is the responsibility of the county.
- The Corrections Standards Authority (CSA) will consider “cost effectiveness” in evaluating projects.
- Funding will be provided for “the cost of the local jail facility project and ongoing maintenance and staffing responsibilities for the term of the financing.”
- CSA requirements will include, but are not limited to:
 - Control of the project site;
 - Documentation of need;
 - Written project proposal;
 - Submittal of a staffing plan (the new construction must be staffed and operating within ninety days of the completion of construction);
 - Submittal of approved architectural drawings;
 - Final determination of economic impact; and
 - Provisions intended to maintain tax-exempt status.
- Matching funds will be a minimum of 10% of total project costs; and

¹ The jail consists of three components (i.e. the Rehabilitation Facility, the Main Jail and the Woman's Jail).

² The *Public Safety and Offender Rehabilitation Services Act of 2007* also is referred to as Assembly Bill 900 (AB 900).

³ The Phase II funding was increased from the original \$470,000,000 to \$602,881,000 of which \$200,000,000 is available as medium-sized county set-asides. Monterey County is classified as a medium-sized county.

⁴ The local match requirement for Phase II was reduced from 25% to 10% by AB 94 and AB 111 amendments. Any combination of cash and in-kind contributions are allowed, subject to certain limitations.

The Corrections Standards Authority has issued grant application instructions for Phase II funding associated with the *Public Safety and Offender Rehabilitation Services Act of 2007*. Monterey County and the Sheriff's Office have elected to pursue the maximum state funding available for medium-sized counties of \$80,000,000 to begin to address the shortage of adult detention beds in the county.

2. AB 109, Criminal Justice Alignment as modified by AB 117 (Criminal Justice Realignment). The key provisions of these two pieces of legislation are:

Main components:

- Defines local custody for non-violent, non-serious, non-sex offenders
- Makes changes to state parole and creates local "post-release community supervision"

Local planning process:

- Expands role and purpose of the Community Corrections Partnership (CCP), which was previously established in Penal Code §1230
- Requires CCP to develop and recommend to the Board of Supervisors an implementation plan for 2011 public safety realignment
- Creates an Executive Committee from the CCP members comprised of:
 - Chief Probation Officer (chair)
 - Chief of police
 - Sheriff
 - District Attorney
 - Public Defender
 - Presiding Judge of the Superior Court (or his or her designee)
 - A representative from either the County Department of Social Services, Mental Health, or Alcohol and Substance Abuse Programs, as appointed by the County Board of Supervisors
- The implementation plan is deemed accepted by the County Board of Supervisors unless the Board rejects the plan by a four-fifths vote.

Timeframe:

- All provisions are prospective and applied on October 1, 2011
- AB 117 provides the statutory framework, allocation methodology and revenue to implement public safety realignment

Local custody:

- Revises the definition of felony to include specified lower-level crimes that would be punishable in jail or another local sentencing option for more than one year.
- Maintains length of sentences.
- Time served in jails instead of prisons:
 - Non-violent offenders
 - Non-serious offenders
 - Non-sex offenders

- Enhanced local custody and supervision tools
 - Alternative custody tools for county jails
 - Home detention for low-level offenders
 - Local jail credits mirror current prison credits (day-for-day)
 - Broaden maximum allowable hospital costs for jail inmates and remove sunset date.

State custody:

- Convictions/priors for following offenses require state prison term:
 - Prior or current serious or violent felony as described in PC 1192.7 (c) or 667.5 (c)
 - The defendant is required to register as a sex offender pursuant to PC 290
- Other specified crimes (approximately 60 additional exclusions from "low-level" definition) will still require term in state prison

Contracting back:

- Counties permitted to contract back with the state to send local offenders to state prison.
- Authorize counties to contract with public community correctional facilities (CCFs).
- Contracting back does not extend to parole revocations.

Post-release (county-level) community supervision:

- Prospectively, county-level supervision for offenders upon release from prison will include:
 - Current non-violent offenders (irrespective of priors)
 - Current non-serious offenders (irrespective of priors)
 - Sex offenders
- County-level supervision will not include:
 - 3rd strikers
 - Individuals with a serious commitment offense
 - Individuals with a violent commitment offense
 - High-risk sex offenders as defined by CDCR
- Board of Supervisors designates a county agency to be responsible for Post Release Supervision and provide that information to the California Department of Corrections and Rehabilitation (CDCR) by August 1, 2011.
- CDCR must notify counties as to who is being released on post-release supervision at least one month prior to their release.
- CDCR has no jurisdiction over any person who is under post-release community supervision
- No person shall be returned to prison except for persons previously sentenced to a term of life (and only after a court order).

Post-release community supervision revocations:

- Revocations are capped at 180 days with day-for-day credit earning.
- Authorizes discharging individuals on post-release community supervision who have no violations for six months.

Ongoing state parole:

- CDCR continues to have jurisdiction over all offenders on state parole prior to October 1, 2011 implementation
- State parole will continue for the following:
 - The offender's committing offense is a serious or violent felony as described in PC §§1192.7(c) or 667.5(c);
 - The offender has been convicted of a third strike;
 - The person is classified as a high risk sex offender; or
 - The person is classified as a Mentally Disordered Offender (MDO).

Parole revocations:

- Prospectively, the parole revocation process continues under Board of Parole Hearings (BPH) until July 1, 2013.
- Parole revocations will be served in county jail and not to exceed 180 days.
- Contracting back to the state for revocations is not an option.
- Only persons previously sentenced to a term of life can be revoked to prison.
- For the remaining low-level offenders on parole after implementation of realignment, parole has the authority to discharge after six months if no violations have occurred.

Juvenile Justice

- AB 109 limited the future juvenile court commitments to state juvenile detention (Division of Juvenile Justice or DJJ); this provision was removed in AB 117. Consequently, there are no changes to the state juvenile justice system in realignment.

The Monterey County criminal justice system is just beginning to feel the impact of AB 109 and AB 117. It will take at least a year to understand and adjust to these pieces of legislation. Even if the county is successful in obtaining grant funding to construct additional beds, these beds will not come on line for several years. In the meantime the Custody Bureau of the Sheriff's Office must accommodate the new influx of inmates brought about by this legislation and accommodate these inmates in the existing detention facilities. This is difficult because the Custody Bureau only has 825 Corrections Standards Authority rated detention beds⁵ and regularly incarcerates over 1,000 inmates. The Monterey County Jail obviously already is overcrowded. The Sheriff will be faced with difficult decisions regarding which inmates will be housed and which inmates will be placed in alternative programs or released.

3. Funding. Potential funding sources include federal, state, county and/or private funds. The preference is to pursue grant funding that will require minimal matching dollars from Monterey County because of the county's limited resources. Grant funding will augment local resources that will be needed to construct beds to meet the projected need for 2020 and 2030.

The county will consider potential funding sources after the estimates of probable construction, project and operational costs have been developed and refined in the process described later in this section.

⁵ Only 153 of these beds are located in single cells (there are no CSA rated double cells), which would be the most appropriate type of housing for most AB 109 inmates.

4. Construction Phasing for 2030 Bed Need. Recommended construction phasing cannot be determined until the 2030 bed need is finalized. This will occur once the Sheriff's Office and/or the Board of Supervisors:

- understand the impact of Phase II of the *Public Safety and Offender Rehabilitation Services Act of 2007*;
- fully understand the impact of AB 109 as modified by AB 117 on the Monterey County criminal justice system; and
- the funding sources for construction, operations and staffing are determined.

5. Disposition of the Components of the Existing Monterey County Jail. The Monterey County Jail consists of three components:

1. The Rehabilitation Facility.
2. The Main Jail.
3. The Woman's Jail.

The near term and ultimate disposition of these three components will depend upon:

- how rapidly the county can "catch up" with the needed number of beds so that consideration can be given to replacing any or all of the three components (particularly the Rehabilitation Facility, which has outlived its useful life);
- the useful life of all three components when considering the cost of replacing antiquated and worn out building systems and components;
- the adequacy of the housing and support spaces in terms of the type of inmates held;
- the need for the site on which any of the three components is located for a higher and better purpose (e.g. replacing the Rehabilitation Facility with housing that is more appropriate for the inmates being held, etc.).

6. Location. At this stage of the planning process it appears as though any new construction will occur in the parking area northwest of the existing jail between the jail and the juvenile hall; this area is bordered on the northeast by the Sheriff's Public Safety Building and on the southwest by county property (including the County Hospital);

The total number of beds and the associated support space requirements may need to be increased because of the remaining uncertainty associated with the *Public Safety and Offender Rehabilitation Services Act of 2007* and the impact of AB 109 as modified by AB 117. If a large number of additional beds are added to the county needs already identified, then it may be necessary to expand into the area occupied by county structures associated with the old hospital (to the southwest of the existing jail). An alternative would be to construct a new juvenile hall and Probation Department offices on another site and take over the area currently occupied by the Probation Department between Natividad Road and the existing jail parking lot.

The actual construction site(s) for the new adult detention facility will be chosen after the total bed need is determined for each new construction project. At that point a detailed architectural program will be written to further define the project. The architectural program will identify the building gross square footages of the new housing pods and any associated program and support buildings. The required site amenities including mandated recreation space, parking, etc. also will be identified. Future long-term expansion of the new adult detention facility will be addressed as well.

Implementation Strategy to Resolve Issues. The remaining activities required to resolve these issues are discussed below. Monterey County is committed to continuing this implementation strategy until all issues are

resolved and new adult detention beds and support spaces are constructed and occupied.⁶ The implementation schedule will be reviewed periodically and accelerated as appropriate. The six unresolved issues identified above will be resolved as part of this strategy.

Conceptual Schedule and Budget. A conceptual schedule and budget will be developed based on this needs assessment in order to determine the feasibility of the next project.

The conceptual schedule will contain all major milestones from the refinement of the needs assessment as more is learned about the impact of AB 109 and AB 117 to the occupancy of the new adult detention beds and support spaces. Included will be the milestone dates on which decisions to continue the project must be made if the projected occupancy date is to be met.

Three conceptual budgets will be developed. The first will present the estimate of probable construction costs for the new adult detention construction.⁷ Secondly the estimate of probable project costs will be developed based on the estimate of construction costs.⁸ Finally, the estimate of probable operational costs will be prepared.⁹ The combination of the three estimates will provide the leadership of Monterey County with the anticipated costs to design, bid and construct the new adult detention beds and support spaces as well as the costs to operate the facility once it is occupied. All three estimates will be refined as more information becomes available during each step of the process.

The conceptual schedule and budget will establish baselines that will be adjusted appropriately throughout the process leading to new detention beds and support spaces. Project participants and county leadership continuously will be updated with information concerning the timeline and projected costs for the new construction. The feasibility of the project will be assessed at each stage of the implementation strategy.

Operational Program Statement. Section 13-102(c) 3 of Title 24, Part 1 requires the operational program statement to be submitted to the Corrections Standards Authority (CSA) with the schematic design architectural documents.¹⁰ Monterey County has elected to prepare the program statement early in the conceptual process to be certain that the architectural program and any design work are driven by program requirements.

The operational program statement will include a description of the following:

- A. Intended capacity of facility.
- B. Security and classification of inmates to be housed.
- C. Inmate movement within the facility and entry and exit from security areas.
- D. Food preparation and serving.
- E. Staffing.
- F. Intake/release/processing.
- G. Visiting and attorney interviews.
- H. Exercise.
- I. Programs.
- J. Medical services, including the management of communicable diseases.
- K. Cleaning and/or laundering.

⁶ Monterey County has limited resources (as is the case with a number of California counties). Nonetheless county leaders intend to move forward as rapidly as scarce resources permit.

⁷ "Construction costs" are the costs associated with "bricks and mortar" and construction labor.

⁸ "Project costs" include such things as architectural and engineering design fees, construction management and environmental consulting fees, testing and inspection fees, project management costs, etc.

⁹ Operational costs cover such things as staffing, utilities, maintenance, operational supplies, janitorial services, move-in costs, etc.

¹⁰ The major divisions in architectural services typically are planning (e.g. architectural programming, master planning, operational programming, staffing planning, conceptual design including floor plans, elevations and a rendering, etc.), schematic design, design development, construction documents, bidding and negotiation, construction administration, move-in/project closeout and post-occupancy services.

- L. Inmate segregation as specified in Penal Code Sections 4001 and 4002 and Article 5 of Title 15, CCR.
- M. Court holding and inmate movement.
- N. Mental health services.
- O. Facilities for jail administration and operations staff.
- P. Staff to staff communications system.
- Q. Management of disruptive inmates.
- R. Management and placement of persons with disabilities with provisions for wheelchairs, gurney access, and for evacuation during emergencies.
- S. Architectural treatment of space relative to preventing suicides by inmates.
- T. Method of implementing Penal Code Section 4030 relating to the holding of misdemeanor arrestees without the necessity of unjustified strip searches.
- U. Intended type of facility.
- V. Sobering cells(s) as referenced by Title 15, Section 1056, with the ability to segregate.
- W. Safety cell(s) as referenced by Title 15, Section 1055.

The construction, project and operational estimates of probable costs along with the milestone schedule will be adjusted as necessary based on the program statement.

Staffing Plan. Similarly Monterey County has elected to prepare the staffing plan early in the conceptual process to be certain that staffing requirements "drive" the architectural program and any design work. This will ensure a staff efficient design and reduce operating expenses.¹¹

The staffing plan will include:

- the number of FTE staff required to fill post positions;
- staff requirements during construction;
- relief factors for each post position;
- selection of new staff (by post position);
- new staff hiring and training schedules; and
- program/operational requirements.

The operational estimate of probable costs and the project schedule will be adjusted as necessary based on the staffing plan.

Architectural Program. An architectural program will be developed to determine the detailed requirements for each space, area and component of the new detention beds and support spaces. Activities and operations for each component will be described so that the architectural design will reflect the requirements of Titles 15 and 24 as well as the programs and staffing desired by Monterey County. Building gross square footages of all housing, program and support spaces will be determined. The architectural program will identify the building systems to be used and the site area required along with all site amenities (e.g. outdoor recreation areas, security perimeters, vehicular and pedestrian sally ports, secure and non-secure parking, security and site lighting, loading docks/delivery areas, etc.).

The project schedule and the construction and project estimates of probable costs will be adjusted as necessary based on the architectural program.

The specific location of the components of the new adult detention facilities on the Natividad site will be confirmed based on the site requirements developed in the architectural program.

¹¹ Previous grants administered by CSA included a requirement that a detailed staffing plan be submitted with the architectural design development documents. The *Public Safety and Offender Rehabilitation Services Act of 2007* requires that all funded detention facilities be staffed and operational within ninety days of the completion of construction.

Conceptual Design. At this point a conceptual design consisting of a site plan, floor plans, elevations and an architectural rendering will be developed to further refine the construction and project estimates and to provide the architectural design concepts necessary for most grant applications and other funding initiatives.

Identification of Funding Sources. The county will research traditional and non-traditional potential funding sources such as:

- Federal, state and private grants
- Impact fees
- Lease/purchase financing (lease payments with purchase option)
- California Infrastructure and Economic Development Bank Loans
- Industrial Revenue Bonds
- Local option sales tax
- General obligation bonds
- Certificates of Participation (COPs)

More creative funding sources such as the following also may be considered:

- Agreements with other counties to participate in a regional detention facility
- Homeland Security funds
- United States Department of Agriculture Rural Development (\$100,000 to \$2,000,000 to finance essential community facilities)
- California Energy Commission loans (loans up to \$2,500,000 for financing energy conservation measures as part of new detention facilities)
- Environmental Protection Agency grants (e.g. by proving a new facility will reduce transportation emissions through such initiatives as providing on-site court facilities to eliminate the need to transport inmates to distant court facilities).

The project budget will be adjusted based on funding sources available and the timeline in which those funds will become available. The milestone schedule will be modified as necessary based on the funding timeline.

Resolution. Once the funding sources are identified all unresolved items will be satisfied since, by this time, the impact of the *Public Safety and Offender Rehabilitation Services Act of 2007* and the final impact of AB 109 as modified by AB 117 will be known. The architectural program and master plan will identify the parts of the existing jail that are to be retained or demolished for new construction. The specific location of the new detention beds and support spaces on the jail site will have been determined.

When these issues are resolved Monterey County will be in a position to obtain the necessary funding, move forward with the architectural design and construction documents and advertise the project for competitive bid.¹² Selection of the contractor, construction, transition and phased occupancy then will follow in the normal course of events.

¹² Monterey County staff also may consider using the design build project delivery methodology.

Appendix

The Appendix includes a list of stakeholders for the project.

Stakeholders

Revision 03; December 12, 2011

Introduction. Below is a list of potential stakeholders.

1. Monterey County Board of Supervisors
 - A. Monterey County Board of Supervisors Capital Subcommittee
2. Adult Detention Facility Needs Assessment Executive Steering Committee
3. Law Enforcement
 - A. Monterey County Sheriff's Office
 - B. Sheriff's Commission on Budget and Finance
 - C. Monterey County Probation Department
 - D. Monterey County Chief Law Enforcement Officers' Association
 - E. Corrections Standards Authority
 - F. California State Parole Office
 - G. California Department of Corrections and Rehabilitation (CDCR)
4. Courts/Legal
 - A. Monterey County Superior Court/California State Administrative Office of the Courts
 - B. Monterey County District Attorney
 - C. Public Defender
 - D. Monterey County Bar Association
5. Monterey County Departments (particularly those providing services to the jail)
6. Services
 - A. Monterey County Fire
 - B. Fire Departments in Monterey County
 - D. Utility Providers (e.g. gas, water, sewer, telephone, irrigation, etc.)
 - E. County Hospital
 - F. Ambulance Services
7. Cities in Monterey County
 - A. Mayor of Salinas
8. Media
 - A. Print Media (e.g. newspapers, magazines, etc.)
 - B. Radio
 - C. Television
 - D. Foreign Language Media

9. Community Interests

- A. Neighbors Adjacent to Selected Site
- B. Service Clubs
- C. Churches and Religious Organizations
- D. Civil Rights Coalition (CRC)
- E. Prisoners Rights Groups or Advocates (only those active in Monterey County)
- F. Community Advocacy Groups (e.g. for mental health, substance abuse, literacy, etc.)

10. Monterey County Office of Education