

DEPARTMENT OF CORRECTIONS AND REHABILITATION CORRECTIONS STANDARDS AUTHORITY

2011 LOCAL JAIL CONSTRUCTION FINANCING PROGRAM AB 900 - PHASE II – APPLICATION FORM

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SECTION 1: PROJECT INFORMATION

As APPLICANT INFORMATION								
	COUNTY NAME				AMOUNT OF STATE FINANCING REQUESTED IN THIS APPLICATION			
Kern Count	Kern County							
	SMALL COUNTY	0011117/	MEDIUM					
	(200,000 OR UNDER GENERAL COUNTY (200,001 - 700,000 G POPULATION) POPULAT							
IS THIS COUNTY RELINQUISHING A CURRENTLY HELD AB 900 PHASE I CONDITIONAL AWARD?					COUNTY SUB HASE II FINAN	BMITTING MORE T	HAN ONE APPLICATION	
	🛛 YES					🗌 YES [⊴ №	
D: BRIEFPRO	NECTDESCRIPTIO	N)						
FACILITY NAM	IE							
Kern County	y Justice Facility							
PROJECT DES	SCRIPTION							
New 790 b	ed Type II jail i	in 241,000) square foot fac	ility				
STREET ADDR	RESS							
17801 Indเ	istrial Farm Ro	bad					······································	
CITY			STATE					
Bakersfiel	d		CA	93308				
C. SCOPE OF	WORK-INDIGATE	FACILITY TY	YPE (III, III or IV) AND C	CHECK A	ll EOXES TH	ANT APPPLY.		
FACILITY T	YPE (II, III or IV)		W STAND-ALONE				ING BEDS AT EXISTING	
	11		FACILITY	RENOVATION/ REMODELING		FACILITY		
D. BEDS ADD	ED. Provide the mu	mbar of CSA	നംത്തി ഉന്നു ഭിജ്ജി ഇമുള്ള	ated Spea	iel use beds (het will be ected :	as a result of the project	
PIONICO (LIC) CU	MULINE (OLI NIM	der of loges a	dded as a result of the	DIGIEGF				
	A. MINIMUM BEDS		B. MEDIUM SEC BEDS ADD			MUM SECURITY EDS ADDED	D. SPECIAL USE BEDS	
Norma hara a f								
Number of beds added 0 73		736			32	22		
TOTAL			<u> </u>		·		·	
BEDS (A+B+C+D)	790							

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	PERSOMAUTHORIZED TO SIGN AGREEM	ENT		
	Name Donny Younglood	.a	Title Sheriff-Coroner	
	AUTHORIZED PERSON'S SIGNATURE	1		DATE //3/12
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	COUNTY CONSTRUCTION ADMINISTRATO)R		
	Name Geoffrey Hill		Title Construction Ser	vices Division Director
	DEPARTMENT			TELEPHONE NUMBER
	Kern County General Services-C	onstruction Servic	es	661-868-3000
	STREET ADDRESS	<u></u>		FAX NUMBER
	1115 Truxtun Ave., 3 rd Floor			661-868-3109
	CITY	STATE	ZIP CODE	E-MAIL ADDRESS
	Bakersfield	CA	93301	hillg@co.kem.ca.us
	HI DESIGNATED PROJECT PINANCIAL O	FICER -		
١	This person is responsible for all financial contractor, and muscle adentified in the B	and accounting project	trelated activities. (Must be co	ounty staff, not a consultant of
}	scontractor and nusble identified in the B	oard of Supervisorsbre	solution) and see a second	
	PROJECT FINANCIAL OFFICER			
	Name Yvonne Rodriguez		Tille Administrative Se	ervices Officer
	DEPARTMENT			TELEPHONE NUMBER
	Kern County Sheriff's Office			661-391-7523
	STREET ADDRESS			FAX NUMBER
	1350 Norris Road	·····		661-391-7525
	CITY	STATE	ZIP CODE	E-MAIL ADDRESS
	Bakersfield	CA	93308	rodriguezy@kernsheriff.c
	A: DESIGNATED PROJECT CONTACTIVES	SON	a service a service de la companya d	
	This person is responsible for project cool			che county statu not a consultant o
	sconocionant trasche identification	onto of Supervisors the	solution), as a second second	
	PROJECT CONTACT PERSON			
	Name Earl Barnes		Title Sheriff's Detention	ons Lieutenant
	DEPARTMENT			TELEPHONE NUMBER
	Kern County Sheriff's Office			661-391-7920
	STREET ADDRESS			FAX NUMBER
	1350 Norris Road			661-391-2097
	CITY	STATE	ZIP CODE	E-MAIL ADDRESS
	Bakersfield	CA	93308	barnese@kernsheriff.cor

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A. BUDGET SUMMARY

In the table on the next page, indicate the amount of state financing requested and the amount of cash and/or in-kind contribution (match) allotted to each budget line-item the county elects to identify in order to define the <u>total eligible</u> <u>project cost for purposes of this application</u>.

The total amount of state financing requested cannot exceed 90 percent of the total eligible project cost. Counties must contribute a minimum of 10 percent of the total eligible project cost (unless the applicant is a small county requesting a reduction in the county contribution amount). County contributions can be any combination of cash and/or in-kind. Small counties that petition for a reduction in the contribution amount must provide a minimum of five percent contribution of the total eligible project costs. Small counties requesting a reduction in county contribution must state so in the area below, and must specify the contribution percentage being requested.

State financing limits for all counties are shown below and include current Phase I awards (not being relinquished through this Phase II application process) plus the total amount a county is requesting in Phase II.

STATE FINANCING: May not exceed (Phases I and II combined):

\$100,000,000 for large counties;\$80,000,000 for medium counties; and\$33,000,000 for small counties.

SMALL COUNTIES REQUESTING REDUCTION IN COUNTY CONTRIBUTION:

A small county may petition the CSA Board for a reduction in its county contribution. This application document will serve as the petition and the CSA Board's acceptance of the county's contribution reduction, provided the county abides by all terms and conditions of this Phase II RFA process. Small counties requesting the reduction must still provide a minimum of five percent contribution that may be any combination of allowable cash and/or in-kind. If requesting a reduction in match contribution, complete the following (check the box and fill in the percentage).

This application includes a petition for a county contribution reduction request as reflected in the application budget. The county is requesting to provide percent county contribution (cash and/or in-kind).

B. BUDGET SUMMARY TABLE (Report to nearest \$1000)

line frem	STATE Reimbursed	CASH MATCH	INHKIND MATCH	TOTAL
1. Construction	\$ 95,169,094	\$ 2,228,189		\$ 97,397,283
2. Additional Eligible Costs*	\$ O	\$ 0		\$ 0
3. Architectural	\$ O	\$ 8,765,755		\$ 8,765,755
4. Construction Management	\$ 4,830,906	\$ 38,958		\$ 4,869,864
5. CEQA		\$ 132,000		\$ 132,000
6. Audit			\$ 0	\$ 0
7. Site Acquisition			\$ 0	\$ 0
8. Needs Assessment			\$0	\$ Q
9. County Administration			\$ 0	\$ 0
10. Transition Planning			\$ 0	\$ 0
11. Real Estate Due Diligence			\$0	\$ 0
TOTAL ELIGIBLE PROJECT COST	\$ 100,000,000	\$ 11,164,902	\$ 0	\$ 111,164,902
PERCENT OF TOTAL	90%	10%	0%	100 %

* This line item is limited to specified fees and moveable equipment and moveable furnishings (eligible for state reimbursement or cash match), and public art (eligible for cash match only).

Provide an explanation below of how the dollar figures were determined for <u>each</u> of the budget line items above that contain dollar amounts. Include how state financing and the match contribution dollar amounts have been determined and calculated (be specific), and how budget items are linked to scope of work.

- 1. Construction (includes fixed equipment and furnishings): This includes hard construction costs for Housing Building \$57,006,850; Support Building \$17,350,057; Visitation and Property Storage Building \$2,675,520; Central Plant \$4,016,084; and Siteworks \$16,348,772. These cost estimates were developed by a contracted architectural firm, Durrant Group.
- 2. Additional Eligible Costs (be specific regarding the description of, and the costs for, each of the specified fees, moveable equipment and moveable furnishings, and public art): The County has elected not to charge Additional Eligible Costs to the project budget.
- 3. Architectural (describe specifically: a) the county's current stage in the architectural process; and b) how this translates into the county's intentions for state reimbursement and/or cash contribution for architectural services, given the approval requirements of the SPWB and associated state reimbursement parameters): a) The County has not yet contracted for design services for this project. The County possesses concept drawings prepared by the Durrant Group during the Phase I application process. The project concept has not substantively changed for the Phase II project. Therefore, the County intends to use the existing concept drawings as a basis for the architectural design process moving forward in Phase II. The cost estimates for architectural services were

SECTION 3: PROJECT TIMETABLE

Prior to completing this timetable, the county must consult with all appropriate county staff (e.g., county counsel, general services, public works, county administrator) to ensure that dates are achievable. Please consult the State Capital Outlay/Corrections Standards Authority Processes and Requirements section of the Request for Applications for further information. Complete the table below indicating start and completion dates for each key event, including comments if desired. Note the <u>required timeframes</u> for specific milestone activities in this Phase II process. (The CSA Board intends to make conditional awards at its March 8, 2012 meeting.)

KEY EVENTS	START DATES	COMPLETION DATES	COMMENTS
Site assurance/comparable long- term possession <u>within 90 days</u> of award	7/8/2012	10/6/2012	
Real estate due diligence package submitted <u>within 120</u> days of award	7/8/2012	11/6/2012	
Begin CEQA process <u>within 90</u> <u>days of award</u>	8/8/2012	3/15/2013	
State Public Works Board meeting – Project Established within 12 months of award	3/15/2013	5/15/2013	
Schematic Design with Operational Program Statement within 18 months of award (design-bid-build projects)			N/A
Performance criteria or performance criteria and concept drawings with Operational Program Statement <u>within 18</u> <u>months of award</u> (design-build projects)	7/18/2012	4/15/2013	
Design Development (Preliminary drawings) with Staffing Plan	7/8/2012	4/15/2013	
Staffing/Operating Cost Analysis approved by the Board of Supervisors	5/15/2013	6/15/2013	
Construction Documents (Working drawings)	10/15/2013	9/15/2014	
Construction Bids	9/1/2013	10/15/2013	
Notice to Proceed	8/15/2014	10/15/2014	
Construction (maximum 3 years to complete)	11/1/2014	2/1/2017	
Staffing/Occupancy <u>within 90</u> days of completion	2/1/2017	4/1/2017	

SECTION 4: NARRATIVE

Attach up to a maximum of 35 pages of <u>double-spaced</u> narrative (no smaller than <u>12 point font</u>) ordered in the five (A - H) subject areas indicated below. If it can be written in less than 35 pages, please do so (avoid "filler"). Up to 10 additional pages of essential appendices may be included at the discretion of the applicant. Appendices cannot be used to give required narrative information. Pictures, charts, illustrations or diagrams are encouraged in the narrative or appendix to assist reviewers in fully understanding the proposed scope of work.

Applicants must address each of these elements in sufficient detail to allow for determination of project worthiness and subsequent potential award from the CSA Board.

A. SUMMARY

Provide a one-page abstract that summarizes the key points of the application, including a description of the scope of work. If this is a Phase I relinquishing county, indicate how the scope of work has changed, if at all, from the scope of work for the county's project that was awarded in Phase I. Be clear and concise. If this project is for a regional facility, indicate so.

B. PROJECT NEED

Applicants must demonstrate the county's need for the construction project by providing information about the following topics. All data sources must be identified. The application narrative must summarize the county need for state financing.

Note: If a new facility is proposed, or if 25 beds or more are being added to an existing facility, one copy of a needs assessment study containing the elements as defined in Title 24, CCR must be sent to the CSA with the application.

- 1. State the conclusions of your needs assessment including expected increases in capacity.
- 2. Provide the information and statistical data to support the needs assessment conclusions.
- 3. Identify security, safety or health needs (if any).
- 4. Identify program and service needs (if any).
- 5. Describe litigation, court ordered caps or consent decrees related to crowding or conditions of confinement.
- 6. List non-compliance findings or recommendations from state and local authorities such as the CSA, health department, fire marshal, Grand Jury, building inspectors or others.
- 7. Discuss your Average Daily Population (ADP) as compared to system capacity.
- 8. To the degree possible, provide the latest available demographic data (enumerated below), including trend data if applicable, and relate the data

to facility needs:

- a. County population estimates;
- b. County crime statistics;
- c. Crowding and bed need estimates;
- d. Detention facility population data as reported to CSA in the latest Jail Profile Survey that includes:
 - 1. Inmates with felony versus misdemeanor charges;
 - 2. Pre-trial/pre-adjudicated versus convicted/adjudicated offenders; and
 - 3. Any additional data to support your application.
- 9. Provide any additional information needed to support the size and complexity of the proposed project.

C. DETENTION ALTERNATIVES

Describe the programming efforts that have been undertaken, including evidence-based programs designed to reduce recidivism among local offenders. All data sources and evidence-based program citations must be included. Applicants must include, but are not limited to, the discussion points listed below.

- 1. Demonstrate that all appropriate steps to reduce crowding have been undertaken.
- 2. Describe programs, existing or new, designed to reduce recidivism.
- 3. Demonstrate efforts to implement a risk-based detention system (or other appropriate model) related to the decision to incarcerate or not incarcerate offenders.
- 4. Provide a history of actions taken to alleviate crowding.
- 5. Identify how long various programs have been in place and how successful they have been in reducing reliance on confinement.
- 6. Describe current population management measures and how effective they have been.

D. SCOPE OF WORK AND PROJECT IMPACT

In this section applicants must provide a comprehensive description of the project's scope of work and the impact the project will have on the county's detention system. The following topics must be addressed.

- Describe the proposed scope of work specifically payable from state financing, cash and in-kind contribution and other county borne costs. If this is a Phase I relinquishing county, indicate how the scope of work has changed for this Phase II application, if at all, from the scope of work for the county's project that was awarded in Phase I.
- 2. Define whether the project expands an existing facility or if it creates a new facility.
- 3. Indicate if the county already owns the site.
- 4. Describe how the scope of work will meet identified needs, or mitigate/remedy/improve conditions to address the described needs.

5. Contrast pre-construction conditions with post-construction conditions, including, if applicable, the construction project's impact on: a) law; b) compliance with regulations; c) conditions of confinement; d) facility programming; e) continuum of community care; f) safety; g) security; h) health issues; and i) program space intended for rehabilitative programs and services designed to reduce recidivism.

E. ADMINISTRATIVE WORK PLAN

Applicants must provide a clear and comprehensive plan for designing, performing and managing the proposed project that is likely to result in success. The project timeline must conform to the requirements listed in the Project Timetable in Section 3 and must be thorough, reasonable and clearly articulated. The county must consider the following topics to describe the requirements of this section.

- 1. Describe the current stage of the project planning process, including the current status of addressing CEQA requirements.
- 2. Describe the plan for project design.
- 3. Provide the project timeline and milestones. (Information provided here should support the timeline and milestones in the Project Timetable in Section 3.)
- 4. Describe the plan for project management (including key staff names and titles).
- 5. Describe the plan for project administration (including key staff names and titles).
- 6. Describe the county's readiness to proceed with the project.
- 7. Describe the functions and responsibilities of project staff/contractors.
- 8. Describe the monitoring/control protocols that will ensure successful project completion.

F. PLAN FOR ADEQUATE STAFFING OF THE FACILITY

Counties are required to safely staff and operate the constructed facility within 90 days of its completion. The level of staffing needed upon opening will be determined by the number and classification of inmates in the facility at that time. In this section address the following:

- 1. Describe the county's plan for staffing the facility within 90 days of its completion.
- 2. Describe the cost-efficiency or other measures the county is intending in order to minimize the staffing impact on the long-term operating costs of the facility to be constructed.

G. EFFECTS OF REALIGNMENT

C.

In this section, if not clearly addressed previously, applicants must describe the anticipated impact of realignment in general and how it relates to the planned project.

- 1. Describe the anticipated effects that AB 109, Criminal Justice Realignment, will have on the county's adult detention system.
- 2. Describe any anticipated changes in your detained population (e.g., percentage of sentenced inmates, average length of stay).
- 3. Describe the impact that realignment has had on the design of the new project.
- 4. Describe the extent to which realignment is related to the need for the new project.

H. BUDGET

Counties are expected to budget for the construction project in a reasonable and cost effective manner. It is recognized that there is a cost variance from one project to another based on location, size of the facility, number and type of beds, etc. In this section, address the following topics:

- 1. Describe how the project budget is determined to be reasonable as it relates to the Section 2, Budget Summary.
- 2. Describe what measures the county has taken thus far to promote a cost effective planning and design process and a cost effective construction project.
 - a. How is the county's planning minimizing the impact to the state dollar resources as well as county resources?
 - b. What are the county's plans to promote cost effectiveness in its facility design and long-term operating costs?

SECTION 5: FUNDING PREFERENCES

Phase II legislation (AB 111 and AB 94) contains two funding preferences as detailed below. Every application is subject to one or the other preference (A or Each preference is a hard preference. Further information about the B). preferences and how they are applied is available within the Detail and Background, Funding Preferences section of this RFA.

Check one of the boxes below (A or B) to indicate which preference is being applied to this application submittal.

Α. | |

ADMISSIONS PREFERENCE

The legislation states that "The CDCR and CSA shall give funding preference to counties that committed the largest percentage of inmates to state custody in This is a hard relation to the total inmate population of CDCR in 2010." preference, meaning that the CDCR 2010 admissions data, as provided in the Detail and Background section to this RFA, will be used to determine a potential rank-ordering of funding for the counties submitting applications under this preference criterion.

\square В. RELINQUISHING PREFERENCE

The legislation states in part "A participating county that has received a [Phase I] conditional award...may relinquish its conditional award... and may reapply for a [Phase II] conditional award " and "The CDCR and CSA shall give funding preference to counties that relinquish their [Phase I] conditional awards ..., provided that those counties agree to continue to assist the state in siting reentry facilities...." This is a hard preference meaning that the counties meeting the relinguishing criteria as specified in this RFA will receive a preference for a conditional funding award, once the Phase I funding authority amount associated with the relinquishing county is legislatively moved to the Phase II funding authority.

If a Phase I county wishes to relinquish a Phase I award and reapply for a greater amount of funding in one application under Phase II, the county would be required to reapply without the benefit of this preference. Also, a Phase I county that wishes to relinquish a Phase I award and reapply for a Phase II award without continuing to assist the state with siting reentry facilities, must reapply without the benefit of this preference. In each of these cases, the county would apply under the admissions preference in A above.

SECTION 6: BOARD OF SUPERVISORS' RESOLUTION

All counties applying for Phase II financing must include the following components in a Board of Supervisors resolution, accompanying each application submittal. For counties submitting multiple applications, separate resolutions with the necessary language contained in each, will be required. (A and B below apply only to those counties relinquishing a Phase I award and reapplying in Phase II.)

- A. If the county is relinquishing its Phase I award and reapplying for Phase II financing with this application, and **seeking** the relinquishing preference based on criteria established in this RFA, the following language must appear in the Board of Supervisors' resolution:
 - The County is relinquishing its AB 900 Phase I conditional award, and reapplying for a Phase II conditional award, and requesting the relinquishing preference for this application.
 - As part of receiving the relinquishing preference, the County agrees to continue to assist the state in siting reentry facilities pursuant to Chapter 9.8 (commencing with Section 6270) of Title 7 of Part 3 of the Penal Code.
- B. If the county is relinquishing its Phase I award and reapplying for Phase II financing with this application, and is **not seeking** relinquishing preference in Phase II based on the criteria established in this RFA, the following language must appear in the Board of Supervisors' resolution:
 - The County is relinquishing its AB 900 Phase I conditional award, and reapplying for a Phase II conditional award, and requesting admissions preference for this application.
- **C.** For all relinquishing counties (A and B above) as well as all other applicant counties, attach the County Board of Supervisors' resolution for the project that contains the following:
 - Names, titles and positions of County Construction Administrator, Project Financial Officer and Project Contact Person.
 - Authorization of appropriate county official to sign the Applicant's Agreement and submit the application for funding.
 - Assurance that the County will adhere to state requirements and terms of the agreements between the County, the California Department of Corrections and Rehabilitation, the Corrections Standards Authority and the State Public Works Board in the expenditure of any state financing allocation and county contribution funds.

- Assurance that the County has appropriated, or will appropriate after notification of conditional award of financing but before state/county financing agreements, the amount of contribution identified by the County on the financing program application form submitted to the Corrections Standards Authority; the County acknowledges the need to identify the source of funds for county contribution and other county borne costs, and assures that state and cash contribution does not supplant (replace) funds otherwise dedicated or appropriated for construction activities.
- Assurance that the County will safely staff and operate the facility that is being constructed (consistent with Title 15, California Code of Regulations) within ninety (90) days after project completion.
- (All projects: Provide the following site assurance for the local jail at the time of application or not later than ninety (90) days following the Corrections Standards Authority's notice of conditional award): Assurance that the County has project site control through either fee simple ownership of the site or comparable long-term possession of the site, and right of access to the project sufficient to assure undisturbed use and possession of the site, and will not dispose of, modify the use of, or change the terms of the real property title, or other interest in the site of facility subject to construction, or lease the facility for operation to other entities, without permission and instructions from the Corrections Standards Authority.
- Attestation to \$_____ as the site acquisition land cost or current fair market land value for the proposed new or expanded jail facility. This can be claimed for on-site land cost/value for new facility construction, on-site land cost/value of a closed facility that will be renovated and reopened, or on-site land cost/value used for expansion of an existing facility. It cannot be claimed for land cost/value under an existing operational detention facility. (If claimed as in-kind contribution, actual on-site land cost documentation or independent appraisal value will be required as a preagreement condition).

Kern County Sheriff's Office

SUMMARY

"The quality of criminal justice is suffering in Kern County."1

Kern County's population has increased 54% since 1990, during which time no new facilities were added to the County's jail system. Unsurprisingly, this population boom has had a substantial impact on the jails, creating a current estimated need for **1,071** jail beds to be added to the system's current capacity of 2,698. To comply with federal capacity limits established in 1992, the Sheriff has been forced to release 77% of sentenced inmates early. In 2010, over 6,400 inmates were released early, an increase of 196% since 2002.

Summary Project Need

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Detention Alternatives

Scope of Work and Project Impact

Administrative Work Plan

Plan for Adequate Staffing of the Facility

> Effects of Realignment

> > Budget

Additionally, the **type** of beds available do not provide for safe and effective management of an inmate population that has become increasingly "hardened" in recent years, with greater numbers of felons, violent felons, and un-sentenced inmates. Un-sentenced felons make up an average of 82% of inmates at Male Minimum, an open-barracks facility. The imbalance between the security level of the population and the security level of available housing has led to dramatic increases in violent inmate disturbances in recent years.

This RFP response is a request for funding to construct a 790-bed, Type II facility that will provide the **number** and the **type** of beds desperately needed to safely and effectively manage the Kern County jail population. In addition to 576 medium security beds, the facility will provide 128 mental health treatment beds, 32 "high-risk" beds, 32 administrative segregation beds, 7 infirmary beds, and 15 suicide watch beds.

The scope of the project is unchanged from the project for which the County was awarded Phase I funding, which the County is relinquishing in this Phase II application. The total eligible project cost is **\$111,164,902**. Kern County is requesting **\$100** million (**90%**) in state funding and will provide **\$11.1** million (**10%**) in cash match. 18092

1.0 PROJECT NEED

The Kern County jail system is primarily comprised of four Type II Facilities. The total Rated Capacity (RC) of the jail system is 2,698 beds, distributed as follows: Central Receiving Facility (292), Pre-Trial (1,232), Max-Med (374), Male Minimum (704), and Female Minimum (96).

1.1 CONCLUSIONS OF THE JAIL NEEDS ASSESSMENT²

1. The jail system has a current need for 1,071 new jail beds. The Sheriff's Office should plan to meet the 2018 projected operational bed capacity need for 1,648 new jail beds.

- County population has increased 54% since 1990. The newest jail in the Kern County system was constructed in 1987.
- 2. The lack of adequate jail space has had a significant impact on all Criminal Justice stakeholders in Kern County.
 - 77% of sentenced inmates are currently released early. Since 2002, the number of inmates released early has increased 196% and the number of misdemeanants released before arraignment has increased 89%, decreasing the efficacy of judicial sentencing and reducing offender accountability.
- 3. The type of beds available in the current system are not conducive to the practice of safe and effective jail population management strategies.
 - The number of felons, violent felons, and un-sentenced inmates has risen steadily since 2002. Un-sentenced inmates now average 87% of the jail population and 84% of inmates are felons, many housed by necessity at the Minimum Facility.
- 4. The **planned facility** will provide a portion of the **number** and **type** of beds needed to effectively manage the inmate population.

 The planned facility will include 576 medium security beds, 32 administrative segregation beds, 32 "high-risk" beds, 128 mental health treatment beds, 15 suicide watch beds, and 7 infirmary beds. Facility design will also include substantial inmate program space.

1.2 STATISTICAL DATA AND SUPPORTING INFORMATION

Operational Bed Capacity Needs: The number of beds in the current system is inadequate to house the inmate population. Even though Kern County's population increased 54% from 1990 to 2010, no new jail beds were added to the jail system during that time. To maintain the

population at levels stipulated in Anderson v. Kern, a 1992 federal capacity lawsuit, an ever-

The Number of Inmates Released Early has Increased 196% since 2002 increasing number of inmates are released early – either subsequent to booking via "Promise to Appear" or after sentencing, via federal capacity (fed cap) release.³

This has resulted in a "**pent-up demand**" for jail beds; people who would remain in jail if sufficient space existed. Analysis of pent-up demand and the projected impacts of Criminal Justice Realignment indicate that **1,071** new beds must be added to meet current operational bed capacity needs. Based on projected growth in the population of Kern County, a forecast of future operational bed capacity needs indicates a need for **1,648 new beds by 2018**.⁴

The Impact of Lack of Jail Bed Space on Criminal Justice in Kern County: Due to a marked increase in bookings in recent years, 77% of inmates sentenced to local jail time are released via fed cap after serving a fraction of their jail sentence. The number of inmates released early has increased 196% since 2002, rising from 2,181 to 6,452 in 2010.

As the jail population has increased, the percentage of sentence served has declined. A comparison of sample groups of inmates released early in 2002 and in 2010 revealed that the inmates released in 2010 served an average of **36% of their sentences**, as opposed to **56%** in 2002. The smallest portion of a sentenced served by the 2010 group was **23%**.

Another alarming trend is the increase in the number of gang-affiliated inmates released early. In 2002, 659 gang-affiliated inmates were released early. In 2010, 2,348 gang-affiliated inmates were released early, an increase of 256%. Overcrowding also forces the release of misdemeanor offenders before arraignment, via "Promise to Appear." The number of inmates released immediately after booking via "Promise to Appear" has increased 89% since 2002, and includes inmates arrested for crimes of violence and those with multiple "Failure to Appear" warrants.

Over 2,300 Gang-Affiliated Inmates were Released Early in 2010 The substantial increase in the number of inmates released early impacts every stakeholder in the Kern County criminal justice system. The efficacy of judicial sentencing is diminished, as jail

sentences imposed by the courts are reduced by 64% or more to comply with the federal capacity limit. The Kern County Probation Department is impacted, as jail no longer serves as an effective sanction for violation of probation. Participation in detention alternative programs has declined over the last decade as more inmates chose to serve a significantly shorter jail sentence rather than participate in alternative programs. For example, despite the implementation of program changes designed to increase program capacity, participation in the Sheriff's Work Release Program has declined 35% since 2003.⁵

The Evolving Inmate Population and Bed Types Needed: The profile of the inmate population of the Kern County jail system has changed considerably since 2002.

Hardening of the Inmate Population: Since 2002, the percentage of the inmate population charged with felony crimes increased from 69% to 84% and the number of gang-affiliated inmates increased 64%. The percentage of un-sentenced inmates increased from 63% to 87%. Inmate security levels have changed substantially during that time as well: the percent of minimum security inmates decreased from 28% to 13%. Conversely, the percent of medium security inmates increased from 68% to 83%.

Special Housing Consideration: Statistics indicate that the jail population is becoming increasingly difficult to manage. Since 2002, use of the safety cell has increased 37% and use of the sobering cell has increased over 418%. The number of staff reporting injuries from combative or assaultive inmates has increased 211%. Approximately 23% of such injuries since 2007 occurred in Pre-Trial's C-Pod, a special housing unit that houses only 3% of the total jail population, primarily administratively segregated and "high-risk" inmates.⁶

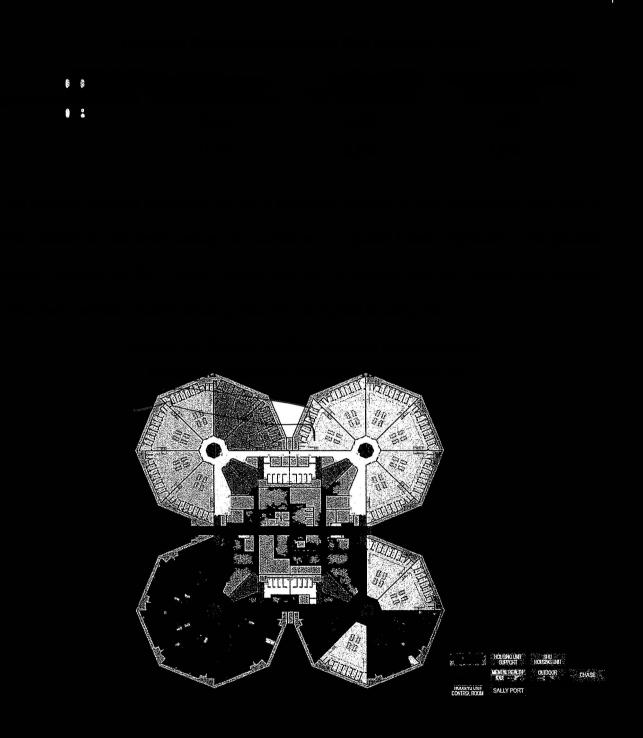
Security Level: While the jail system's housing configuration closely mirrored the inmate population profile in 2002, the current configuration is clearly inadequate to safely and effectively manage the current inmate population. Table 1.0 demonstrates that the current system has 17% more medium security inmates than medium security beds.

Table 1.0: Comparison of Inmate Security Level and Available Bed Types

2002 Security Level and Bed Type	Minimum Security	Medium Security	Maximum Security
Percent of 2002 Population	28%	68%	3%
Percent of Bed Type Available System-Wide	30%	66%	4%
Percent Difference – Beds Available	+ 2%	-2%	+1%
2010 Security Level and Bed Type	Minimum Security	Medium Security	Maximum Security
2010 Security Level and Bed Type Percent of 2010 Population			
	Security	Security	Security

Planned Facility: The jail system is projected to have an operational bed capacity need for 1,648 new beds by 2018. It is anticipated that a portion of that capacity need will be met when the Sheriff's Office completes a planned remodel of an existing facility, *at county expense*, resulting in an additional **112** beds. The construction of a new facility would meet a significant portion of the remaining need.

Kern County Sheriff's Office



watch cells and 7 infirmary cells. Total facility capacity is projected to be **790**. Table 3.0 summarizes the type and number of beds projected for the planned facility.

Table 3.0: Planned Facility – Number and Type of Beds Planned

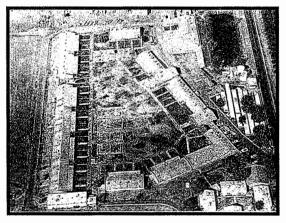
Rated Capacity (BRC)		Special Use (SU)		
Туре	Number	Туре	Number	
Medium Security	576	Suicide Watch	15	
Flexible: Ad Seg or Disciplinary Isolation	32	Infirmary	7	
High Risk- "Super Maximum"	32			
Flexible: Medium or Mental Health	128			
TOTAL RATED CA	PACITY: 768	TOTAL SPEC	IAL USE: 22	

1.3 SECURITY, SAFETY, AND HEALTH NEEDS

Safety and Security Needs: Because of the lack of medium security housing, medium security

inmates are frequently housed at the Minimum Facility, a configuration of twenty-two barracks surrounding a large central yard. A review of the Male Minimum Facility's 2010 population revealed that an average of 82% of the inmates were unsentenced felons, or 458 of the facility's average daily population of 559.

Figure 2.0: Minimum Facility



The potential for large-scale disturbances is also of grave concern. The Sheriff's Emergency Response Team responded to the Minimum Facility **10** times between 2006 and 2008 due to significant inmate disturbances.⁷ These disturbances caused the Sheriff's Office to reduce the Minimum Facility's population to an average of 130 below the facility's Rated Capacity, resulting

in a decrease in major disturbances. However, the influx of inmates due to Realignment has forced the Sheriff's Office to discontinue this practice, returning the facility to its earlier population levels and raising new concerns about major inmate disturbances. The design of the

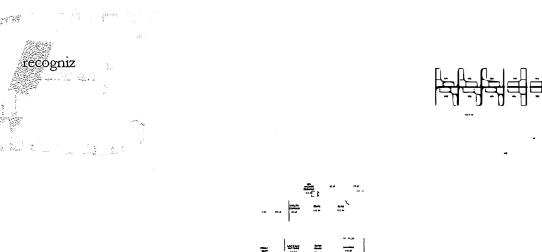
80-100 Inmates Were Involved In a Racial Disturbance at the Minimum Facility on February 12, 2008 Minimum Facility is ill-suited for the majority of the inmates it currently houses, jeopardizing facility security and the safety of both staff and inmates. Medium security housing is needed to safely and effectively manage those inmates inappropriately housed at the Minimum Facility.

The current system also lacks appropriate housing for high-risk, staff-assaultive inmates. As noted earlier, the number of staff reporting injuries due to contacts with combative or assaultive inmates has increased **211%** since 2002. "High-risk" maximum security housing in the planned facility, incorporating enhanced security design concepts, will help ensure the safety of staff and aid in the management of the high-risk inmate population.

Health Needs: Approximately 15% of the population receives mental health services and 815 at-risk inmates were placed on suicide watch during 2010. Suicide watch cells are frequently at capacity. As a result, suicidal inmates must be temporarily "housed" in holding cells. The existing thirty-two mental health treatment beds are consistently at full capacity, with waiting lists for mental health treatment housing the norm. Since 2002, infirmary housing increased 5%, nurse's sick call increased 11%, and doctor's sick call increased 6%.

Under the current plan, core mental health housing, treatment, and office space will be relocated to the planned facility. This will free up infirmary housing, service, and office space in the existing facilities that can be utilized to accommodate expanded medical staffing and service needs. The planned facility will include infirmary and medical housing, two safety cells, one sobering cell, a medical clinic, medical and mental health offices, and service and storage spaces.

(Enlarged Schematic Available in Appendix 10)



provision of on-site programs, treatment, and to broadcast distance learning courses to inmate housing units. The focus on evidence-based programs is intended to reduce the recidivism rate within the jail system, decreasing the future need for additional jail beds.

1.5 LITIGATION RELATED TO CROWDING

In response to jail overcrowding, a 1992 federal class action lawsuit, <u>Anderson v. Kern</u>, stipulated that the Sheriff may release prisoners when the total jail population reaches 90% of capacity limits and **must** release prisoners when the total population reaches 100% of the population limit. The jail continues to operate under these stipulations, resulting in the early release of approximately 77% of the sentenced population.

1.6 NON-COMPLIANCE FINDINGS

In general, the Kern County jail system has historically maintained a strong record of compliance with regulatory requirements in both policy and in performance. However, in isolated incidents, inspectors have identified some areas of non-compliance that have caused concern and prompted careful consideration. The 2010 Corrections Standards Authority (CSA) inspection found that the Pre-Trial Facility showed evidence of safety checks in excess of one hour, noting that this can be an indication of inadequate staffing.

Both the 2010 CSA jail inspection and the 2010-2011 Kern County Grand Jury Final Report noted the inadequacies of the Minimum Facility's design and physical condition. The National Institute of Correction's 2005 report, "Facility Assessments for Kern County"; the CSA 2006 report, "Security Audit of the Minimum Facility"; and the 2007 Justice Concepts Inc. report, "Study of Jail Capacity Requirements and Options for Controlling Growth", all recommended the Sheriff's Office re-house the medium security inmates currently housed at the Minimum Facility to more appropriate medium security housing.

1.7 AVERAGE DAILY POPULATION

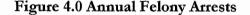
Because the newest facility was added to the Kern County jail system in 1987 and the inmate

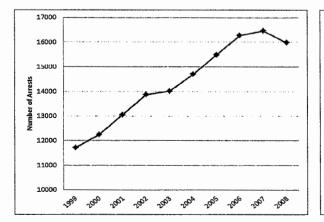
The Jail System Has Operated at 92% Capacity Since 2002 population is "capped" by <u>Anderson v. Kern</u>, the Average Daily Population (ADP) of the jail has remained essentially unchanged for **20 years**.⁹ As an example, the ADP of the jail system was 2,357 in 1997. By 2010, the ADP

had decreased slightly to 2,317. Since 2002, the jail has operated at an average of 92% capacity annually.

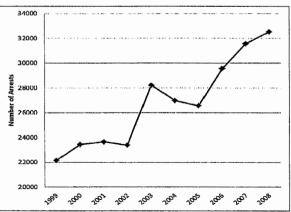
1.8 DEMOGRAPHIC DATA

From 1990 to 2010, Kern County's population grew by 54%, to 836,631. Between 2010 and 2020, the population is expected to increase 20%, passing one million. At 14%, the unemployment rate in the region is significantly higher than the state average of 11%. Overcrowded housing is currently at 9%. These trends are likely to create conditions that could foster crime, further elevating the jail population.¹⁰ Local arrest rates increased approximately 36% between 2000 and 2008, with the number of misdemeanor arrests nearly double the number of felony arrests. As mentioned above, analysis of this population data and projections indicated the need for 4,346 jail beds by 2018, requiring the addition of 1,648 new beds to the jail system's current capacity.¹¹









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As Table 4.0 below indicates, the demographics of the inmate population have also changed considerably over the course of the last eight years, resulting in an increasing strain on the current jail system in terms of inmate management.

Category	2002	2010	%	Category	2002	2010	%
Misdemeanor Charges	683	366	-46%	Sobering Cell	11*	57	+418%
Felony Charges	1,518	1,951	+29%	Safety Cell	41	56	+37%
Violent Felony Charges	1,264	1,406	+11%	Housed In Infirmary	1,463	1,535	+5%
Un-Sentenced Male	1,200	1,716	+43%	Suicide Watch	756	815	+8%
Un-Sentenced Female	187	186	0.5%	Staff Assaults w/Injury	9*	28	+211%
Sentenced Male	651	186	-71%	Total Bookings	42,225	44,436	+5%
Sentenced Female	163	91	-44%	Gang Affiliated	8,853	14,563	+64%
"High-Risk"	282	249	-12%	Gang- Affiliated Early Release	659	2,348	+256%
% Maximum Security	67	55	-18%	Sentenced Early Release	5,962	7,743	+30%
% Medium Security	1,507	1,932	+28%	Misd. Pre- Trial Release	7,014	13,240	+89%
% Minimum Security	627	303	-52%	% of Sentence Served	56%	36%	-36%
Current Be	d Capaci	ity Need:	3,769	Projected 2	2018 Bed C	apacity Neo	ed: 4,346
Additional Bee	ds Needa	ed (Curre	nt): 1,071	Addition	al Beds Ne	eded (2018)	: 1,648

Table 4.0: Inmate Population/Jail Profile Survey Data: 2002, 2010

* Sobering Cell Usage and Staff Assault Data from 2003. Data for 2002 was not available.

2.0 DETENTION ALTERNATIVES

The Kern County Sheriff's Office has demonstrated a commitment to work in partnership with local criminal justice stakeholders to develop and implement detention alternative programs. In FY 2009/10, over **3,000** participants were referred to various detention alternative programs, including the Adult Transition Team, Sheriff's Work Release, County Parole, and Electronic Monitoring.

2.1 STEPS TAKEN TO REDUCE CROWDING¹²

The Sheriff's Office has worked diligently to reduce jail crowding by focusing on the following strategies:

- Maximizing usage of bed-space available in the current system;
- Expanding capacity in current detention alternative programs;
- Developing and implementing a comprehensive detention alternative expansion strategy.

Current Jail System: In an effort to reduce overcrowding, the Sheriff's Office re-opened the long-closed Central Receiving Facility in 1995, adding 292 beds to the operational bed capacity of the system. Between 2005 and 2008, the Max-Med facility was re-opened in phases, ultimately adding 374 beds. The Sheriff's Office is also converting 112 single-occupancy cells to double-occupancy cells at the Pre-Trial Facility during FY 2010/11 *at county expense*. This will

Detention Alternative and Diversion Programs Provided an Alternative Sanctioning Option for over 3,000 Participants During 2010 bring total system capacity to 2,810, a total of 959 beds short of the current bed need of 3,769 beds.

Expanded Capacity: Current Detention Alternative Programs:

With over 3,000 participants during 2010, current detention alternative

and diversion programs provide a viable sanctioning option for a significant number of offenders in Kern County. Although program capacities have been impacted by the increased number of inmates released early in recent years, the Sheriff's Office has actively endeavored to increase alternative program capacities. As detailed below, changes made in 2007 and 2008 to the Work Release and County Parole programs resulted in significant increases in participation for these alternative programs.

Adult Transition Team (ATT): The ATT Program, initiated in 2006 by the Kern County Mental Health Department (KCMH), provides wrap-around services to mentally-ill inmates who are homeless or at risk of becoming homeless, including inmates with co-occurring disorders. The Detentions Classification Unit works diligently with KCMH to identify eligible participants, releasing appropriate candidates from custody into the program. The program consistently operates at its maximum capacity of 95.

Mobile Evaluation Team (MET): This KCMH program provides trained mental health staff to assist law enforcement officers in determining if a mental health intervention would be more appropriate than arrest. The Sheriff's Office has been very supportive of this valuable program, recognizing that this approach reduces the jail population. Many people who may previously have been taken to jail are instead referred to appropriate mental health treatment and services in the community.

Sheriff's Work Release Program (WRP): This alternative program had 2,758 participants during FY 2010-11. WRP participants worked 47,204 workdays during that time period and, when calculated at minimum wage, performed \$3.2 million worth of labor at Kern County worksites. In an effort to increase program participation, the WRP implemented several program changes in 2007 and 2008. These changes included changing eligibility criteria, providing participants an opportunity to convert from WRP to County Parole after 60 days, and changing operations to a statute that permits participants to earn good and work time credit. Although these changes resulted in a 26% increase in participation, efforts are currently underway to dramatically revamp the WRP in an effort to further increase program participation. **County Parole (CP):** This program, operated by the Sheriff's Office, monitors program participants for a period of six months to two years. Participants attend required treatment and counseling programs, and are subject to search terms as well as alcohol and drug testing. County Parole had 138 participants during FY 2010-11. Modifications to the WRP during 2007 resulted in a 24% increase in County Parole participation. It is anticipated that further changes to the Work Release Program will positively impact County Parole participation.

Electronic Monitoring (EM): The Kern County Probation Department's Electronic Monitoring Program, which monitors low-risk offenders via an electronic device, averages 216 participants annually. Capacity in this program is limited to low-risk offenders approved by the courts.

Proposition 36 Drug Diversion: This valuable program provides substance abuse treatment and monitoring to an average of approximately **1,700** non-violent drug offenders each year. Program capacity is limited to the number of persons who meet eligibility criteria.

Detention Alternative Program Expansion Strategy:

In addition to the beds currently planned, the jail system is projected to need another 926 beds by 2020, based on county population growth rates. It would cost Kern County an estimated \$185 million to build 926 additional beds and \$26 million per year to operate those beds.

If an additional 926 persons were referred to alternative programs rather than jail, the estimated program cost to the county would be 5.5 million annually. This would result in a cost avoidance of 21 million per year in operating funds, and the avoidance – or substantial delay – of construction costs estimated at 185 million.¹³

Recognizing this opportunity to avoid costs while reducing recidivism, the Sheriff's Office is in the process of planning and implementing the following strategies in an effort to reduce costs, reduce the need for new jail beds, and contribute to lower crime rates. Kern County Sheriff's Office

Table 5.0: Detention Alternative Program Expansion Strategy

Strategy #1: Modify and Expand Work Release Program (FY 11/12)

- Revise eligibility criteria and encourage increased court referrals.
- Screen eligible inmates into the program immediately upon commitment to jail
- Incorporate educational and vocational programs into WRP
- Target increase: 300 participants

Strategy #2: Develop and Implement a Pre-Trial Electronic Monitoring Program (FY 11/12)

• Target capacity: 300 participants.

Strategy #3 Expand County Parole Capacity (FY 11/12)

- Revise eligibility criteria.
- Target increase: 50-100 participants

Strategy #4: Expand Adult Transition Team Program (FY 11/12)

• Target increase: 50 participants

2.2 PROGRAMS DESIGNED TO REDUCE RECIDIVISM¹⁴

In an effort to reduce the one-year recidivism rate within the current jail system of 40%, and the three-year recidivism rate of 61%, the Sheriff's Office actively supports the following evidence-

based detention alternative programs:

Adult Transition Team: Serving an average of 124 participants per year, the ATT program has

The ATT Program has been estimated to reduce recidivism among its participants by 95%. reported an average 95% reduction in recidivism among its participants. In

2010, only 16 of the program's 120 participants were rearrested.

Sheriff's Work Release Program: Studies suggest that Work Release

programs may reduce offender recidivism by 5.6%. Plans to expand the current WRP to incorporate educational and vocational training are under consideration. This enhancement is projected to further reduce recidivism by 4.8%. Thus, if the 2,835 participants in 2010 had not

been in the program, 1,134 would be expected to re-offend within a year. Participation in the WRP with educational and vocational training would result in **295** fewer re-offenders.

Prop 36 Drug Diversion: Adult Drug Courts have been demonstrated to reduce offender recidivism by 10.7%. With an average of 1,700 participants per year, an estimated 680 Drug Diversion participants would be re-incarcerated within a year. After participating in Prop 36 Drug Diversion, it is anticipated that 498 offenders would re-offend, a decrease of **182** persons per year.

In-Custody Educational Programs: Educational programs have been demonstrated to reduce offender recidivism by 5.1%. With 15,428 participants per year, an estimated 6,171 would be re-incarcerated within a year. After attending educational programs, it is anticipated that 5,384 offenders will be re-incarcerated, a decrease of **787** persons.

2.3 RISK-BASED DETENTION MODEL

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A central component of the Sheriff's plan to expand detention alternative program capacity is the development and implementation of a formal **Risk Assessment Instrument.** In addition to identifying in-custody program needs, the Risk Assessment Instrument will be used to assess suitability for detention alternative programs and identify the program, or combination of programs, that best meet the needs of the individual offender. The Risk Assessment Instrument will operate in tandem with risk assessment methods used by the Kern County Probation Department to provide a coordinated, system-wide methodology to guide decision-making related to the incarceration of local offenders.

2.4 ACTIONS TAKEN TO REDUCE OVERCROWDING

Efforts undertaken to reduce overcrowding in the jail system include the re-opening of previously closed beds and the addition of 112 new beds. Detention alternative program capacity has also expanded significantly in recent years.

Bed Capacity Added:

- Central Receiving Facility: Re-opened in 1995. Capacity added: 292 beds.
- Max Med Facility: Re-opened between 2005 and 2008. Capacity added: 374 beds.
- Pre-Trial Facility: Convert 112 beds from single- to double-occupancy in 2010-11 at county expense. Capacity added: 112 beds.

Program Capacity Added:

- Adult Transition Team implemented in 2006. Program capacity added: 95.
- Modified County Parole in September 2007-8. Program capacity added: 27.
- Substantial Work Release changes in 2007-8. Projected program capacity added: 640.

2.5 ALTERNATIVE AND DIVERSION PROGRAMS: SUCCESS RATES

The Sheriff's Office has a long history of providing effective detention alternative programs.

Program:	Established:	2010 Participants	% Completed Program
County Parole	1957	138	51%
Work Release	1987	2,835	89%
Electronic Monitoring	1990	91	90%
Prop 36 Drug Diversion	2001	1,445	52%
Adult Transition Team	2006	157	90%

Table 6.0: Detention Alternative Program Success Rates

2.6 CURRENT INMATE POPULATION MANAGEMENT MEASURES

Given the current bed type and capacity constraints in the jail system, inmate population management has become increasingly complex. The population has grown to the extent that the Sheriff's Office had to release 6,452 inmates early in 2010, an average of 538 per month. To assist in inmate population management, Kern County has a sophisticated computerized Criminal Justice Information System (CJIS) with real time connectivity to all local criminal

Kern County Sheriff's Office

3.1 SCOPE OF WORK PAYABLE FROM STATE FUNDS & MATCH FUNDS

The planned facility will include **790** beds in a 241,000 square foot facility, distributed between three medium security housing units, one special housing unit, and medical and suicide watch cells in the infirmary. Support areas in the facility include one central and four housing control rooms, an intake/release processing area with 14 holding cells, two safety cells, one sobering cell, kitchen, laundry, and maintenance spaces. Staff areas include administrative office space, security office space, staff briefing, staff dining and locker rooms. The facility also includes a staff training room, including a mock extraction cell. Medical and mental health space includes an administrative office and records area, a conference room, a medication preparation room, storage space, secure storage space, three medical exam rooms, and a dental exam room.

The planned facility will also include a Visitor's Center/Property Storage Warehouse that is adjacent to, but not adjoining the planned facility. Public visitors will not enter the planned facility. Video visitation, the acceptance of bonds, and the release of inmate property will all occur in the Visitor's center. Inmate personal property, personal clothing, court clothing, and other storage needs will be provided for in the Property Warehouse. Locating the Visitor's Center/Property Warehouse in this manner will result in substantial construction savings, as the building can be comprised of regular commercial building materials rather than more costly jail construction materials. This also increases facility security, as only professional visitors or vendors will be admitted to the facility, substantially decreasing the opportunity to introduce contraband into the facility.

Scope of Work Payable from State Funds, Cash Match and In-Kind Match:

The scope of this project is the same as that of the project for which Kern County was given a Phase I conditional award, which the county is relinquishing with this application.

2011 Local Jail Funding RFA Narrative

Kern County Sheriff's Office

The total eligible project cost of \$111,164,902 is distributed as follows:

State Funds: \$100,000,000 89.96% of Project Cost	Cash Match: \$11,164,902 10.04% of Project Cost
Construction:	Construction:
\$95,169,094	\$2,228,189
Central Plant	
Housing Building	Architectural
Support Building	\$8,765,755
Visitation/Property Storage	
Central Plant	
Siteworks	
Construction Management	Construction Management
\$4,830,906	\$38,958
	CEQA
	\$132,000

3.2 NEW FACILITY / FACILITY SITE

The planned facility is a new facility that is completely unattached and distinct from any existing structure on the Kern County Sheriff's Office Lerdo jail complex. The planned facility will be located on a 29-acre parcel of county-owned property at the Sheriff's Lerdo jail complex.

3.3 SCOPE OF WORK: IDENTIFIED NEEDS

Capacity Needs: The planned facility will add 790 beds to the operational bed capacity of the Kern County jail system. The planned facility will increase Rated Capacity of the jail system to 3,488 beds, an increase of 29%. The added capacity will meet 74% of the current bed capacity need for 1,071 new beds.

Impact of Increased Capacity: Since the Sheriff's Office will remain under capacity limits established in <u>Anderson v. Kern</u> for the foreseeable future, expanded capacity will allow the Sheriff's Office to comply with capacity limits while substantially reducing the number of inmates released early. This will enhance the effectiveness of judicial sentencing, hold offenders

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accountable to the community, increase attendance in in-custody programs, and increase participation in detention alternative programs.

Bed Type Needs: The planned facility will add the type of beds needed to effectively manage the inmate population, including: 576 medium security beds, 128 mental health treatment beds, 32 "high-risk" beds, 32 flexible administrative segregation or disciplinary isolation beds, 15 suicide watch beds, and 7 infirmary beds.

Security Level - Medium Security: The planned facility will add 576 much-needed medium security beds. This will increase medium security beds in the system by 32%: from 1,791 to 2,367 beds. Forty percent of current housing consists of dormitories, far more dorm housing than is needed given the increasingly "hardened" inmate population. Therefore, the housing configuration of the planned facility will consist of double-tiered housing pods, with 16 two-person cells per housing pod, designed to meet both current and future needs.

Security Level - Maximum Security: The planned facility will add 32 maximum security beds, consisting of two sixteen-person single-occupancy "high-risk" Special Housing Units (SHU). Although the percentage of maximum security inmates has averaged .5% since 2002, this population is becoming increasingly difficult to manage. Staff assaults have increased alarmingly, with 23% of all assaults in the entire jail system since 2007 occurring in the current high-risk/administrative segregation unit, which houses 3% of the total jail population. The SHU units in the planned facility will include enhanced security features for the protection of staff, including portholes allowing inmates to be restrained before exiting their cells, secure areas with individual showers, enclosed dayroom space for every four cells, and enhanced video surveillance.

The addition of these much-needed medium and maximum security beds will enable the Sheriff's Office to effectively manage the inmate population. The table below indicates a slight over-build of both medium and maximum security beds, which will provide the Sheriff's Office the flexibility necessary to adapt to the evolving and increasingly 'hardened', inmate population.

Table 7.0 Current and Pr	ojected Inmate Security	Level and Available Bed Types
	,	J 1

	Minimum	Medium	Maximum
2010 Security Level and Bed Type	Security	Security	Security
Percent of 2010 Population	13%	83%	2%
Percent of Bed Type Available System-Wide	30%	66%	4%
Percent Difference – Beds Available	+ 17%	-17%	+2%
Projected Security Level and Bed Type			
Percent of Projected Population	29%	69%	2%
Percent of Projected Bed Type Available System-Wide	23%	73%	4%
Projected Percent Difference – Beds Available	-6%	+4%	+2%

Medical/Mental Health Issues: As noted in Section 1.3: Health Needs, the demand for medical and mental health services and treatment have increased significantly in recent years, straining medical and mental health housing, treatment, and staff space. When the planned facility is opened, core mental health housing and staff will be moved to the planned facility. The planned facility will:

- Expand mental health treatment housing from 32 to 128 beds and incorporate direct supervision in mental health treatment units.
- Expand suicide watch cells from 11 to 15.
- Include 7 new infirmary cells. New cells and converted suicide watch cells in existing facilities will expand infirmary housing from 16 cells to 31 cells.

3.4 PRE-CONSTRUCTION vs. POST-CONSTRUCTION CONDITIONS

Law: The planned facility design includes medical and mental health treatment space that ensures safety while providing for confidentiality in compliance with HIPPA. The facility design

also incorporates ADA compliant housing and showers in every housing pod, a design element that was not required, or included, when existing facilities were built.

Compliance with Regulations: The 2010 CSA biennial inspection noted that the Pre-Trial

A De-Centralized Design Model Will Reduce Inmate Movement ~ Increasing Facility Safety and Security

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showed evidence of safety checks in excess of the hourly requirement contained in Title 15. One factor that hampers the ability of staff to provide hourly security checks is the centralized services design of current facilities. Currently, the housing officer must escort inmates

to various services provided outside the housing unit, reducing the amount of time spent supervising the housing unit. The planned facility is designed to keep the housing officer and inmates in the housing unit as much as possible via a **de-centralized** design model. Visiting, medical treatment, mental health evaluations, educational, vocational, substance abuse, and therapeutic inmate programs will occur within each housing unit. This design will substantially decrease the amount of time housing officers spend escorting inmates and increase the opportunity to supervise the housing units and conduct hourly checks.

Conditions of Confinement: Medical and mental health issues within the correctional setting are often the basis for conditions of confinement litigation. The planned facility will substantially increase the number of mental health treatment beds, the number of infirmary beds, and the number of suicide watch beds available within the jail system. Each 32-person housing pod will also include two video visiting kiosks, increasing the opportunity for inmates to receive visits. Each will also have one confidential video visiting kiosk, improving access to counsel, Kern County Probation Department staff, and mental health treatment via telepsychiatry services.

Continuum of Community Care: The planned facility will include four mental health treatment units. Designed based on a therapeutic community model, treatment is provided for up to eight hours a day within the housing unit. At release, inmates housed in mental health

treatment units will be linked to appropriate community programs or services by mental health staff.

Safety and Security: The approximately 458 un-sentenced felons currently housed at the Minimum Facility will be re-housed to more appropriate medium security housing in the planned facility, dramatically improving the safety and security of the Minimum Facility. "High-risk" inmates will be housed in SHU housing, designed to enhance the safety of staff when interacting with this population. The addition of these beds will substantially improve safety and security for staff and inmates.

Program Space: Inmate program and treatment space is emphasized in the design of the facility. Each housing unit will include two 300 square foot multi-purpose rooms. These rooms

Inmate Program Space is Incorporated Within Each Housing Unit will provide on-site treatment, educational and vocational programs space as well as program staff space. The facility will also include one central classroom with office space for program staff, which will be

used to provide on-site instruction and wired to allow distance-learning courses or religious programming to be broadcasted to each housing unit multi-purpose room.

4.0 ADMINISTRATIVE WORK PLAN

4.1 PLANNING PROCESS

The planning process starts with **programming.** This approach is based on a tested methodology in which the building user needs are determined. It establishes a management plan tailored to the building type and the facility operational philosophy. It explores needs through workshops and meetings with stakeholders, utilizing interviews to identify space characteristics and equipment requirements. The program is much more than a list of spaces and the technical requirements for those spaces. It includes an understanding and documentation of the operations, mission and goals, the qualitative aspects, and the cost constraints of the project. A modeling process is used to define these parameters. In this manner the project is described completely in a series of models; **program**, **quality**, and **cost**; before proceeding to the design phase. The program document was used to develop a schematic level design of the facility to depict all spaces, adjacencies, security concerns, and operational considerations. This plan was used to develop opinion of probable construction cost information, estimated project scheduling, and operational staffing needs.

In addition to the planning activities discussed above, the County is fully prepared to begin the process of ensuring compliance with the California Environmental Quality Act (CEQA) within 90 days of the being granted a conditional award. In late 2011, the Sheriff's Office obtained an updated estimate for completion of the CEQA process in order to ensure readiness to proceed promptly with this aspect of the project.

4.2 PLAN FOR PROJECT DESIGN

This project consists of a new Type II facility at the Lerdo jail complex. It will house 790 beds in a 241,000 square foot facility. The design of this facility begins with the understanding that each

The Design Must Recognize and Accommodate Present and Future Requirements project is unique, and that the design response must recognize and accommodate **present** and **future** requirements in the design. A broad range of issues is taken into consideration to determine the relationships,

space requirements, and contingencies of detention operations. From this evolves the architectural program of the facility, a detailed statement of operations to be accommodated, and spaces required. This leads to **Schematic Design**, defining the size and shape of the facility, its site location, and its relationship to its surroundings. The structural, mechanical, plumbing, electrical and security systems are conceived at this point in the design process. Essential to the entire design process is the monitoring of cost. The criteria for arriving at a reasonable cost, (at the schematic design phase) is the quantity take off of materials, cost for materials and labor,

comparison to other similar facilities and then allowing for unknown issues that may arise (contingency) and the rise in construction costs (inflation).

The General Services Construction Services Division will meet with Sheriff's staff and develop a Request for Proposal document to retain a consultant to develop the Design Build Bridging Document (DBBD). The DBBD will consist of the Design Development drawings and Performance Criteria, specifications and other bid requirements such as project schedule, administrative management, quality control, inspections, cost contingency management and other County contractual bid requirements. The selected consultant will also prepare the environmental documents for the project.

Design Development phase will be based on the approved schematic design documents, proposed mitigation measures and updated cost of the work. The design development documents and Performance Criteria will describe the refinement of the design of the project, establishing scope, relationships, forms, size and appearance of the project by means of plans, sections and elevations, typical construction details, and equipment layouts. Included shall be specifications that identify major materials and systems and establish the general quality levels. Due to the critical security requirements, some project requirements may be developed in more detail to assure meeting the Sheriff's Office and Corrections Standards Authority (CSA) adult detention facilities regulations.

The parameters of the DBBD and this Administrative Work Plan will be provided to the successful Design-Build bidder and included within the Design-Build Contract document. Included in the Design-Build Contract is the preparation of the Construction Documents. The Design-Builder will meet with Sheriff's Office and General Services Department personnel during the preparation of the project Construction Documents to discuss, disseminate, and fully communicate the project requirements, including submittals to the CSA, PWB, and CDCR as

necessary. The **Construction Documents** shall be based on the approved DBBD and updated budget for the Cost of the Work. The Construction Documents shall include Drawings and Specifications that establish in detail the quality levels of materials and systems required for the Project. The Design Builder will be responsible for obtaining all approvals through CSA, PWB, CDCR and the BID required for construction.

4.3 PROJECT TIMELINE AND MILESTONES

The request for proposal for professional services for the preparation of the DBBD and environmental documentation services will be advertised on May 3, 2012 with work commencing on July 1, 2012. The project team will schedule a CSA pre-design meeting for August 15, 2012 to scope and develop the DBBD. It is anticipated that the final DBBD, including the Design Build performance criteria and an Operational Program Statement, will be completed by January 15, 2013 and submitted to CSA for final review. The DBBD will be revised to incorporate CSA comments along with an Operational Program Statement to be completed by March 15, 2013 for submittal to the State Public Works Board (SPWB) for review and approval. Upon approval from SPWB on May 15, 2013, the County will publicize the RFP with the DBBD seeking proposals from qualified Design Builders. Upon selection of the Design Builder on September 15, 2013, Construction Documents will commence and be completed for submittal to CSA and local building officials for review and final approvals starting on August 15, 2014. After SPWB approval, the Design Build contractor will commence construction on or before November 1, 2014. Construction will commence and a project "final inspection" shall be conducted on or before January 15, 2017. Occupancy will begin on February 1, 2017 and be completed by April 1, 2017.

Kern County Sheriff's Office

4.4 PROJECT MANAGEMENT PLAN

The project management methodology is based on developing and following a systematic Work Plan, which outlines the basic process of analyzing project goals and milestones and of problem definition, analysis, and solution. The Work Plan is an organizational tool that correlates activities throughout the design and documentation phases. The Work Plan identifies **who** *(people)* will be doing **what** *(tasks)*, **when** *(calendar)* and for **how long** *(time commitment)*. The Work Plan is a key aspect of coordination and supervision that will occur for the Jail Project Team. A sufficient depth of staff will allow scheduled milestones to be aggressively maintained. The Jail Project Team will utilize a Quality Assurance/Quality Control Team (QA/QC) to assist Kern County in the management of this Design-Build method for project delivery.

4.5 PROJECT ADMINISTRATION PLAN/FUNCTIONS OF PROJECT STAFF

The County will assign the joint Sheriff's Office (SO) and Construction Services Division (CSD) Jail Project Team as the County management team. This team will work with the Architects and Engineers in developing the Design Development, DBBD and Performance Criteria, as well as working with the QA/QC Team and the Design Build Contractor on the project. The Jail Project Team includes:

- 1. Earl Barnes, SO Lieutenant, Sheriff's Jail Project Manager: Ensures coordination and oversight of appropriate project elements, including fiscal matters, that occur as necessary.
- 2. Yvonne Rodriguez, SO Consultant: Sheriff's Jail Project Supervisor: Functions as a liaison with CSD and fiscal project staff.
- 3. Geoff Hill, CSD Division Director: County Jail Project Manager. QA/QC Team oversight.
- 4. Nanette True, CSD Contract Specialist: Contracts, Insurance, Consultant Coordination.
- 5. Daniel Moreno, CSD Architect: Project Management and QA/QC Team oversight.

- 6. Kim Domingo, PE, CSD Civil Engineer: QA/QC Team oversight, Infrastructure Development, CEQA and Environmental Mitigation.
- 7. Karen M. Kniffen, CSD Fiscal Support Specialist: Monitoring of contract payments, certified payroll, stop notices, workman's comp issues and records audit.

4.6 FINANCIAL CAPACITY / READINESS TO PROCEED:

The County of Kern intends to finance the County's portion of the cost of the estimated \$115 million new jail facility through multiple sources of funds, including cash and in-kind dollars. The cash component will be financed through a concurrent Certificates of Participation (COPs) issuance backed by the County's General Fund, as well as identified cash already on hand. Total dollars flowing from the County will exceed the stipulated 10% minimum threshold. The County has identified approximately \$2.2 million of inmate welfare funds that are currently available for the project. Assuming the receipt of \$100 million matching funds from the State of California, the balance of approximately \$11.1 million will be financed through the COP issuance. The County recognizes the requirement that the State retains ownership rights to the new jail facility throughout the SPWB's bond term and therefore will be using an asset transfer legal structure to finance the cash match. The County will identify an alternate, County-owned asset or mix of assets, which will serve as the leased premises for the COP borrowing. The County currently has several unencumbered properties that, in aggregate, exceed the required asset value for the COP borrowing. The precise mix of County assets that will serve as the leased facilities for the County's borrowing will be determined at a later time. Since the project is a new jail facility, there will be no prior superior security interest in any part of the new facility. The County will have all matching funds in hand, including the total construction proceeds of the COP issuance, available for the timely completion of the jail facility. The bonding process generally takes three to four months from the initial meeting to having funds on hand. The County intends to

commence this process after the intent to award conditional project funds is received from the State. The County intends to demonstrate the availability of all local match requirements before the project is established with the SPWB. The County will be timely and deliberate in its efforts to meet the project timelines as specified in the RFP.

4.7 MONITORING/CONTROL PROTOCOLS

Kern County has a successful record of monitoring and providing controls that have been timetested on previous construction projects. At the onset of the project, the county management

Kern County Has a Successful Record of Monitoring and Providing Controls on Prior Construction Projects team will develop the overall project general schedule. This schedule will be used thru the DBBD phase and selection of the Design Builder and QA/QC Team services. The Design Build Contractor will develop the critical path (CPM) schedule with all milestones and construction float

durations clearly defined. All construction issues will be monitored by the QA/QC Team against the CPM schedule and will serve to provide guidance on progress, and associated monthly progress billings, until the Notice of Completion is issued. The County will staff the project with a specialized QA/QC Team and maintain a full administrative presence throughout the course of construction with regard to quality control issues and inspections for code compliance and State fire marshal requirements. This QA/QC Team will be augmented by a separate oversight inspection effort conducted by Kern County Building Inspection Department, who will periodically monitor the project. All financial control activities conducted by CSD staff on behalf of the County will be monitored by an independent County department, the Auditor/Controller. Monitoring of all pending requests for payment by the QA/QC Team, Design Build Contractor, and architectural/engineering consultants will be controlled at one location under the purview of the General Services Division. Construction Services Division is co-located with General Services in the County Administrative Center, facilitating impromptu and planned State and County audits and monitoring activities, as all project documents will reside in one location. All disputes or requests for interpretation, including mediation on critical disagreements, will be handled at this location with the assistance of the QA/QC Team and, if necessary, Kern County Counsel staff, also located in the County Administrative Center.

5.0 PLAN FOR ADEQUATE STAFFING OF THE FACILITY

5.1 FACILITY STAFFING PLAN- THE FIRST 90 DAYS

To overcome staffing shortages in the jail, the Sheriff's Office implemented an aggressive, multiphased recruitment strategy in 2007. While recent budget shortfalls have impeded these efforts to enhance staffing, the Sheriff's Office has continued operation of its Detentions Academy for non-hired students, resulting in a local pool of qualified applicants for lateral hiring. Thirty-four new positions were authorized in late 2011 in response to the Criminal Justice Realignment and the Sheriff's Office is in the process of filling these positions. The Sheriff's Office will staff the planned facility via a phased hiring plan, providing any needed entry-level training via existing, in-house POST and STC certified courses.

5.2 COST EFFICIENT STAFFING

The planned facility's popular design and de-centralized model for program and service delivery will allow for more cost efficient staffing than centralized linear or dormitory style designs. Additionally, in 2011, the Sheriff's Office transitioned from a 12-hour shift plan to an 8-hour shift plan for jail staffing to reduce overtime costs. If it continues to demonstrate cost savings, this plan will be used at the new facility. The Sheriff's Office is also developing plans to transfer a portion of staff at the Lerdo Minimum Facility to the planned facility while portions of the Minimum Facility are temporarily closed for reconstruction. Kern County Sheriff's Office

6.0 EFFECTS OF REALIGNMENT¹⁶

6.1 IMPACT OF REALIGNMENT ON THE JAIL SYSTEM

Criminal Justice Realignment, implemented in October of 2011, will have a significant effect on the jail system. Projections suggest that the County will be responsible each year for more than **1,000 felony offenders** sentenced to jail instead of prison, **1,850 parole violators** and **100** offenders incarcerated in jail for violation of their **Community Supervision** agreements. Felony offenders are projected to be incarcerated for an average of 90 days and parole and community supervision violators for an average of 30 days. Based on these estimates, Realignment has created a need for **407 jail beds**, which are included in the projections provided in **1.2** above.

6.2 IMPACT OF REALIGNMENT ON INMATE DEMOGRAPHICS

Projections suggest that the influx of felons into jail population as a result of Realignment will cause the felon population to all but eclipse misdemeanants; felons will comprise an average of **95%** of the inmate population, as opposed to the current 84%. Realignment inmates are also projected to increase the sentenced population from 13% to **24%**.

6.3 IMPACT OF REALIGNMENT ON FACILITY DESIGN

While there is insufficient data to empirically project the security level of Realignment inmates, it is a reasonable assumption that most will be medium security inmates. While they will be sentenced inmates, they will also be felons charged with or convicted of crimes that would have resulted in State prison terms prior to Realignment. To meet a pre-Realignment shortage of medium security beds, 96% of the planned facility's Rated Capacity is comprised of medium security beds. Thus, the planned facility's design will provide the type of beds needed to accommodate the influx of Realignment inmates.

6.4 JAIL EXPANSION IN RELATION TO REALIGNMENT

The Kern County jail system currently needs a projected 664 beds to meet the "pent up" need and 407 beds to accommodate Realignment. Thus, Realignment accounts for **38%** of the 1,071 new beds **currently** needed, or **300** beds of the planned facility's capacity of 790. The added capacity will also reduce the need to release inmates early. This will improve the efficacy of detentions alternative programs, a key component of Realignment, since many inmates currently choose shortened jail terms rather than participate in an alternative program.

7.0 BUDGET

7.1 REASONABLE BUDGETING

In late 2011, the Kern County Sheriff's Office contracted with the Durrant Group, Inc. to update the cost estimates for the project provided in 2008 to account for current economic conditions relevant to jail construction, adjusting for current labor, material, and design costs. The result was a reduction of approximately 7% in the estimated project cost. This update of the pre-existing project cost estimates provides a measure of confidence that the proposed budget detailed in Section 2 of this application represents a reasonable projection of the ultimate costs of construction of the planned facility.

7.2 COST EFFECTIVE PLANNING, DESIGN, AND CONSTRUCTION

The design concept of the project is unchanged from the project for which the County was awarded funding in Phase I. Thus much of the initial planning has already occurred and does not need to be replicated. The updated Jail Needs Assessment has provided the assurance that the design contemplated for Phase I remains the best option to allow the jail system to meet the needs of the community it serves. That assessment estimates that 1,071 beds need to be added to the jail system's current capacity and that 1,648 new beds are needed by 2018. The Sheriff's Office recognizes that it is not feasible to build enough jail space to meet the need. While the 790-bed planned facility will meet only a portion of the needed capacity, it will help set the stage for a successful expansion of evidenced based, alternative programs. As mentioned above, early releases due to a lack of jail space are a limiting factor on participation in alternative detention programs. Thus, the planned facility will reduce early releases and incentivize participation in alternative programs; inmates will be less able to opt for a shortened sentence instead of program participation.

At an estimated cost of **\$140,700 per bed (or \$126,600 State dollars per bed)**, the proposed facility provides a cost effective means increasing the jail system's capacity. The popular design will also permit cost effective expansion if needed. Several other aspects of the proposed facility also contribute towards cost efficient construction and operation. For example, by locating the planned facility within the existing Lerdo Complex, the project will take advantage of a centralized infrastructure. It will use existing or upgraded kitchen, laundry, and maintenance capacity and thus save the cost of having to build such infrastructure anew. Another example of cost efficient construction is the location of the Visitor's Center/Property Storage Warehouse adjacent to, but not adjoining to the facility. As public visitors will not enter the planned jail facility, the Visitor's Center/Property Storage Warehouse may be constructed using commercial building materials, rather than more costly jail building materials.

The six-acre photovoltaic solar panel array currently under construction, as a separate project, will provide one megawatt of renewable energy and reduce long term operating costs for the Lerdo Complex by an estimated \$8.9 million over the next 25 years.¹⁷

Kern County Sheriff's Office

APPENDIX 1: REFERENCES

¹ Beck, Allen. Insco, Nancy. Tallarico, Suzanne, "Study of Jail Capacity Requirements and

Options for Controlling Growth", Final Report, 2007. Page 2-6.

² KCSO Detentions Bureau Compliance Section, "Jail Needs Assessment, 2011". Unless otherwise cited, all data and projections provided are from the 2011 Jail Needs Assessment.

³ <u>Anderson v. Kern</u> CIV F – 90 – 2025.

⁴ KCSO, "Jail Needs Assessment", p. 142

⁵ Work Release and County Parole statistics from: KCSO WRP and CP year-end summaries.

⁶ Staff injury information from: KCSO Risk Management Unit.

⁷Information from: Sheriff's Emergency Response Team, Sgt. Ian Silva.

⁸ Educational and Vocational information from: Bakersfield Adult School.

⁹ The total available capacity has fluctuated several times since 1987 due to temporary closures of the CRF or Max-Med Facilities due to budget or other constraints.

¹⁰ Beck, p. 5-3

¹¹ KCSO, "Jail Needs Assessment", p. 142. Population Data: Kern Council of Governments, <u>2011 Final Transportation Plan</u>, 2011 **and** United States Census Bureau, <u>2010 Census Data</u>, www.census.gov/2010 census. Arrest data from: California Department of Justice, <u>Statistics by</u> <u>City and</u> County, www.ag.ca.gov. (Note: Arrest data for 2009 and 2010 was not available).

¹² Program information for this section provided by: Kern County Mental Health Department (ATT, MET); KCSO Work Release Unit (Work Release, County Parole); and Kern County Probation Department (Electronic Monitoring, Proposition 36).

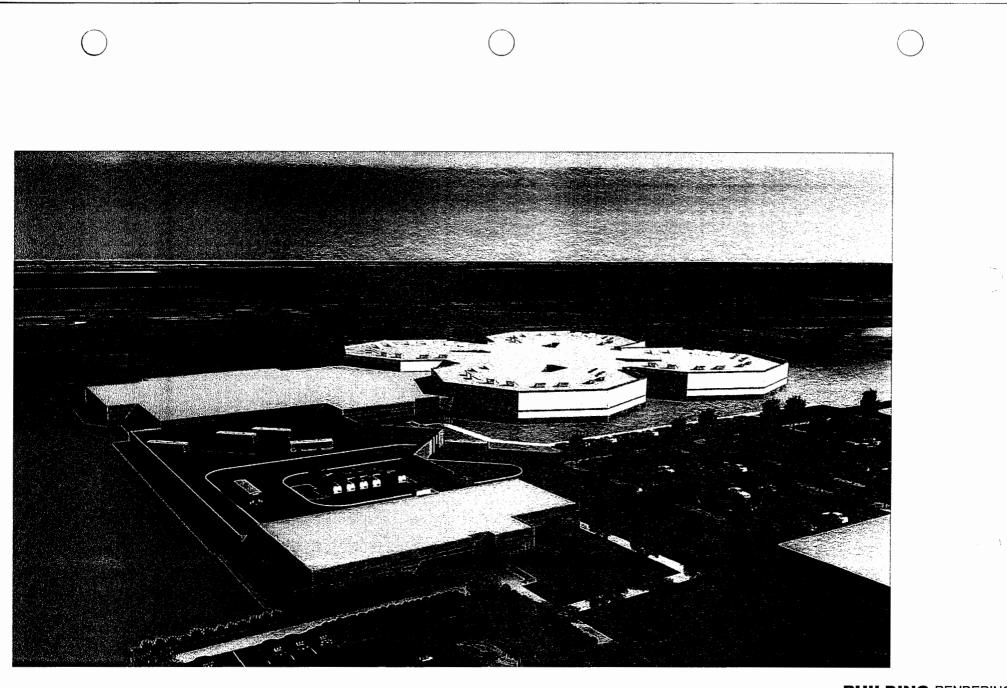
¹³ Construction Cost estimates based on \$200,000 per new jail bed (as estimated by Durrant Inc.). Operational costs based on current Daily Jail Rate at the Pre-Trial Facility.

¹⁴ Recidivism reduction statistics from: Aos, Steve. Miller, Marna. Drake, Elizabeth. <u>Evidence-Based Adult Corrections Programs: What Works and What Does Not</u>, Washington State Institute for Public Policy, 2006, p.3. These statistics are applied to Kern program participation and recidivism rates for projections of program impacts to recidivism.

¹⁵ 'Lerdo Minimum Facility Security Audit', CSA August 2006.

¹⁶ KCSO, "Jail Needs Assessment", p 138.

¹⁷ Estimates provided by Iris Haley, Contract Specialist, Kern County Construction Services.



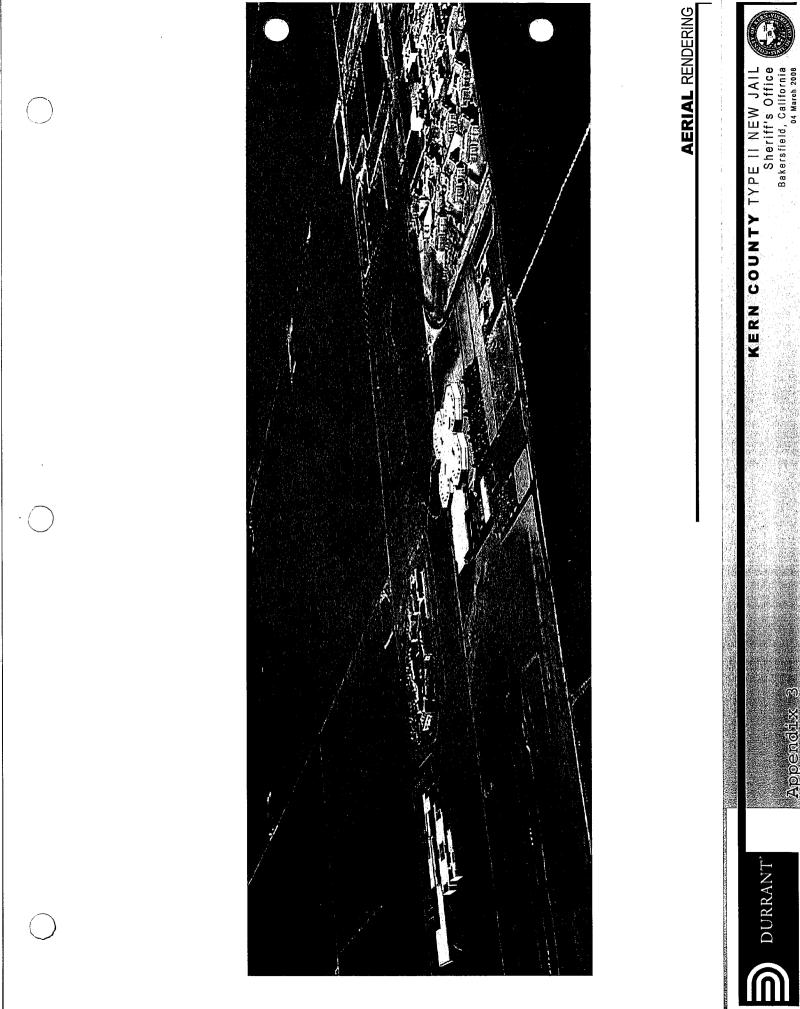
BUILDING RENDERING



KERN COUNTY TYPE II NEW JAIL Sheriff's Office Bakersfield, California 04 March 2008



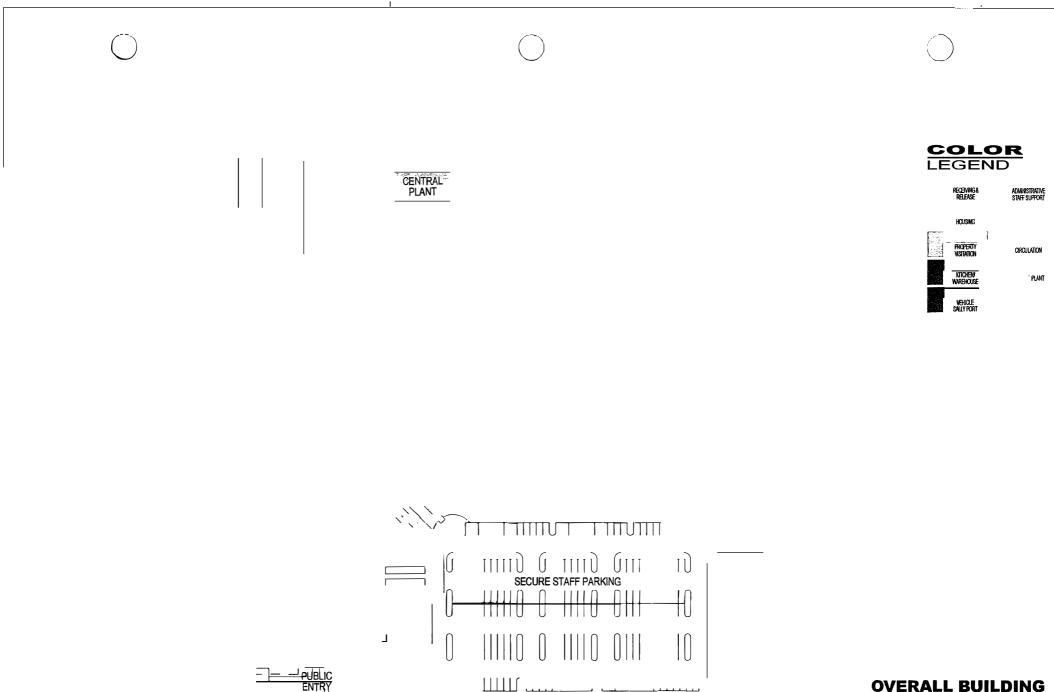
Appendiix 2



Appendix 3





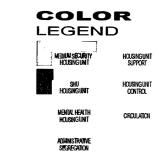


OVERALL BUILDING FLOOR PLAN

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Housing Unit A 196 Beds

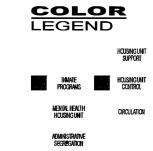
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HOUSING UNIT FLOOR PLAN



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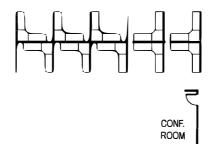
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MEDICAL, CLINIC, INFIRMARY AREA FLOOR PLAN