

Security Provisions

1. SECURITY REGULATIONS

- A. Contractor and/or subcontractors or referred personnel shall cooperate with institutional authorities by observing and complying with all California Department of Corrections (CDCR) rules and regulations presently enforced.
- B. Contractor shall not cause undue interference with the operations of the institution.
- C. No picketing is allowed on State property.
- D. Contractor will ensure that employees have read the "Digest of Laws Relating to Association with Prison Incarcerated Individuals" (section 11 of this document), prior to beginning work. Contractor is responsible for the supervision of its employees and is cautioned to train and re-brief employees on the provisions of the Digest as necessary.

2. GATE CLEARANCE

- A. All Contractors' employees must be cleared prior to undertaking service. The Contractor will be required to complete a Request for Gate Clearance for all persons entering the facility a minimum of five (5) working days prior to commencement of service. The Request for Gate Clearance must include the person's name, social security number, valid state driver's license number or identification card number and date of birth. Information shall be submitted to the Contract Liaison or his/her designee. CDCR uses the Request for Gate Clearance to run a California Law Enforcement Telecommunications System (CLETS) check. The check will include Department of Motor Vehicles check, Wants and Warrants check, and Criminal History check.
- B. Gate clearance may be denied for the following reasons: individual's presence in the institution presents a serious threat to security, individual has been charged with a serious crime committed on institution property, inadequate information is available to establish positive identity of prospective individual, and/or deliberate falsification of identity by the prospective individual.
- C. Contractor must notify the CALPIA of any changes of those personnel allowed access to State premises for the purpose of providing services outlined herein. The State reserves the right to conduct fingerprinting and clearance of all Contractors' personnel through the Department of Justice, Bureau of Criminal Identification and Information prior to being permitted access to the premises.
- D. All persons entering the facilities must have a valid state driver's license or photo identification card on their person.
- E. Bidders, Vendors, Contractors, or their representatives are not allowed to bring onto CDCR institution grounds the following: (this list is not all inclusive) Weapons, Cameras, Tobacco Products, Alcohol, Drugs, Drug Paraphernalia, Wireless Devices (such as Pagers, Blackberries, and Cellular Phones).

3. VEHICLES, PARKING, AND SITE ACCESS

- A. As directed by the Entrance Gate Officer and CALPIA Project Representative, the Contractor and its employees may enter the institution through the main entrance gate. Private and non-essential vehicles shall be parked in the visitor's lot.
- B. All persons shall remove ignition keys from their vehicles when they are out of the vehicle. Unattended vehicles shall be locked. Contractor's equipment shall be rendered

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temporarily inoperative when not in use, by locking or other means. Loss of time in checking in and out shall be borne by the Contractor.

- C. In order to maintain prison security, searches on site may become necessary, and keys must be furnished to provide access to all locked areas or places on the site and for periodic fire prevention inspections. The State shall in no way be responsible for the Contractor's loss due to fire.

4. CLOTHING/ATTIRE

Contractor agrees that while on institution grounds, all agents, employees, and/or representatives of the Contractor shall be professionally and appropriately attired and shall work in clothing distinct from that worn by incarcerated individuals at the institution. Contractor's employees will not wear blue or gray denim jeans/pants/trousers or chambray shirts as this is incarcerated individual attire. Also, Contractor's employees shall not wear orange/red/yellow jumpsuits or rainwear. These requirements apply when entering and exiting the institution through all entrance gates.

5. TUBERCULOSIS TESTING

- A. Prior to the performance of contracted duties, Contractors, and any employees and/or sub-contractors who are assigned to work with incarcerated individuals on a regular basis shall be required to be examined, tested, or medically evaluated for TB in an infectious or contagious stage, and once a year thereafter or more often as directed by CDCR. Regular basis is defined as having contact with incarcerated individuals in confined quarters more than once a week.
- B. Contractors and any employees and/or sub-contractors shall provide to the CDCR, at no cost to the state, a CDC 7336 Employee Initial/Annual Tuberculosis (TB) Skin Test, and a CDC 7354 TB Infectious Free Staff Certification, prior to assuming any contract duties, and annually thereafter, as evidence that the Contractor and any employees and or sub-contractors have been examined and found free of TB in an infectious stage. The CDC 7336 and the CDC 7354 will be provided by the institution upon Contractor's request.

6. LIABILITY FOR LOSS AND DAMAGES

Any damages by the Contractor to the State's facility including equipment, furniture, materials, or other State property will be repaired or replaced by the Contractor to the satisfaction of the State at no cost to the State. The State may, at its option, repair any such damage and deduct the cost thereof from any sum due Contractor under this contract.

7. WORK AREA

Contractor will ensure that the work area is kept clean and free of debris, as necessary, to maintain a safe working environment for staff and incarcerated individuals. While working on equipment, Contractor agrees to perform services with as little disruption to the State's operations as possible. All tools, equipment and other work materials belonging to the Contractor will be removed from the Institution at the end of each working day. The State shall not be responsible for storage of any Contractor property.

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8. EQUIPMENT

- A. Restrictions may be placed on the quantity and type of equipment and materials left within existing facilities during breaks, meals or at the end of each work day.
- B. All Contractor-owned equipment shall be stored and secured at the close of the day in a place of security provided by the Contractor, and as approved by the CALPIA Project Representative. The Contractor shall be required to maintain an inventory sheet of equipment stored or used which shall be checked at the beginning and at the end of each work day to verify that all equipment is present and accounted for. Immediately upon discovery of the loss of any equipment or materials, the Contractor and/or his employees shall report the loss to the Contractor Manager or his/her designee. The State of California or the Institution shall not be responsible for any loss due to theft or otherwise.
- C. Material and equipment storage shall be located as close to work areas as custodial regulations permit. The CALPIA Project Representative or his/her designee shall coordinate use of property areas with the Contractor to ascertain if the Contractor's needs are met to the fullest extent possible.

9. INCARCERATED INDIVIDUAL, PAROLEE, AND EX-INCARCERATED INDIVIDUALS NOTIFICATION

Contractors are encouraged to employ incarcerated individuals and parolees of CDCR. Contractors who employ these individuals must notify the CALPIA and provide CALPIA with the job description, including duties and responsibilities for each such employee. Contractors shall obtain from the CALPIA Contract Manager approval of such employee's involvement in work performed during the course of the contract.

10. LAWS, RULES, AND REGULATIONS

During the term of this Contract, the contractor, contractor personnel and other persons acting on behalf of (or at the direction of) the contractor must comply with all provisions of the law, rules, regulations, policies and/or directions regarding conduct that must take place or that may not take place while the contractor, contractor personnel and any other person acting on behalf of (or at the direction of) the contractor is in any facility or is on any property owned or used by the State of California or by any agency, department or other subdivision of the California State government. The provisions of the law, rules, regulations, policies, and directions that are the subject of this provision of this Contract include those that are in effect at the inception of the Contract and also those come to have effect during the term of the Contract. Any violation of this provision of this Contract shall constitute a material breach of the Contract.

11. DIGEST OF LAWS RELATED TO ASSOCIATION WITH INCARCERATED INDIVIDUALS

- A. For information and guidance of persons visiting or working with or around incarcerated individuals of the CDCR, the following is a digest of laws and rules related to association with incarcerated individuals.

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- 1) Persons who are not departmental employees but are assigned to or engaged in work in any departmental facility shall observe all rules, regulations, and laws governing the conduct of employees. Failure to comply may lead to expulsion.

References: Penal Code (PC) Sections 5054 and 5058; California Code of Regulations (CCR) Title 15 Division (Div.) 3 Sections 3285 and 3415.

- 2) A warning sign is posted at the entrance to all public and business roadways onto the grounds of institutions, camps, and other departmental facilities where incarcerated individuals or parolees are housed, indicating that by entering these grounds you consent to the search of your person, property, and vehicle.

References: CCR Title 15 Div. 3 Sections 3173 and 3288.

- 3) Refusal of visitors to submit to a search and inspection of their person, and property, and/or vehicles brought onto institution grounds may be cause for denial of visit.

References: PC Sections 2601, 5054, and 5058; CCR Title 15 Div. 3 Sections 3173 and 3177.

- 4) Persons normally permitted to enter a departmental facility or institution may be barred for cause by the Director, Warden, Superintendent, or Regional Administrator.

References: PC Sections 5054 and 5058; CCR Title 15 Div. 3, Section 3176.

- 5) It is a crime to falsify one's identity to gain admission to a facility. It is a crime for a person previously convicted of a felony in this state to enter the grounds of a facility without permission of the official in charge.

References: PC Sections 4570.5 and 4571; CCR Title 15 Div. 3 Section 3173.

- 6) It is a crime to enter institution property for unauthorized purposes. It is also a crime to refuse to leave when requested to do so by an official.

References: PC Section 602; CCR Title 15 Div. 3 Section 3289.

- 7) Abetting or assisting incarcerated individuals to escape is a crime, It is also a crime to bring firearms, deadly weapons, explosives, or tear gas on facility grounds. It is a crime to give incarcerated individuals firearms, weapons, explosives, alcoholic beverages, narcotics, including cocaine or marijuana, any other drug, or tobacco.

References: PC Sections 2772, 2790, 4533, 4535, 4550, 4573, 4573.5, 4573.6, 4574, and CCR Title 15 Div. 3 Sections 3006.

- 8) It is a crime to give or take letters from incarcerated individuals without the authorization of the Warden.

References: PC Section 4570; CCR Title 15 Div. 3 Section 3401.

- 9) Giving gifts or presents to incarcerated individuals is not permitted.

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References:PC Section 2541; CCR Title 15 Div. 3 Sections 3010 and 3399.

10)Receiving gifts from incarcerated individuals is not permitted.

References:PC Sections 2540 and 2541; CCR Title 15 Div. 3 Sections 3010, 3399 and 3424.

11)In the event of an emergency situation that affects a significant portion of the incarcerated individual population at an institution, the visiting program and other program activities may be suspended during the period of emergency.

References:PC Section 2601; CCR Title 15 Div. 3 Section 3383.

12)Employees shall not permit the taking of hostages by incarcerated individuals or others in an attempt to escape, to otherwise interfere with orderly institution operations. Hostages will not be recognized for bargaining purposes. All incarcerated individuals, visitors and staff will be informed of this regulation.

References:PC Sections 5054 and 5058; CCR Title 15 Div. 3 Section 3304.

13)It is a crime for a person to make verbal or written statements concerning a discharged incarcerated individual to procure or deprive the incarcerated individual of employment or for the purpose of extortion.

References:PC Section 2947.