

**NOTICE: CLASS ACTION SETTLEMENT**

**Monterey County Jail: Safety, Medical Care, Mental Health Care,  
Dental Care, Disabilities**

*Hernandez v. County of Monterey*, N.D. Cal. No. 5:13-cv-02354-PSG, is a federal class action lawsuit challenging certain conditions at the Monterey County Jail (the “Jail”), including custody staffing, inmate classification, jail facilities, overcrowding, medical care, mental health care, dental care, and access to Jail programs for persons with disabilities. This action does not seek money damages and none will be awarded.

All adult men and women who are now, or will be in the future, incarcerated in the Jail are members of the class that has been certified in this lawsuit. You are a member of this class if you are an adult incarcerated in the Jail. The Court also certified a subclass of persons with disabilities who are incarcerated in the Jail. The Court certified this as a class action to address policies and practices that apply to the class as a whole, and because the lawsuit does not seek relief for any specific class member, there is no right to opt-out of the class.

**This notice explains the proposed settlement, where you can find it, and how you can tell the court whether you think it is fair.**

Under the Settlement Agreement, the Jail will be required to develop implementation plans to reform certain policies, procedures, and practices by which it provides security, medical care, mental health care, and disability accommodations to prisoners in the Jail, including: Intake Screening; Infection Control; Detoxification; Safety Cells; Medication Continuity; Custody Staffing; Clinical Staffing; Medical Care; Mental Health Care; Dental Care; Safety; and Prisoners with Disabilities. The Settlement Agreement also provides that expert monitors will be retained to monitor the Jail’s compliance with this Settlement Agreement.

The Settlement Agreement addresses Jail policies, procedures, and practices. You can read about these changes in the Settlement Agreement. Copies of the Settlement Agreement are available in the Jail library, and will be made available to you upon request.

The Court will keep jurisdiction to enforce the requirements of this settlement. The Court will hold a hearing on the fairness of this settlement at 10:00 a.m. on August 4, 2015, at the United States District Court, Northern District of California, San Jose Courthouse, Courtroom 5 - 4th Floor, 280 South 1st Street, San Jose, CA 95113.

The attorneys who brought the class action will ask the Court to have Defendants pay for their attorneys' fees and expenses. The Settlement Agreement limits the attorneys' fees and expenses to \$4.8 million for the work done so far and in the future to develop the implementation plans, and to no more than \$250,000 per year for monitoring by plaintiffs' counsel. Attorneys' fees and costs for enforcement motions by plaintiffs are limited to \$150,000 per year. The Court will decide the amount of these fees and expenses.

Persons incarcerated at or otherwise under the custody of the Monterey County Jail can write to the Court about whether the settlement is fair and whether he or she objects to the award of attorneys' fees.

Comments MUST include at the top of the first page the case name (*Hernandez v. County of Monterey*) and case number (No. 5:13-cv-02354-PSG). Comments must be postmarked no later than July 11, 2015, and sent to the following address:

Clerk of the Court  
United States District Court  
Northern District of California  
280 South 1st Street  
San Jose, CA 95113

**If you would like more information about this case, or have any information that you wish to communicate to your attorneys, please contact: Michael W. Bien, Rosen Bien Galvan & Grunfeld, LLP, P.O. Box 390, San Francisco, CA 94104.**