



*Kern County Sheriff's Office*  
**Policies and Procedures**

<b>TITLE: DUTIES OF PERSONNEL – ALL MEMBERS</b>		<b>NO: B-100</b>	
<b>APPROVED: Donny Youngblood, Sheriff-Coroner</b>			
<b>EFFECTIVE: August 1, 1990</b>	<b>REVIEWED: 5/24/2023</b>	<b>REVISED: 9/04/2020</b>	<b>UPDATED: 9/04/2020</b>

**POLICY**

The Kern County Sheriff's Office recognizes that there is a difference between law enforcement personnel and non-sworn personnel. Even so, all classifications are equally important to the accomplishment of the law enforcement mission. All members of this Sheriff's Office should view themselves with the highest esteem and conduct themselves accordingly. In the proper discharge of their duties and exercise of their authority, they may expect to receive the fullest support of the Sheriff's Office.

The duties listed in this section apply to all members of the Sheriff's Office. Additional duties of law enforcement personnel are listed in Sections B-200 for Deputy Sheriffs and B-250 for Detentions Deputies.

**DIRECTIVE**

Failure to comply with the duties as listed in this section may result in disciplinary action.

**General Duties of All Personnel**

All personnel of the Kern County Sheriff's Office will:

Uphold and obey the provisions of the Constitution and laws of the United States; the Constitution and laws of the State of California; and the ordinances of the County of Kern;

Obey and carry out all lawful policies, procedures, and orders issued by the Sheriff-Coroner, ranking officers, and supervisors whether written or oral;

- If given conflicting orders, advise the person giving the last order of the conflict then follow the last order given;
- If a lawful order is viewed to be in conflict with an M.O.U. or a law, the order should be followed and grieved later.

Testify when and where legally required;

- Testify in civil cases arising out of official duties only when legally summoned.

Report any unlawful activity;

Advise their immediate supervisor of any significant or unusual conditions existing in the County of Kern or the Sheriff's Office;

Foster good public relations by treating all people with courtesy, keeping in mind the necessity of maintaining public respect for the Sheriff's Office;

Be quiet, civil, orderly, and patient in their demeanor;

Refrain from using coarse, violent, profane, or insolent language;

Be civil and respectful to each other;

Treat supervisors and commanding officers with respect;

Furnish information or direction to the public regarding the county;

Provide assistance to the citizens of Kern County and the State of California as applicable in a professional manner;

Seek information about their duties from their supervising and commanding officers, not from any source outside the Sheriff's Office, unless directed to do so;

Inform their supervisor of any change in marital status, birth of a child, death of a member of immediate family, or any factor of personal life that may affect job performance as soon as possible;

Notify the Sheriff's Office's Financial Services Section of any change that would affect insurance, deductions, etc.;

Not sleep, idle, or loaf while on duty;

Not possess a personally owned electronic device, such as an iPad, iPod, DVD player, laptop computer, television, or similar devices, with the intent of watching videos, movies, or playing games, while assigned to hospital guard;

Not use or possess a personal cellular telephone or personal electronic device within secure areas of the Sheriff's Office detentions facilities (DBPPM M-700);

Not take any photographs or make any audio or video recordings of an inmate or within the secure area of a detentions facility except as part of their official duties;

Not take or share any photographs of crime or accident scene on a personally owned electronic device, unless required to do so as part of their official duties;

Not use the Sheriff's Office's address as a mailing address for private purposes, including vehicle registration and driver's license, except as allowed by law (CVC 1808.4);

Have in their possession a valid California driver's license;

- Applies to peace officers, detention officers, and detention deputies only;

B-100-2

<b>EFFECTIVE:</b> August 1, 1990	<b>REVIEWED:</b> 5/24/2023	<b>REVISED:</b> 9/04/2020	<b>UPDATED:</b> 9/04/2020
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- **EXCEPTION:** When such possession would place a person in jeopardy or compromise an investigation, the requirement will be waived.

Be punctual in reporting for duty at the time designated by their supervising or commanding officers;

Will not be absent from duty without consent of their supervisor or superior officer;

Make requests for time off, vacation, or compensatory time off, at least three (3) days before it is to commence. (In emergencies, this requirement may be waived by a supervisor);

Maintain an operating telephone at place of residence;

Advise the Human Resources Section of actual place of residence if different from mailing address;

Notify Human Resources Section, via the chain of command, in writing, any change in telephone number or address;

Upon leaving the employment of the Sheriff's Office, return all Sheriff's Office property issued to the Sheriff's Office Property Room Control Officer;

Perform all such other duties as may be required by competent authority.

B-100-3

<b>EFFECTIVE:</b> August 1, 1990	<b>REVIEWED:</b> 5/24/2023	<b>REVISED:</b> 9/04/2020	<b>UPDATED:</b> 9/04/2020
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***Kern County Sheriff's Office***  
**Policies and Procedures**

<b>TITLE: DUTIES OF PERSONNEL – DEPUTY SHERIFFS</b>		<b>NO: B-200</b>	
<b>APPROVED: Donny Youngblood, Sheriff-Coroner</b>			
<b>EFFECTIVE:</b> August 1, 1990	<b>REVIEWED:</b> 5/24/2023	<b>REVISED:</b> 3/01/2005	<b>UPDATED:</b> 9/04/2020

**POLICY**

The Kern County Sheriff's Office recognizes that Deputy Sheriffs have responsibilities and limitations imposed by law that do not apply to other employees. It is therefore necessary to list duties for Deputy Sheriffs in addition to those that apply to all members.

**DIRECTIVE A**

Failure to comply with the duties as listed in this section may result in disciplinary action, up to and including termination.

**General Duties of Deputy Sheriffs**

All Deputy Sheriffs will:

Uphold and obey the provisions of the Constitution and laws of the United States; the Constitution and laws of the State of California; and the ordinances of the County of Kern;

- Protect life and property, maintain order, prevent and investigate crimes, make legal searches, seizures and arrests, and apprehend suspected criminals;
- Give first aid treatment to the sick, injured, and mentally ill when safe to do so;
- Investigate unlawful activity;
- Furnish name and badge number upon the request of any citizen;
  - Unless to do so during an undercover operation would endanger the officer or compromise an investigation.

**DIRECTIVE B**

Except as otherwise permitted by law, deputies are prohibited from affiliating with any organization that would prevent them from the proper performance of their lawful duties.

The special delegation of enforcement of certain laws and ordinances to particular bureaus, divisions, units, or details does not relieve deputies from other areas of the Sheriff's Office of the responsibility of taking prompt and proper police action for violations of any laws or ordinances that come to their attention.

Deputies shall have regular hours assigned for active duty and when not on active duty shall be considered “off duty.” Deputies are always subject to duty and to orders from proper authorities.

Although the Sheriff’s Office does not expect officers to jeopardize themselves or others, deputies may take police action when “off duty” after first giving consideration to:

- Causing the appropriate action to be taken by on-duty personnel from the agency of jurisdiction;
- The availability of assistance and police resources;
- The safety of themselves and others.

When action is considered necessary as articulated by the involved officer, any police action will be governed by the same policies and procedures as if on-duty. All off-duty police action will be documented on a crime and incident report and any other required report form.

B-200-2

<b>EFFECTIVE:</b> August 1, 1990	<b>REVIEWED:</b> 5/24/2023	<b>REVISED:</b> 3/1/2005	<b>UPDATED:</b> 9/04/2020
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*Kern County Sheriff's Office*  
**Policies and Procedures**

<b>TITLE: DUTIES OF PERSONNEL – DETENTIONS DEPUTIES</b>		<b>NO: B-250</b>	
<b>APPROVED: Donny Youngblood, Sheriff-Coroner</b>			
<b>EFFECTIVE:</b> March 1, 2005	<b>REVIEWED:</b> 5/24/2023	<b>REVISED:</b> 6/28/2007	<b>UPDATED:</b> 9/04/2020

**POLICY**

The Kern County Sheriff's Office recognizes that Detentions Deputies have responsibilities and limitations imposed by law that do not apply to other employees. It is therefore necessary to list duties for Detentions Deputies in addition to those that apply to all members as detailed in Section B-100 of this manual.

Sheriff's Detentions Deputy are peace officers, as defined in Penal Code § 830.1(c), whose authority extends to any place in the state only while engaged in the performance of assigned duties in order to carry out the primary function of employment relating to his or her custodial assignment, or while performing other law enforcement duties directed by the Sheriff-Coroner during a local state of emergency.

**DIRECTIVE A**

Failure to comply with the duties as listed in this section may result in disciplinary action, up to and including termination.

All Detentions Deputies will:

- Maintain the operation of county custodial facilities, including the custody, care, supervision, security, movement, and transportation of inmates;
- Protect life and property, maintain order, prevent and investigate crimes related to custodial assignments;
- Make legal searches, seizures, and arrests related to custodial assignments (on jail grounds or during inmate transportation);
- Give first aid treatment to the sick, injured, and mentally ill when safe to do so;
- Furnish name and badge number (or Sheriff's Office identification number) upon request of any person;
- Not intervene in situations that require a law enforcement response, when the response is unrelated to the Detentions Deputy's custodial duties. In situations where officers witness an unrelated crime in progress or are contacted by a citizen

regarding such an incident, the Detentions Deputy will contact dispatch to have the appropriate law enforcement personnel dispatched.

Except as otherwise permitted by law, detentions deputies are prohibited from affiliating with any organization that would prevent them from the proper performance of their lawful duties.

## **DIRECTIVE B**

### **Duty Status:**

A Detentions Deputy is considered “on duty” during the scheduled hours of his/her scheduled work shift(s), including scheduled overtime and when in response to a subpoena. During unscheduled hours or days, a Detentions Deputy is considered “off duty.”

The authorization of a command/ranking officer or his/her designee is required for a Detentions Deputy to be “on duty” at a time other than his/her scheduled hours. However, this authorization is not required if, at the end of a scheduled shift, the Detentions Deputy is engaged in an authorized activity that cannot reasonably be interrupted. In such situations, the authorization to extend “on duty” hours are implied and it is not necessary to seek authorization. However, the Detentions Deputy must inform his/her supervisor of such instances as soon as practicable.

During “off duty” hours, a Detentions Deputy does not have peace officer authority.

## **DIRECTIVE C**

Adequate numbers of armed staff are critical to ensuring safe and effective operations within the Detentions Bureau. Since performing duties in an armed capacity is a critical function of the Detentions Deputy series, the following personnel are required to achieve and maintain armed status:

- Personnel hired as a Detentions Deputy
- Personnel promoting to the rank of Detentions Senior Deputy, Detentions Sergeant, or Detentions Lieutenant.

Personnel hired as a Detentions Deputy must successfully complete Force Options for Detentions training. Whenever possible, this training shall be completed prior to the end of the probationary period. Failure to successfully complete the training will result in the failure of the probationary period. Additionally, such personnel must complete ongoing firearms training, qualifications, and maintain armed status.

Personnel who were “transitioned” from the Detentions Officer series to the “Detentions Deputy” series are exempt from this requirement until such time that they promote to a higher rank. Upon promotion to a higher rank, such staff will be required to become armed and maintain

B-250-2

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armed status.

To be eligible to promote into the rank of Detentions Senior Deputy, Detentions Sergeant, or Detentions Lieutenant, candidates must be armed or have completed the 24-hour Introductory Firearms Course pursuant to Section 832 of the Penal Code.

Any personnel that do not hold armed status, at the time of their promotion, must successfully complete Force Options for Detentions training. Whenever possible, this training shall be completed prior to the end of the probationary period. Failure to successfully complete the training will result in the failure of the probationary period and a return to the previous rank. Additionally, such personnel must complete ongoing firearms training, qualifications, and maintain armed status.

B-250-3

<b>EFFECTIVE:</b> <b>March 1, 2005</b>	<b>REVIEWED:</b> <b>5/24/2023</b>	<b>REVISED:</b> <b>6/28/2007</b>	<b>UPDATED:</b> <b>9/04/2020</b>
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**Kern County Sheriff's Office**  
**Policies and Procedures**

<b>TITLE: DUTIES OF THE COMMAND OFFICERS AND SUPERVISORS</b>		<b>NO: B-300</b>	
<b>APPROVED: Donny Youngblood, Sheriff-Coroner</b>			
<b>EFFECTIVE:</b> August 1, 1990	<b>REVIEWED:</b> 5/24/2023	<b>REVISED:</b> 4/1/1996	<b>UPDATED:</b> 9/04/2020

**POLICY**

The Kern County Sheriff's Office recognizes that supervisors and command officers (sworn or non-sworn) carry the responsibility and commensurate authority for the efficient and effective operation of the Sheriff's Office. Supervisors and command officers, through training, leading, and evaluating, have the most impact on our line staff who provide service to the citizens of the county.

Supervisory and command personnel, whether sworn or non-sworn, are expected to exercise their authority fairly, impartially, and with the best interests of the Sheriff's Office and the individual employee at heart. They will utilize appropriate interpersonal skills and methods to guide individual employees or groups toward idea acceptance and task accomplishment.

**DIRECTIVE A**

Failure to comply with the duties as listed in this section may result in disciplinary action.

**General Duties of Command Officers and Supervisors**

Command officers and supervisors (sworn or non-sworn) will:

Supervise subordinates; so as to improve their efficiency and quality of performance by:

- Inspection, evaluation, and review of job performance and reports to ensure adherence to current policies, procedures and orders;
- On-the job instruction in the proper performance of assigned duties
- Providing the effective leadership, control, and directions conducive to effective performance and high morale.

Treat subordinates with respect and civility;

- Refrain from using coarse, violent, or profane language when talking to subordinates.

Assume responsibility for the proper conduct and discipline of his/her subordinates;

- Ensure compliance with policies and procedures;
- Follow rules and guidelines set forth in Civil Service Rules, appropriate employee organization M.O.U., and applicable law.

Inform his/her immediate superior of any significant or unusual conditions existing in the Sheriff's Office.

## **DIRECTIVE B**

In addition to the above duties, command officers are responsible for the direction of the Sheriff's Office toward its law enforcement mission. In all of their duties, command personnel will remain cognitive of the need to meet the law enforcement mission in an effective and efficient manner.

To this end, command personnel will:

- Manage administrative and budget matters for the purpose of meeting law enforcement objectives;
- Develop policies that meet legal and ethical guidelines within contemporary community and law enforcement standards;
- Conduct disciplinary matters fairly and impartially with the utmost professionalism. Keep discipline consistent in its application;
- Maintain open communication, both up and down the chain of command and laterally to foster better understanding. Good communication is imperative in a team effort and effective goal attainment.

## **DIRECTIVE C**

Any member who is placed temporarily in a position of higher rank by proper authority shall carry the full authority and responsibility of the higher rank. They will not interfere with or countermand any prior order issued by the person they are replacing unless the prior order impairs effective law enforcement or in emergency situations.

B-300-2

<b>EFFECTIVE:</b> August 1, 1990	<b>REVIEWED:</b> 5/24/2023	<b>REVISED:</b> 4/1/1996	<b>UPDATED:</b> 9/04/2020
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## *Kern County Sheriff's Office*

# **Policies and Procedures**

<b>TITLE:</b> SHERIFF'S OFFICE WATCH LIEUTENANT / COMMANDER		<b>NO:</b> B-310	
<b>APPROVED:</b> Donny Youngblood, Sheriff-Coroner			
<b>EFFECTIVE:</b> April 1, 1998	<b>REVIEWED:</b> 08/03/2023	<b>REVISED:</b> 05/07/2021	<b>UPDATED:</b> 08/03/2023

### **POLICY**

The Watch Lieutenant Section is comprised of a designated group of Sheriff's Lieutenants. Their primary responsibilities will be to provide continuity of command and oversee the operation of the Sheriff's Office during non-business hours.

### **DIRECTIVE A**

The Metropolitan Patrol Division Commander or their designee shall be responsible for coordinating the Watch Lieutenants and their schedules.

### **DIRECTIVE B**

1. The Watch Lieutenants operate under the following conditions:
  - a. The Watch Lieutenant Section will be responsible for overseeing Sheriff's Office operations after normal business hours. This period of responsibility is generally from 1700 hours until 0800 hours, seven days a week. These shifts will be covered by the lieutenant(s) permanently assigned to the Watch Lieutenant Section. The shifts which the assigned Watch Lieutenants are unavailable to work (vacation, comp time off, sick leave, etc.) shall be assigned first on a rotational basis among the remaining Sheriff's Office commanders and lieutenants to provide for the hours and days required to maintain 24-hour Watch Lieutenant / Commander coverage.
  - b. The Detectives Section, Special Investigations Section, and Internal affairs Section Lieutenants are excluded from the rotational basis listed in Directive B (1)(a) above. Due to the nature of these assignments, there is a high likelihood of being called out, which would result in conflicting roles.
  - c. To facilitate unforeseen commitments and/or scheduling conflicts, shift trades and modifications between assigned Watch Lieutenants are permitted. The assigned lieutenant seeking the trade is responsible for ensuring that proper coverage is arranged. All such trades require the approval of the Metropolitan Patrol Commander.
2. Watch Lieutenants / Commanders should be in uniform unless prior authorization is received from the Metropolitan Patrol Commander.

### **DIRECTIVE C – GENERAL DUTIES**

1. The Watch Lieutenant / Commander shall:

- a. Upon starting the duty shift, contact the Communications Section Shift Supervisor, the on-duty Watch Lieutenant / Commander, or the on-duty sergeants to be briefed as to any unusual or significant activities (vehicle pursuits, airplane crashes, homicide and suspicious deaths, Search and Rescue Unit call outs, County property damage, significant staffing shortages) that have occurred, or are occurring, which might impact the Sheriff's Office operation during his/her watch.
  - b. Maintain the Watch Lieutenant Log, which shall contain any unusual, significant, or noteworthy events that occur during the shift.
    - i. Incidents involving employees will not be logged.
      - 1. They will be documented according to current policy or directives.
  - c. Inspect Sheriff's Office operations such as the jails, substations, and any other operations that are functioning during the shift to ensure that Sheriff's Office policies and procedures are being followed.
  - d. Respond to major crime scenes, disasters, or other significant events while on duty and assume command of major incidents, when appropriate.
  - e. Serve as the liaison with the news media and ensure that media relations are handled appropriately.
  - f. Ensure that complaints regarding Sheriff's Office employees are handled appropriately and resolved if possible.
    - i. The Watch Lieutenant / Commander should handle all complaints alleging misconduct, consistent with established Sheriff's Office policies and procedures.
    - ii. Notify the affected division commander, by whatever methods are appropriate, when violations of policies or procedures are observed.
    - iii. When the alleged violation is minor, a memorandum or electronic mail may be appropriate. Serious violations may warrant an immediate notification by telephone or in person. Additionally, it may be necessary to notify the affected bureau chief deputy.
    - iv. Take immediate action to enforce compliance with established policies and procedures.
  - g. Serve as liaison between the Sheriff's Office and other allied agencies.
2. Additional Duties for Lieutenants Assigned to the Watch Lieutenant Section:
- a. The Watch Lieutenant will be responsible for reviewing Metropolitan Patrol Division use of force incidents which occur during his or her shift.
  - b. The Metropolitan Patrol Section Lieutenant will be responsible for reviewing use of force incidents which occur Monday through Friday from 0800 hours to 1700 hours.
  - c. The Use of Force reporting (Blue Team) will be sent to the lieutenant who is reviewing the incident.
    - i. The lieutenant will approve the entry, indicate whether it is within policy, and attach any supporting documents as needed.

B-0310-2

<b>EFFECTIVE:</b> April 1, 1998	<b>REVIEWED:</b> 08/03/2023	<b>REVISED:</b> 05/07/2021	<b>UPDATED:</b> 08/03/2023
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3. The Substation Section Lieutenants will be responsible for reviewing all use of force incidents which occur in their section.
  - a. The Watch Lieutenant will be aware of any use of force incidents during his/her shift and will make any necessary notifications.
4. The Watch Lieutenant will be responsible for reviewing and tracking vehicle pursuits.
  - a. The Section Lieutenants will be the second reviewer and are responsible for reviewing vehicle pursuits which occur within their assigned section.
  - b. The Use of Force reporting (Blue Team) will be sent to the Watch Lieutenant who is reviewing the incident.
    - i. The lieutenant will approve the entry, indicate whether it is within policy, and attach any supporting documents as needed.
5. Watch Lieutenants will conduct daily audits of Body Worn Camera (BWC) footage and reports, to ensure uniformity and professionalism.
6. The Watch Lieutenant Section will be responsible for supervision of the Nighttime Area Supervisors who are dispersed throughout Kern County during non-business hours. Each Watch Lieutenant will be assigned 1-2 sergeants to supervise and will be responsible for completing that employees Employee Performance Report. (EPR).
7. The Watch Lieutenants will also be responsible for checking all substations schedules on a daily basis to ensure they are aware of current staffing levels in each response area; planned operations taking place and to ensure overtime usage is not being abused.

B-0310-3

<b>EFFECTIVE:</b> April 1, 1998	<b>REVIEWED:</b> 08/3/2023	<b>REVISED:</b> 05/07/2021	<b>UPDATED:</b> 08/03/2023
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*Kern County Sheriff's Office*

**Policies and Procedures**

<b>TITLE: DUTIES OF PERSONNEL – SICK LEAVE</b>		<b>NO: B-400</b>	
<b>APPROVED: Donny Youngblood, Sheriff-Coroner</b>			
<b>EFFECTIVE: August 1, 1990</b>	<b>REVIEWED: 10/31/2019</b>	<b>REVISED: 10/31/2019</b>	<b>UPDATED: 10/31/2019</b>

**POLICY**

Sick leave is a benefit established for all county employees, negotiated by appropriate bargaining units. County Administrative Policy and Procedures Manual, Chapter 1, regulates sick leave accrual and use. The Kern County Sheriff's Office will follow applicable County Policies, all applicable Memorandums of Understanding (MOU), and has established the following procedures to effectively manage the sick leave benefit.

**DEFINITIONS**

Sick Leave: A paid leave of absence necessitated by the illness of, or resulting from an accidental injury to, or pregnancy and related complications of, the employee or member of the employee's immediate family as defined in Administrative Policy and Procedures Manual, Chapter 1.

Request for Sick Leave: A personal communication with the responsible person as designated by proper authority.

Family Member: Shall include an employee's child (biological, adopted, foster child, stepchild, legal ward, or child to whom the employee stands in loco parentis), parent (biological, adopted, foster parent, stepparent, legal guardian, or person who stood in loco parentis when the employee was a minor child), spouse, registered domestic partner, grandparent, grandchild, sibling, parent-in-law, grandparent-in-law, or sibling-in-law.

Family Sick leave is limited to 80 hours per calendar year. Labor Code section 245.5 (c)

Use of paid sick leave due to the death or funeral of an employee's family member is limited to a maximum of 80 hours per calendar year or in accordance with an applicable MOU

**DIRECTIVE A**

- Sick leave may be used when an employee is too ill to work.
- Sick leave may be used for the diagnosis, care, or treatment of an existing health condition, or preventative care of an employee.
- Sick leave may be used for the diagnosis, care, or treatment of an existing health condition

of, or preventative care for an employee's family member.

- Sick leave may be used in cases of death or funeral of an employee's family member.
- For an employee who is a victim of domestic violence, sexual assault, or stalking, the purposes described in Labor Code sections 230 (c) and 230.1 (a).
- or in accordance with an applicable MOU.

## **DIRECTIVE B**

Each Division shall establish a procedure for an employee to request the use of sick leave. Such procedure will provide for sufficient advanced notice to allow for staffing adjustments if necessary. Additionally, it must provide for exigent circumstances that may confront the employee. The Divisional procedure may allow a supervisor to make reasonable inquires as to the employee's request (Refer to Directive C). Such inquires shall not infringe on the employee's right to privacy/confidentiality with respect to any medical condition.

## **DIRECTIVE C**

Any supervisor may order an employee to provide a written statement from a licensed and accredited physician or licensed and accredited chiropractor, which provides work restrictions and/or work status.

A supervisor **may** request such a statement under any of the following circumstances:

- When the employee has been absent for three (3) or more consecutive days due to illness, or;
- When the employee has been absent for three (3) or more days during any thirty (30) day period due to illness, or;

Written statements are **required** per Administrative Policy and Procedures Manual, Chapter 1, when the absence is in excess of five (5) consecutive days or five (5) days in one month.

When evidence of illness is submitted, according to the provisions of this Policy, all written medical statements will be kept in the employee's personnel file in a separate confidential medical file and will be forwarded to the Director of County Personnel.

B-400-2

<b>EFFECTIVE:</b> August 1, 1990	<b>REVIEWED:</b> 10/31/2019	<b>REVISED:</b> 10/31/2019	<b>UPDATED:</b> 10/31/2019
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**DIRECTIVE D**

Administrative Policy and Procedures Manual, Chapter 1 prohibits County departments from denying an employee the right to use paid sick leave, or discharge, threaten to discharge, demote, suspend, or in any manner discriminate against an employee for using paid sick leave, or attempting to exercise the right to use paid sick leave.

Failure to comply with the duties as listed in this policy may result in disciplinary action as deemed appropriate by the Sheriff-Coroner.

Unapproved absences shall be considered to be without pay and may result in disciplinary action as deemed appropriate by the Sheriff-Coroner.

**DIRECTIVE E**

When an employee is taken off work, or anticipated by their doctor to be off work, due to an injury or illness for more than six (6) consecutive months, the employee shall turn in all county issued equipment to the property room. In the event an employee is unable to turn in their county issued equipment due to their injury or illness, the employee shall contact the Senior Human Resource Specialist assigned to the Sheriff's Office Risk Management Unit to make alternative arrangements.

Once the employee is returned to work in any status, including light duty, the property room will reissue the equipment to the employee.

**Note:** This does not include department identification cards.

B-400-3

<b>EFFECTIVE:</b> August 1, 1990	<b>REVIEWED:</b> 10/31/2019	<b>REVISED:</b> 10/31/2019	<b>UPDATED:</b> 10/31/2019
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*Kern County Sheriff's Office*

**Policies and Procedures**

<b>TITLE:</b> OVERTIME IN RELATION TO USE OF VACATION, CTO, OR SICK LEAVE		<b>NO:</b> B-410	
<b>APPROVED:</b> Donny Youngblood, Sheriff-Coroner			
<b>EFFECTIVE:</b> November 22, 2010	<b>REVIEWED:</b> 9/04/2020	<b>REVISED:</b> 11/22/2010	<b>UPDATED:</b> 9/04/2020

**POLICY**

The Kern County Sheriff's Office recognizes that Vacation, Compensatory Time-Off (C.T.O.), and Sick-Leave are important benefits earned by members of the Sheriff's Office. The nature of Law Enforcement is such that the safety of each member is inter-dependant upon the other members, and so guidelines have been established to ensure members have access to benefits established by County Administrative Policy and by MOU, while allowing for the ongoing operation of the Sheriff's Office.

**DIRECTIVE**

Any member released from duty through the use of Vacation, Compensatory Time-Off, or Sick-Leave shall be considered "Off-Duty."

Members will make requests for time off, vacation or compensatory time off, at least three (3) days before it is to commence.

- o In emergencies, this requirement may be waived by a supervisor.

Any employee who takes four hours or more of vacation leave, CTO, or sick leave during his or her regularly scheduled, assigned shift shall not, except in cases of emergency, work all or any part of any other shift until after their next regularly scheduled shift ends, or their next regularly scheduled days off, or with written authorization of their supervisor at the rank of Sergeant or above.

Employees are responsible for notifying the authorizing supervisor of their eligibility to work overtime in regard to this directive.





***Kern County Sheriff's Office***  
**Policies and Procedures**

<b>TITLE:</b>	<b>DUTIES OF PERSONNEL – COLLATERAL EMPLOYMENT</b>	<b>NO: B-500</b>	
<b>APPROVED:</b>	<b>Donny Youngblood, Sheriff-Coroner</b>		
<b>EFFECTIVE:</b> <b>August 1, 1990</b>	<b>REVIEWED:</b> <b>5/25/2023</b>	<b>REVISED:</b> <b>11/29/2010</b>	<b>UPDATED:</b> <b>11/17/2020</b>

**POLICY**

Employees of the Kern County Sheriff's Office provide a unique service in the performance of their duties and responsibilities to the community and society in general. Because of these unique duties and responsibilities, some limitations and restrictions regarding off-duty employment are required to maintain objectivity and impartiality.

While off duty, members of the Sheriff's Office may engage in outside employment provided they receive prior approval of the Sheriff-Coroner. The employment shall not bring discredit, disrespect, or embarrassment to the Sheriff's Office, nor conflict with or adversely affect their duties as a deputy sheriff or employee of this office. This policy implements and shall be construed consistently with Chapter 2.02 of the Kern County Ordinance Code, and Section 1126 of the Government Code. It shall be liberally construed to avoid both actual improprieties and the appearance thereof.

Employees who do not receive prior approval to engage in outside employment, or accept employment prior to receiving permission to do so, or who engages in any outside employment listed herein or determined to be a conflict of interest under this policy, may be subject to disciplinary action.

**DIRECTIVE A**

Outside employment, or self employment, is in conflict if it brings discredit, disrespect, embarrassment, or disrepute upon the Sheriff's Office or the employee and/or:

- involves the use, for private gain or advantage, of the Sheriff's Office's time, facilities, equipment and supplies, or the badge, uniform, identification, prestige, or influence of the Sheriff's Office, or;
- involves receipt or acceptance by an employee of any money or other consideration from anyone other than the Sheriff's Office for the performance of an act which the employee, if not performing such act, would be required or expected to render in the regular course or hours of his or her employment or as a part of his or her duties as an employee of the Sheriff's Office or;
- involves the performance of an act in other than his or her capacity as an employee of the Sheriff's Office which act may later be subject directly or indirectly to the control,

inspection, review, audit, or enforcement of the employee by any other employee of the Sheriff's Office, or;

- involves such time demands as would render performance of his or her duties with the Sheriff's Office less efficient.

## **DIRECTIVE B**

Examples of outside employment which are conflicts of interest include, but are not limited to:

- Security Guard
- Private Investigator
- Bartender
- Bouncer
- Bodyguard
- Liquor Store Clerk
- Process Server
- Repossessor
- Employment as a Keeper
- Employee of a Collection Agency
- Employee of a Criminal Defense Legal Practice
- Employee of a Bail Bond Company
- Employee of an Alarm Company
- Employee of a Vehicle Towing Company
- Employment in any Gaming Establishment

## **PROCEDURE**

An employee of the Sheriff's Office who wishes to be employed by a private business or become self-employed will:

- Complete a Request for Approval of Collateral Employment form (see sample attached);
- Specifically describe job, duties, acts, or functions to be performed;
- Forward the request through the chain of command to his or her chief deputy.

B-500-2

<b>EFFECTIVE:</b> August 1, 1990	<b>REVIEWED:</b> 5/25/2023	<b>REVISED:</b> 11/29/2010	<b>UPDATED:</b> 11/17/2020
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## **DIRECTIVE C**

Employees may not work a collateral job while on an injury-on-duty status (I.O.D.) unless specific written permission is granted to the employee by the Sheriff-Coroner or his designee. It shall be the responsibility of the employee to seek specific permission in writing by filing a Request for Approval of Collateral Employment form to his or her chief deputy outlining the nature of the collateral employment and the injury involved.

In the event an employee on an I.O.D. status does receive specific permission to continue with collateral employment, the employee acknowledges that he/she report to the Sheriff-Coroner all compensation received from such collateral employment during any period of disability for which the employee receives benefits pursuant to the California Labor Code, Section 4850, et seq.

Further, the employee is required to provide such proof of compensation as the County may request. It shall be understood by the employee that the County of Kern is entitled to, and may seek a credit for collateral employment earnings against benefits paid to the employee pursuant to California Labor Code, Section 4850.

A chief deputy, upon receiving a request for collateral employment, will:

- Review the request;
- Determine if a conflict exists and why;
- Approve or deny the request;
- Notify the employee;
- Forward approved requests to the employee's personnel file.

## **DIRECTIVE D**

Any employee who has been denied the right to engage in outside employment based on the determination that his or her secondary employment falls within the prohibitions outlined in this policy may, within five (5) days from the date of notification of denial, file a written appeal to the Sheriff-Coroner. The Sheriff's decision may be appealed to the Board of Supervisors in accordance with Section 2.02.020 of the Ordinance Code of the County of Kern.

## **DIRECTIVE E**

The Request for Approval of Collateral Employment shall expire each year on January 1<sup>st</sup>. Employees who wish to continue collateral employment must resubmit an updated request form prior to January 1<sup>st</sup> of each year.

B-500-3

<b>EFFECTIVE:</b> August 1, 1990	<b>REVIEWED:</b> 5/25/2023	<b>REVISED:</b> 11/29/2010	<b>UPDATED:</b> 11/17/2020
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*Kern County Sheriff's Office*

**Policies and Procedures**

<b>TITLE: DUTIES OF PERSONNEL - SUBPOENAS</b>		<b>NO: B-600</b>	
<b>APPROVED: Donny Youngblood, Sheriff-Coroner</b>			
<b>EFFECTIVE: August 1, 1990</b>	<b>REVIEWED: 9/04/2020</b>	<b>REVISED: 4/1/1996</b>	<b>UPDATED: 9/04/2020</b>

**POLICY**

A member who is subpoenaed in a matter pertaining to his/her duties may be served personally, by fax or electronic service to the KCSO Subpoena Coordinator, who has been designated to receive service of subpoenas on behalf of current KCSO Employees. The designated employee will complete service by delivering a copy of the subpoena to the officer via electronic service utilizing the Microsoft Outlook Calendar system.

The member's superior or designated employee may refuse service if they know that they will be unable to complete service prior to the hearing date. If the superior or designated employee is sub-served less than five (5) days prior to the hearing date, and he/she is not reasonably certain that he/she can complete the service, he/she may refuse acceptance. To refuse service, employees can either "Decline" the subpoena in email or call the Subpoena Coordinator directly to reject subpoena and give reason for not being able to accept. The Subpoena Coordinator would then send the rejected subpoena back to the office serving subpoena with valid reasoning for rejection.

Civil subpoenas are to be served and accepted in the same manner as criminal subpoenas with the additional requirements that a witness fee is deposited prior to service of the subpoena.

**DEFINITION:** A subpoena is a process by which the attendance and testimony of a witness may be compelled in a civil suit or criminal action. It is a writ or order directed to a person requiring their attendance at a particular time and place to testify as a witness.

Generally, a subpoena is served by delivery of a copy, or a ticket containing its substance, to the witness personally (California Code of Civil Procedure §1987).

Service of a Subpoena Duces Tecum must include a copy of the affidavit in support of the subpoena. Service of a Subpoena Duces Tecum without a copy of this affidavit is invalid. The affidavit states what records or items are required, and that their production is material to the case, and that the witness has the required items (CCP §1985(b), 1987).

A clerk, judge, or attorney of record in an action or proceeding, may sign and issue a subpoena to require attendance before the court where the proceeding is pending (CCP §1985).

Disobedience to a subpoena, or a refusal to be sworn, or to answer as a witness, or to subscribe an affidavit or deposition when required, may be punished as a contempt by the court issuing the subpoena.

**PROCEDURE:**

When a member receives a civil subpoena, they will:

- Complete a Contract Services Justification Form #490, including all of the following:
  - Date form completed;
  - Name of attorney issuing subpoena in ‘AGENCY TO BE CHARGED’ section;
  - Case name and number in “JOB DESCRIPTION” section;
  - The date or dates of appearance;
  - Deputy’s name;
  - Number of hours, overtime and regular;
  - List any standby time as “other costs”;
  - If Sheriff’s Office vehicle used, list vehicle number and mileage;
  - Do not total;
  - Have supervisor sign as authorized signature;
  - Forward form to Financial Services.

**NOTE:** Normally the form #490 will be attached to the civil subpoena. If not, they may be obtained from the subpoena coordinator or the Financial Services Section.

B-600-2

<b>EFFECTIVE:</b> August 1, 1990	<b>REVIEWED:</b> 9/04/2020	<b>REVISED:</b> 4/1/1996	<b>UPDATED:</b> 9/04/2020
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**Kern County Sheriff's Office**  
**Policies and Procedures**

<b>TITLE: DUTIES OF PERSONNEL - TESTIFYING</b>		<b>NO: B-700</b>	
<b>APPROVED: Donny Youngblood, Sheriff-Coroner</b>			
<b>EFFECTIVE:</b> <b>August 1, 1990</b>	<b>REVIEWED:</b> <b>7/25/2023</b>	<b>REVISED:</b> <b>4/20/2005</b>	<b>UPDATED:</b> <b>11/17/2020</b>

**POLICY**

All members called to testify before the courts are to be punctual in their attendance. They shall testify with the greatest accuracy and truthfulness, confining themselves to the case before the court or inquest and neither suppress nor overstate the slightest circumstances with a view of favoring or discrediting any person. When cross-examined, they shall answer with the same readiness and civility as when testifying in support of the charge, remembering that the ends of justice will be better served by showing a desire simply to tell the whole truth, whether it be in favor of or against the defendant.

All sworn members of the Sheriff's Office are required, if called upon or subpoenaed as a witness in a criminal proceeding, to testify concerning the performance of their duties and to events and activities perceived by them at any time. The public trust placed in sworn members to enforce the criminal laws of this state demands nothing else.

**DIRECTIVE A**

Like any other person, sworn members of the Sheriff's Office have the right to remain silent and to claim the privilege against self-incrimination whenever the member sees fit, including under the circumstances described above.

At times, therefore, a sworn member's public duty to testify and their constitutional right to remain silent may come into conflict.

When presented with such a conflict, a sworn member is faced with choosing one of the following courses of action:

- To remain silent and assert the privilege against self incrimination; or
- To testify in accordance with the member's duty.

In the event a sworn member fails to comply with their duty to testify as described above, they shall be subject to administrative discipline up to and including termination.

Anything a sworn member testifies to may be used against them in any administrative or judicial proceeding except that if they state on the court's record that the testimony would not be given and that the privilege against self-incrimination would be claimed but for the coercive effect of this office policy, then neither such testimony nor any information derived therefrom shall be used in a criminal prosecution of that sworn member. (Lefkowitz v. Turley (1973) 94 S.Ct.316; Lybarger v. City of Los Angeles (1985) 40 Cal.3d822.



It shall be solely the duty of any sworn member affected by this policy to place on the court's record for their own protection the fact that the testimony being given by them is coerced by this policy.

**DIRECTIVE B**

Members of the Sheriff's Office shall not testify at any school expulsion hearing without a court order from the juvenile court, or unless authorized to do so by the Sheriff-Coroner or a chief deputy.

Whenever an employee of the Sheriff's Office has conducted an investigation on school grounds (undercover or otherwise), the Sheriff-Coroner or a chief deputy may permit testimony by the Sheriff's employee provided the expulsion hearing is closed to the public. The school's legal office must provide a written declaration that the expulsion hearing will be closed to the public.

**PROCEDURE**

Members of the Sheriff's Office receiving a request or court order to testify at a school expulsion hearing will notify their chief deputy of such via chain of command in writing.

The Chief Deputy will:

- Notify the appropriate school authority of Sheriff's Office policy;
- Determine if the circumstances fit the policy exception;
- Advise the members to testify or not;
- Notify County Counsel.

B-700-2

<b>EFFECTIVE:</b> August 1, 1990	<b>REVIEWED:</b> 07/25/2023	<b>REVISED:</b> 4/20/2005	<b>UPDATED:</b> 11/17/2020
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*Kern County Sheriff's Office*  
**Policies and Procedures**

<b>TITLE: SUBPOENA – COURT APPEARANCE</b>		<b>NO: B-800</b>	
<b>APPROVED: Donny Youngblood, Sheriff-Coroner</b>			
<b>EFFECTIVE:</b> <b>February 1, 1996</b>	<b>REVIEWED:</b> <b>03/30/2020</b>	<b>REVISED:</b> <b>09/20/2013</b>	<b>UPDATED:</b> <b>03/30/2020</b>

## **POLICY**

This policy is intended to facilitate the process of subpoena service and scheduling of Sheriff's Office personnel for giving testimony in matters pending before the courts. Nothing in this policy will be construed as relieving employees of any responsibility required by law or as superseding any specific instructions given in the text of the subpoena.

The Sheriff's Office has one (1) Subpoena Coordinator, who can be reached at 391-7572. Subpoenas delivered to the Sheriff's Office for service upon Sheriff's Office personnel will be directed to the Subpoena Coordinator. The Subpoena Coordinator is designated as an agent of each employee for purposes of receiving and accepting subpoenas. If accepted by the Subpoena Coordinator, subpoenas will be recorded and delivered to the employee named in the subpoena. The Subpoena Coordinator is authorized to serve "rush" subpoenas by telephone.

It is the responsibility of the issuing authority to notify the Subpoena Coordinator if a case is going to trial on a day-to-day basis or if the case is continued to a new date. This notice is sufficient to compel appearance in court as directed.

When the hearing date of a subpoena or a "trailing" case is in conflict with an employee's schedule, (i.e., vacation, training, CTO, medical leaves, etc.), the employee is responsible for communicating with the issuing authority and resolving the conflict. Employees may also "Decline" subpoenas (with proper notice) and state reason they are unavailable when subpoena is sent via Outlook Calendar system, and the Subpoena Coordinator will send the rejected subpoena to the corresponding DA's office to inform of unavailability.

## **COURT STANDBY STATUS**

The District Attorney's Office, and all other issuing authorities communicates to the Subpoena Coordinator any new or additional court appearance dates required of the employee, or when court standby status is appropriate. The Subpoena Coordinator will communicate this information to the subpoenaed employee by telephone, written message, or email. The Subpoena Coordinator will provide individual notifications to each employee on their case status(es). Failure to receive a communication from the Subpoena Coordinator does not cancel the subpoena.

Employees placed on "Court Standby" will remain available by radio or telephone until 3:00 p.m., or until called, each standby day. An employee placed on a standby status will not engage in activity, overtime, etc., which would make him/her unavailable to respond to court. If an employee on standby does not receive a call from the Subpoena Coordinator prior to 3:00 p.m. on any assigned standby day, he/she will be free of standby obligations for the remainder of that day.

**GENERAL STANDBY RULES FOR BAKERSFIELD JUSTICE AND SUPERIOR COURTS:**

**Revocations and Motions**

Employees are to appear at the time and date specified on the subpoena. These subpoenas will be stamped “MANDATORY APPEARANCE” by the Subpoena Coordinator.

**Jury Trials**

Employees are automatically placed on 45-minute response “standby” status unless specifically instructed otherwise. These subpoenas will be stamped “ON CALL STATUS” by the Subpoena Coordinator.

**Juvenile Court**

Employees are to appear at the time and date specified on the subpoena. These subpoenas will be stamped “MANDATORY APPEARANCE” by the Subpoena Coordinator, unless directed by the issuing authority.

**GENERAL STANDBY RULES FOR BRANCH COURTS:**

**Delano Court:**

Jury Trials: Automatic one-hour response “standby” unless specifically instructed otherwise.

Preliminary Hearings, Revocations and Motions: Employees appear in court as instructed on the subpoena.

**Lamont Court:**

Jury Trials, Revocations, and Motions: Employees appear in court as instructed on the subpoena.

Preliminary Hearings: Automatic one-hour response “standby” unless specifically instructed otherwise.

**Mojave, Ridgecrest, and Shafter Courts:**

All Cases: Employees appear in court as instructed on the subpoena. If “standby” is indicated on the subpoena, response time is one hour.

B-800-2

<b>EFFECTIVE:</b> February 1, 1996	<b>REVIEWED:</b> 03/30/2020	<b>REVISED:</b> 09/20/2013	<b>UPDATED:</b> 03/30/2020
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