



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

<b>TITLE: Emergency Driving</b>		<b>NO: E-0100</b>	
<b>APPROVED: Donny Youngblood, Sheriff-Coroner</b>			
<b>EFFECTIVE: February 12, 2005</b>	<b>REVIEWED: 5/15/2020</b>	<b>REVISED: 10/01/2008</b>	<b>UPDATED: 5/15/2020</b>

**REFERENCE:**

CVC 21052: Vehicle Code provisions apply to all operators of all vehicles.<sup>i</sup>

CVC 21055: Authorized Emergency vehicles are exempt from the rules of the road when responding to fire, emergency, rescue, or pursuit, and the operator displays a solid forward facing red lamp and activates a siren as necessary.<sup>ii</sup>

CVC 21056: Emergency vehicle operators must show due regard for the safety of all persons using the highway.<sup>iii</sup>

CVC 21806: Pedestrians, other vehicle operators to yield to emergency vehicle by moving to the right.<sup>iv</sup>

**POLICY:**

The fundamental purpose of Code 3 operations is to enable peace officers to arrive quickly and safely at a scene of an emergency. It shall be the policy of the Sheriff's Office that Code 3 operations (red light and siren) be strictly limited to emergency situations and pursuits. The safety of the deputy and the public must be the primary concern when driving under emergency conditions. The purpose of this policy is to establish guidelines that will enable deputies to arrive at the scene of an emergency in a manner consistent with the safety and well being of all parties involved. The final responsibility for the safe operation of the vehicle will rest with the deputy operating the vehicle.

Generally, no operator of a Sheriff's Office vehicle shall violate any traffic law except:

- When done in a safe manner; and
- During Code 3 operations or;
- While practicing generally approved patrol procedures including but not limited to;
  - o Approaching a prowler call with lights out;
  - o Driving on the wrong side of a roadway to safely approach a robbery in progress, etc.
  - o Pacing a vehicle to establish speed or overtaking a vehicle to initiate a stop.

- ◆ “Closing the distance” means maneuvering an emergency vehicle into closer proximity of a violator or suspected violator vehicle for law enforcement purposes. “Closing the distance” has a number of valid law enforcement purposes, and is an appropriate tactic to reduce the possibility that an attempt to stop will escalate into a pursuit. However, when traffic conditions or offender vehicle speeds create safety concerns, emergency lights and siren should be used pursuant to CVC 21055.

Along with the tactical considerations the officer must consider his/her safety and the safety of others.

Deputies are never excused from exercising due care for the safety of others or themselves. Deputies shall not drive a vehicle at a speed greater than is reasonable or prudent having due regard for weather, visibility, the traffic on, and the surface and width of the highway, and in no event at a speed that endangers the safety of persons or property. (CVC 22350)

- The purpose of the red light and siren is to warn other motorists and pedestrians, and to minimize traffic delay.
- Deputies should consider the light and siren a request for right-of-way and should exercise the utmost caution and care during their driving.
  - Speeds above posted speed limits are rarely necessary or justified.
- Deputies should endeavor to use the lane closest to the center of the roadway wherever possible to provide maximum visibility for themselves and for other drivers.
- Deputies should periodically vary the siren tone from wail to yelp to improve siren audibility for other motorists and pedestrians. This is particularly true at intersections.
  - The “Wail” and “Yelp” modes are the only authorized sirens.
- When entering intersections against a traffic control device, or when crossing blind intersections, deputies shall slow their vehicles to a point that they will be able to safely stop for any cross traffic that fails to yield the right-of-way. Deputies shall only continue through the intersection after clearing each lane individually.
- Deputies should remain aware that another driver might not be able to hear the siren until the emergency vehicle is in close proximity. Deputies should give other motorists adequate time to hear the siren and to yield the right-of-way.
- Deputies should avoid passing to the right of other motor vehicles, except as a last resort and where it is done in a safe manner.
  - Deputies passing other vehicles on the right should proceed slowly and with extreme caution, making sure to watch other drivers and be prepared to avoid a driver pulling to the right.

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- o Deputies passing on the right should consider turning off lights and siren to avoid confusing other motorists, then proceed slowly and follow the rules of the road.
- Deputies should maintain an appropriate space cushion (3 to 5 seconds) between their vehicle and other vehicles to allow room for evasive maneuvers in the event of an unexpected act on the part of another motorist.
- Deputies operating unmarked vehicles should be aware of the reduced identifiability of their vehicle and be prepared for other motorists to fail to yield right-of-way.

**DEFINITIONS:**

**Code 3 operation:** Means a deputy sheriff operating an authorized emergency vehicle sounds a siren as may be reasonably necessary and the vehicle displays a steadily lighted red lamp visible from the front as a warning to other drivers and pedestrians, and the deputy is responding to an emergency call or engaged in rescue operations or is in the immediate pursuit of an actual or suspected violator of the law.

Use of lights and/or siren to effect or facilitate a vehicle or pedestrian stop, or as a traffic warning device, does not constitute a Code 3 operation within the meaning of this policy.

**Emergency:** A situation where there exists a reasonable likelihood of death or serious bodily injury to humans and which requires immediate law enforcement/public safety intervention. The test is not whether an emergency actually exists, but whether the deputy has a reasonably justified belief that an emergency exists.

- An emergency may include, but is not limited to any of the following conditions:
  - o A serious public hazard;
  - o A crime of violence in progress;
  - o The prevention of a crime of violence;
  - o An officer needing immediate assistance;
  - o A medical emergency;
  - o A fire;
  - o A rescue emergency;
  - o A pursuit as described in section E-200 of this manual.

Generally, misdemeanors do not meet the criteria for an emergency response.

E-0100-3

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**PROCEDURE:**

A deputy may initiate a Code 3 response:

- When the information directly provided to the deputy via radio dispatch provides a reasonable basis for the belief that an emergency exists within the meaning of this policy;
  - Only deputies directly dispatched to the emergency are authorized to respond Code 3 to the emergency.
    - ◆ Deputies who are in closer proximity to an emergency than a dispatched deputy will notify the dispatcher prior to initiating a Code 3 response.
    - ◆ The dispatcher may elect to cancel one or more of the responding units and opt for the closest units.
- When the deputy receives information from any other source and the information is sufficient to justify the reasonable belief that an emergency exists within the meaning of this policy. This may include prior knowledge of circumstances related to the specific emergency, or a reasonable belief that the situation will require more resources than have been allocated to the situation.
  - When the deputy receives such information from a source other than radio dispatch, the deputy will, as soon as practical, advise the dispatcher of the source and nature of the information.
  - Generally, two (2) units respond.
- When an emergency situation dictates the immediate need for multiple units at the scene, such as an officer needing immediate assistance, a physical struggle, a situation involving weapons, or other reasonably similar circumstance. Only those units with a reasonable response time are authorized an immediate response.
- When in pursuit pursuant to section E-200 of this manual.

A command officer or supervisor may initiate a Code 3 response when he or she has reason to believe he or she is responding to an emergency as defined in this chapter.

A deputy will discontinue a Code 3 response when:

- He/She becomes aware of information which would reasonably justify the belief that the emergency no longer exists; or
- When the dispatcher has pre-empted the response by sending a closer deputy; or
- When ordered to do so by a ranking officer.

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The Dispatcher upon dispatching/or learning of a Code 3 response, will:

- Immediately notify the Field Supervisor
- Quickly brief the Communications O.I.C. of the situation

The Field Supervisor and/or Watch Commander, upon learning of a Code 3 Response, will:

- Quickly obtain as much information on the circumstance as possible;
- Determine if Code 3 is justified;
  - Order Code 3 terminated, or
  - Allow the Code 3 to continue
  - Determine how many units will operate under Code 3 conditions

Field Supervisors and/or Watch Commanders will monitor radio traffic and ensure that deputies are acting within the intent of this policy.

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<sup>i</sup> VC§ 21052. Public Officers and Employees

The provisions of this code applicable to the drivers of vehicles upon the highways apply to the drivers of all vehicles while engaged in the course of employment by this State, any political subdivision thereof, any municipal corporation, or any district, including authorized emergency vehicles subject to those exemptions granted such authorized emergency vehicles in this code.

(Enacted by Stats. 1959, Ch. 3.)

<sup>ii</sup> VC§ 21055. Exemption of Authorized Emergency Vehicles

The driver of an authorized emergency vehicle is exempt from Chapter 2 (commencing with Section 21350), Chapter 3 (commencing with Section 21650), Chapter 4 (commencing with Section 21800), Chapter 5 (commencing with Section 21950), Chapter 6 (commencing with 22100), Chapter 7 (commencing with Section 22348), Chapter 8 (commencing with Section 22450), Chapter 9 (commencing with Section 22500), and Chapter 10 (commencing with Section 22650) of this division, and Article 3 (commencing with Section 38305) and Article 4 (commencing with Section 38312) of Chapter 5 of Division 16.5, under all of the following conditions:

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(a) If the vehicle is being driven in response to an emergency call or while engaged in rescue operations or is being used in the immediate pursuit of an actual or suspected violator of the law or is responding to, but not returning from, a fire alarm, except that fire Sheriff's Office vehicles are exempt whether directly responding to an emergency call or operated from one place to another as rendered desirable or necessary by reason of an emergency call and operated to the scene of the emergency or operated from one fire station to another or to some other location by reason of the emergency call.

(b) If the driver of the vehicle sounds a siren as may be reasonably necessary and the vehicle displays a lighted red lamp visible from the front as a warning to other drivers and pedestrians.

A siren shall not be sounded by an authorized emergency vehicle except when required under this section.

(Amended by Stats. 1977, Ch. 1017.)

iii VC§ 21056. Effect of Exemption

Section 21055 does not relieve the driver of a vehicle from the duty to drive with due regard for the safety of all persons using the highway, nor protect him from the consequences of an arbitrary exercise of the privileges granted in that section.

(Enacted by Stats. 1959, Ch. 3.)

iv VC§ 21806. Authorized Emergency Vehicles

Upon the immediate approach of an authorized emergency vehicle which is sounding a siren and which has at least one lighted lamp exhibiting red light that is visible, under normal atmospheric conditions, from a distance of 1,000 feet to the front of the vehicle, the surrounding traffic shall, except as otherwise directed by a traffic officer, do the following:

(a) (1) Except as required under paragraph (2), the driver of every other vehicle shall yield the right-of-way and shall immediately drive to the right-hand edge or curb of the highway, clear of any intersection, and thereupon shall stop and remain stopped until the authorized emergency vehicle has passed.

(2) A person driving a vehicle in an exclusive or preferential use lane shall exit that lane immediately upon determining that the exit can be accomplished with reasonable safety.

(b) The operator of every street car shall immediately stop the street car, clear of any intersection, and remain stopped until the authorized emergency vehicle has passed.

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(c) All pedestrians upon the highway shall proceed to the nearest curb or place of safety and remain there until the authorized emergency vehicle has passed.

(Amended by Stats. 1996, Ch. 1154, Sec. 68. Effective September 30, 1996.)

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## Kern County Sheriff's Office Policies and Procedures

TITLE: <b>VEHICLE POLICIES - PURSUITS</b>			NO: E-0200E-0200
APPROVED: <b>Donny Youngblood, Sheriff-Coroner</b>			
EFFECTIVE: <b>August 1, 1990</b>	REVIEWED: <b>5/15/2020</b>	REVISED: <b>8/4/2010</b>	UPDATED: <b>5/15/2020</b>

### PURPOSE

This policy is intended to establish procedures for vehicle pursuits that are consistent with California law and consider the safety of all persons.

### APPLICABILITY

When used in this policy, the term officer or deputy refers to deputy sheriffs only. Only Directive A of this policy refers to detentions deputies.

### POLICY

It shall be the policy of the Sheriff's Office that officers engaged in vehicular pursuits of actual or suspected law violators proceed in a manner consistent with the safety and well being of all persons. When circumstances are such that the life or safety of any person is unreasonably endangered because of a pursuit, such pursuit shall be terminated in all but the gravest of circumstances.

Vehicle Code Section 21055 authorizes an operator of an emergency vehicle to violate the rules of the road when in pursuit of an actual or suspected violator of the law if the driver of the emergency vehicle sounds a siren, as may be reasonably necessary, and the vehicle displays a lighted red lamp visible from the front as a warning to other drivers and pedestrians. Vehicle Code Section 21056 requires the officer to drive with *due regard* for the safety of all persons using the highway, and does not exempt the driver from the consequences of an arbitrary exercise of the privileges granted in section 21055.

Pursuits are highly volatile situations that demand officers be alert to rapidly changing conditions. When the driver of a pursued vehicle clearly exhibits the intention of avoiding detention or arrest, or when a suspected violator refuses to stop, the officer must make some judgments. The officer assuming control of the pursuit can satisfactorily exercise discretion only after minimally considering the following before and during a pursuit:

- Does the seriousness of the offense warrant a chase at high speeds considering the risks to the officer, innocent motorists, and others?
- Does the apparent need for immediate capture warrant the risks to peace officers, innocent motorists, and others in order to protect the public?



- What is the possibility of apprehension?
- Will the pursuit take place on a residential street, a business district, or on a freeway?
- What are the vehicular and pedestrian traffic conditions and volume?
- What are the weather conditions?
- Is air support available to assist?
- Is the officer familiar with all of the areas that may become involved?

## DEFINITIONS

**PURSUIT:** A pursuit is defined as an event involving one or more law enforcement officers attempting to apprehend a suspect operating a motor vehicle when the suspect is attempting to avoid arrest by using high speed driving, other evasive tactics (such as driving off a highway, or turning suddenly), or driving in a legal manner but failing to yield to the officer's signal to stop.

**PURSUIT INTERVENTION TECHNIQUE (PIT)** is defined as the deliberate act of impacting a violator's vehicle with a law enforcement vehicle to force the violator's vehicle to stop.

## PROCEDURE A: INITIATING A PURSUIT

An officer initiating a pursuit will:

- Activate red lights at the time it becomes necessary to violate the rules of the road;
- Advise the dispatcher of pursuit, giving:
  - Reason for pursuit;
  - Description of the vehicle and occupants;
  - Location, direction of traffic, approximate speed.
- Operate the siren when reasonable or necessary considering existing conditions:
  - Fluctuate the tone of the siren, especially through intersections, making it easier for motorists to hear the siren.
- Drive near the center of the street so approaching vehicles can see red lights;
- Do not attempt to pass on the right side (CVC 21806);
- Give motorists and pedestrians an opportunity to yield the right of way;
- Assume control of the pursuit following the directives in this policy;
- Drive at speeds safe under the totality of the circumstances and consistent with policy and law considering public safety, peace officer safety, and the fleeing occupant's safety.
- Attempt to apprehend suspect(s) at the successful termination of pursuit.

An officer acting as a secondary unit in a pursuit will:

- Activate red lights and siren;
- Activate siren only as necessary;
- Follow directions given by the primary unit;
- Assume radio communications responsibilities;

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- Assist in the apprehension of suspect(s).

The supervisor on duty, or in his/her absence the watch commander, will monitor and control any pursuit from its origin to its conclusion. Additionally, he/she will:

- Obtain sufficient information to determine that the pursuit is justified;
- Continually assess the risk factors associated with the pursuit to determine if continuing the pursuit is warranted;
- Ensure available aircraft has been requested;
- Ensure only the required units are involved, considering both the number of active and perimeter units, and if necessary, verbally identify units authorized in the pursuit;
- Verify proper radio channels and procedures are being used;
- Cause other law enforcement agencies to be notified if the pursuit enters their jurisdiction;
- Contact supervisors of assisting allied agencies directly if need be;
- Advise the Communications Center that he/she is monitoring;
- Ensure policies and procedures are being followed;
- Terminate the pursuit if, in his/her judgment, the risk to human life does not warrant its continuation;
- Proceed to the termination point of the pursuit if practical to ensure the proper completion of reports or provide assistance;
- If the pursuit results in a fatality, severe injury, or property damage, respond to the scene(s), and ensure:
  - Photographs are taken when necessary;
  - The California Highway Patrol is notified of the extent of damage or injuries and requested to respond for a vehicular accident investigation.
  - At the discretion of the on-scene commander or chief deputy, the Sheriff's Office's Civil Litigations Unit may be notified and requested to respond.

The supervisor on duty or the watch commander shall order the pursuit discontinued when the factors set forth in this policy or other valid considerations indicate termination is proper.

In the event the on-duty supervisor is involved in the pursuit itself, the watch commander shall supervise the pursuit and follow the provisions outlined in this policy. On-duty supervisors shall discontinue their involvement in the pursuit when marked units are in position to take over as the primary/secondary units, allowing the supervisor to resume pursuit supervision responsibility.

**PROCEDURE B: PURSUIT ASSUMED BY AN ALLIED AGENCY**

When a pursuit is assumed by an allied agency, the officer initiating the pursuit will:

- Discontinue Code 3 operation;
- Continue to monitor the progress of the pursuit via the Communications Center;
- Proceed to the pursuit termination point following the rules of the road, if practical, and provide information necessary for an arrest;
- If appropriate, take custody of suspect(s) and return to Kern County jurisdiction.

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## **PROCEDURE C: MULTI-AGENCY PURSUITS**

When an outside agency advises the Communications Center of a pursuit, dispatchers shall relay all available information to the on-duty supervisor or watch commander.

If assistance is requested by the pursuing agency, officers assigned to assist shall terminate the pursuit at the Kern County line unless there are extenuating circumstances present including, but not limited to:

- Officer or public safety;
- The outside agency's inability to continue the pursuit or immediate need of the officer's assistance;
- The seriousness of the crime.

## **PROCEDURE D: AIR SUPPORT**

Air support will be utilized in pursuits when available. When appropriate, air support will:

- Assist in coordinating ground units;
- Report by radio the progress of the pursuit;
- Provide officers with information critical to the safe progression of the pursuit which can be used to evaluate whether or not to continue the pursuit;
- Provide pertinent facts related to officer and public safety.

## **PROCEDURE E: INITIATION OF THE PURSUIT INTERVENTION TECHNIQUE (PIT)**

Only after considering and understanding all of the following conditions may an officer attempt to terminate a pursuit by intervention (PIT):

- The officer understands interventions are considered a use of deadly force and therefore all actions shall comply with the Sheriff's Office Policy and law;
- The officer successfully completed the Sheriff's Office PIT Training Course and understands only tactics taught in that course are authorized;
- The officer believes that the continued movement of the pursued vehicle would place officers or uninvolved persons in imminent danger of great bodily harm or death;
- The apparent risk of harm to officers or uninvolved persons outweighs the risk in the utilization of the PIT;
- The officer has considered other reasonable means of apprehension such as continuing to follow the offender, calling for air support, etc;
- Forcible stops should not be attempted when the pursued vehicle is traveling in excess of 35 MPH;
- An uninvolved motorist-occupied vehicle shall never be used to forcibly stop a pursued vehicle;

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- Whenever possible, a supervisor's permission should be obtained before intervention is attempted;
- Blocking, ramming, boxing, and roadblocks are generally prohibited in all but the gravest circumstances.

**PROCEDURE F: ADMINISTRATIVE REVIEW**

Following any pursuit or utilization of the PIT maneuver, the supervisor of the involved deputy shall review the involved incident report and any other information he/she believes pertinent. The supervisor will ensure the pursuit has been entered into the Sheriff's Office Use of Force Reporting System and will complete a memorandum that minimally contains the following information:

- Location of the pursuit and a description of the involved area
- Number of units involved and the identity of each involved deputy
- Offense that caused the deputy to initiate the pursuit
- Speeds reached by the suspect and involved deputies during the pursuit
- Actions taken at the termination of the pursuit
- Identity of the supervisor(s) who monitored the pursuit

The supervisor shall prepare two Supervisor Pursuit Packages, each containing the following items:

- A copy of the supervisor's memorandum
- A copy of the incident/investigative reports
- A copy of the CHP 187 form

One of the packages will be forwarded to the involved deputy's section lieutenant or division commander. The other will be forwarded to the Watch Lieutenant Section.

The involved section lieutenant or division commander and the assigned watch lieutenant will make themselves aware of the circumstances surrounding the pursuit. Independently of each other, both of them will minimally:

- Review the Supervisor's Pursuit Package;
- Listen to the involved radio traffic as necessary;
- Consult with the lead EVOC instructor and others as necessary.

After considering the above, the section lieutenant (or division commander) and the assigned watch lieutenant will:

- Confer and come to a joint determination as to whether the pursuit was warranted and/or within Sheriff's Office policy.
  - If the watch lieutenant and the section lieutenant or division commander are unable to come to a consensus, they shall confer with the division commander where the pursuit originated and the commander will cast the deciding vote. In the event the above division commander is a part of the original

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conference; an uninvolved lieutenant or commander will review the material and cast the deciding vote.

The assigned watch lieutenant will notify the Internal Affairs Unit of the finding for tracking in the Use of Force Reporting System.

If the pursuit is determined to be within policy, the assigned watch lieutenant will:

- Document the finding by case number and date of the pursuit
- Refer any training issues he/she notices to the POST Training Lieutenant

If the pursuit is determined to be outside of Sheriff's Office policy, the watch lieutenant will:

- In cooperation with the section lieutenant or division commander, complete a memorandum detailing the reasons for the finding. The memorandum, along with the supporting documents, will be forwarded to the affected division commander
  - If the division commander was involved in the policy compliance decision, he/she will take possession of the aforementioned documents.

The affected division commander will:

- Review all materials and determine if training and/or discipline is warranted. In the event the affected division commander determines training is an appropriate remedy, the relevant information will be forwarded to the lead EVOC instructor who will ensure the appropriate training is administered.
- In the event discipline is warranted, the commander will confer with his/her chief deputy to determine whether or not the matter will be referred to the Internal Affairs Unit for further investigation.
  - In the event the matter is not referred to the Internal Affairs Unit, the commander will cause the appropriate discipline to be imposed.

#### **DIRECTIVE A: DETENTIONS PERSONNEL**

Detentions deputies are prohibited from engaging in vehicular pursuits. Any detentions deputy from whom a suspect flees in a vehicle will advise dispatch of as much relevant information as possible (vehicle make and model, direction of flight, etc.)

#### **DIRECTIVE B: ALLIED AGENCIES**

Sheriff's Office personnel shall not become involved in the vehicle pursuits of other agencies unless requested to do so by the agency or when such assistance is included in established inter-agency agreements.

Notification by another agency of a pursuit in progress is not to be considered as a request to join in the pursuit. If a request for assistance is made, it will be reviewed and approved by the on-duty division commander or on-duty watch commander. Any officers assigned to assist will follow the policies and procedures of this section.

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When a pursuit extends into the area of an allied jurisdiction, the supervisor monitoring the pursuit will determine if the allied agency should assume the responsibility of the pursuit and make the appropriate request. In all cases where the pursuit enters another jurisdiction, the on-duty division commander or on-duty watch commander will be advised immediately.

### **DIRECTIVE C: PURSUIT TERMINATION**

A pursuit will be terminated if:

- Existing conditions present an unreasonable hazard to human life, or
- The pursued vehicle's location is no longer definitely known, or
- The speed is unreasonable considering the totality of the circumstances, or
- The subject(s) of the pursuit can be identified to the point where later apprehension can be accomplished.

The pursuing officer must base his/her decisions upon the seriousness of the crime and the existing safety factors.

### **DIRECTIVE D: ASSISTING UNITS**

The officer(s) in the initial pursuing unit and one (1) secondary unit, when available, shall pursue a suspect fleeing in a vehicle. Other Sheriff's Office units in the general area of the pursuit shall follow its progress by radio and attempt to position themselves accordingly, should additional assistance be needed. They will not drive at speeds exceeding posted speed limits. The officer(s) operating the primary pursuit may request additional units to assist if it appears the officers in the two vehicles involved will not be sufficient to safely affect the arrest of the suspect(s). Such additional assignments will be effected by the communications dispatcher. The dispatcher may direct unneeded units to abandon pursuit as directed by the field supervisor.

The first responsibility of the primary pursuit unit is the apprehension of the suspects without unnecessarily endangering themselves or other persons.

Unless relieved by a supervisor, the officer(s) occupying the primary unit shall be responsible for the control of pursuit tactics. This will include the decision to pursue and the number of units to be utilized.

### **DIRECTIVE E: UNMARKED VEHICLES**

Deputies operating unmarked vehicles will abandon a pursuit when sufficient marked units are available to assume their role in the pursuit and the transition can be accomplished safely.

### **DIRECTIVE F: CHP 187 FORM**

After an officer or officers are involved in attempting to apprehend a suspect operating a motor vehicle, while the suspect is trying to avoid arrest by using high speed driving or other evasive

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tactics, such as driving off a highway, turning suddenly, or driving in a legal manner but willfully failing to yield to the deputy's signal to stop; the officer will complete CHP form 187a (New 1-03) along with the other necessary report forms as dictated by the type of incident pursuant to the Sheriff's Office Report Writing Manual. The CHP form 187 will accompany the report package to the Crime Reports Section.

The Crime Reports Section will be responsible for duplicating, filing, compiling, and mailing the completed forms to the designated CHP office.

#### **DIRECTIVE G: PIT MANEUVER**

Whenever the PIT maneuver is utilized by a member of this Office, the involved officer(s) will ensure the following occurs:

- A Motor Vehicle Accident Report is completed for each involved vehicle
- Photographs of the involved vehicles (damaged or not) are taken
- The involved officers' narrative of their PIT actions is included in their reports
- The involved vehicle is inspected as outlined in Directive H below

#### **DIRECTIVE H: POST-PURSUIT VEHICLE SAFETY**

Employees shall ensure their vehicles are operating in a safe and efficient manner at all times.

Vehicle operators shall inspect their vehicles after pursuits, PIT maneuvers, and other unusual driving occurrences and consider whether their vehicle was subjected to any maneuvers which could have possibly damaged the vehicle. Such maneuvers may include, but are not limited to:

- the use of force
- rapid acceleration
- high speeds
- rapid cornering
- hard braking

Operators of Sheriff's Office vehicles with visible or audible damage shall ensure the vehicle is taken to the appropriate repair facility for inspection.

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

<b>TITLE:</b> VEHICLE POLICIES – DEADLY FORCE - VEHICLE		<b>NO:</b> E-300	
<b>APPROVED:</b> Donny Youngblood, Sheriff-Coroner			
<b>EFFECTIVE:</b> August 1, 1990	<b>REVIEWED:</b> 9/22/2017	<b>REVISED:</b> 6/29/2007	<b>UPDATED:</b> 11/12/2007

**POLICY**

An automobile used to force a vehicle off of the roadway, or for the barricading of a roadway, is considered deadly force. These methods of stopping a vehicle shall not be used in misdemeanor cases and only as a last resort should they be considered in the most serious types of felonies.

Such action should be used only after all other means have failed and only if the violator's actions are imminently endangering the life of innocent persons or when other types of deadly force are justified. The supervisor on duty or Sheriff's Office Watch Commander should, when possible, make the decision on the use of a barricade. In making the decision to use deadly force, officers will make themselves familiar with those sections of the Penal Code (PC 835, 835(a), and 843) where the conditions of using deadly force are addressed.

The appropriate use of the Pursuit Intervention Technique (PIT) as described in DPPM E-200 is not considered deadly force as described in this section.





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

<b>TITLE:</b> VEHICLES POLICIES – REPORTING UNSAFE CONDITION		<b>NO:</b> E-400	
<b>APPROVED:</b> Donny Youngblood, Sheriff-Coroner			
<b>EFFECTIVE:</b> August 1, 1990	<b>REVIEWED:</b> 9/22/2017	<b>REVISED:</b> 6/24/2013	<b>UPDATED:</b> 9/22/2017

## **POLICY**

It is the policy of the Kern County Sheriff's Office to provide the safest vehicles possible for its members. Every member of the Sheriff's Office who drives a county vehicle has the responsibility to report unsafe conditions to the Fleet Management Unit. Persistent or recurring problems are to be reported to the appropriate Chief Deputy via the chain of command.

## **PROCEDURE A**

Any member of the Sheriff's Office who finds an unsafe condition of a vehicle will:

- Turn the vehicle into the Fleet Management Unit or an approved vendor. If during normal business hours check the vehicle in and describe the problem with the vehicle.
- Fill out appropriate forms;
  - If necessary, submit an email to the Fleet Management Unit at [fleet@kernsheriff.com](mailto:fleet@kernsheriff.com) describing problem(s) in detail.
- Direct a memo to the fleet sergeant stating in detail the unsafe condition of the vehicle and its location.

## **PROCEDURE B**

- During the hours, the vendor is not open, return the vehicle to the appropriate Sheriff's Facility;
- Direct a memo to the fleet sergeant stating in detail the unsafe condition and the location of the vehicle;
- Clearly mark the vehicle and/or the keys to ensure no one drives the vehicle prior to repair.

## **PROCEDURE C**

A member of the Sheriff's Office who becomes aware of a recurring, persistent, or unresolved safety condition will:

- Direct a memo to the fleet sergeant stating the unsafe condition and all pertinent circumstances.

The fleet sergeant receiving a memo regarding an unsafe condition of a vehicle will:

- Ground the vehicle until the condition can be rectified;
- Attempt through all channels available to resolve the unsafe condition.

E-400-2

<b>EFFECTIVE:</b> August 1, 1990	<b>REVIEWED:</b> 9/22/2017	<b>REVISED:</b> 6/24/2013	<b>UPDATED:</b> 9/22/2017
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*Kern County Sheriff's Office*  
**Policies and Procedures**

<b>TITLE: VEHICLE POLICIES – USE OF SEATBELTS</b>		<b>NO: E-500</b>	
<b>APPROVED: Donny Youngblood, Sheriff-Coroner</b>			
<b>EFFECTIVE:</b> <b>August 1, 1990</b>	<b>REVIEWED:</b> <b>9/22/2017</b>	<b>REVISED:</b> <b>4/16/2007</b>	<b>UPDATED:</b> <b>11/12/2007</b>

## **POLICY**

It shall be the policy of the Sheriff's Office to require the use of safety belts by drivers and passengers in all vehicles so equipped, except where the use of safety belts would pose a risk of injury to the passengers or the person attempting to secure the passenger.

When an officer believes it necessary to protect their identity in an undercover operation, they will not be required to abide by this seat belt policy. They will begin abiding by the seat belt policy just as soon as they possibly can without compromising their identity.

In all vehicles controlled by the Sheriff's Office, all occupants under six (6) years of age or weighing less than 60 pounds will be properly secured in a child seat restraint system in the rear seat of the vehicle or seat belts in compliance with CVC Section 27360(c)(1).

## **DIRECTIVE #1**

Members of the Sheriff's Office operating vehicles assigned to the Sheriff's Office or owned or leased by the county, shall use seat belts in vehicles so equipped, and shall ensure that all passengers are restrained by safety belts, where such belts are provided in the vehicle, except:

- Where the use or attempted use of the safety belt would aggravate an existing injury to, or medical condition of, the person being restrained;
- Where the use or attempted use of the safety belt would expose to injury, or cause injury to, the person applying the safety belt, or the person being restrained, as in attempting to restrain combative or violent prisoners;
- Where the person is transported to the rear of the front seat, as provided by law.

## **DIRECTIVE #2**

Members of the Sheriff's Office in the performance of their duties transporting children under six (6) years of age or weighing less than 60 pounds will properly secure them in a child passenger restraint system (CPRS). Children transported in a CPRS will be properly restrained in the rear seat of the vehicle, except under the following circumstances:

- There is no rear seat.
- The rear seats are side-facing jump seats.

- The rear seats are rear-facing seats.
- The child passenger restraint system cannot be installed properly in the rear seat.
- All rear seats are already occupied by children under the age of 12 years.
- Medical reasons necessitate that the child or ward not ride in the rear seat.

When any of the above exceptions preclude transporting the child in the rear seat of the vehicle, the CPRS will be properly secured in the front seat of the vehicle.

**DIRECTIVE #3**

Children under one year of age or weighing less than 20 pounds will not be transported in the front seat of a motor vehicle in a rear-facing child passenger restraint system with an active passenger air bag. Members of the Sheriff’s Office will deactivate the passenger airbag when transporting children under these circumstances. In those cases where the child under one year of age or weighing less than 20 pounds cannot be transported in the rear seat and the passenger side air bag cannot be deactivated, the Sheriff’s Office member will seek a reasonable transportation alternative such as transporting the child in another vehicle.

E-500-2

<b>EFFECTIVE:</b> August 1, 1990	<b>REVIEWED:</b> 9/22/2017	<b>REVISED:</b> 4/16/2007	<b>UPDATED:</b> 11/12/2007
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*Kern County Sheriff's Office*  
**Policies and Procedures**

<b>TITLE:</b> VEHICLE POLICIES – USE OF PRIVATE VEHICLES		<b>NO:</b> E-600	
<b>APPROVED:</b> Donny Youngblood, Sheriff-Coroner			
<b>EFFECTIVE:</b> August 1, 1990	<b>REVIEWED:</b> 9/22/2017	<b>REVISED:</b> 5/5/2006	<b>UPDATED:</b> 9/22/2017

**POLICY**

The use of private vehicles in connection with official Sheriff's Office business is at the sole discretion of the Sheriff-Coroner. Section 103.6 of the Kern County Administrative Procedures Manual give the Sheriff-Coroner this authority and outlines the procedures to follow. Those procedures are repeated below for convenience.

**PROCEDURE**

A member of the Sheriff's Office who wishes to use a private vehicle will:

- Obtain written permission from the Sheriff-Coroner;
- Complete and file an approved mileage authorization form;
- Verify proper insurance coverage:
  - Minimum public liability \$15,000/\$30,000;
  - Minimum property damage \$10,000.
- Maintain a valid California driver's license;
  - Mileage contract expires on driver's license, expiration date.
- Complete a claim for payment form and mileage claim voucher;
  - File with Financial Services.
- Forward all forms except claim for payment and mileage voucher to the Fleet Management Unit sergeant.

The Fleet Management Unit sergeant will:

- Maintain Sheriff's Office file in compliance with county policy.



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

<b>TITLE: VEHICLE POLICIES – STRANDED MOTORIST</b>		<b>NO: E700</b>	
<b>APPROVED: Donny Youngblood, Sheriff-Coroner</b>			
<b>EFFECTIVE: August 1, 1990</b>	<b>REVIEWED: 9/22/2017</b>	<b>REVISED: 10/17/2016</b>	<b>UPDATED: 9/22/2017</b>

**POLICY**

It is the policy of the Kern County Sheriff's Office to direct assistance to motorists who are stranded in traffic, whether involved in a traffic accident or not, or in an isolated area where their personal safety may be in question.

**DIRECTIVE**

Any deputy on duty in a contract city shall render assistance in compliance with California Vehicle Code 20018. All other deputies should render assistance whenever possible.

In the event a disabled motorist is noticed by an officer while the officer is enroute to an assignment which prevents the officer from stopping or rendering immediate assistance, the officer shall notify the Communications Center (via radio) of the situation and continue on to the original assignment. The Communications Center will dispatch a unit to render assistance based on current availability of manpower.

**PROCEDURE**

In all cases the officer providing assistance will:

- Render that assistance necessary to alleviate any traffic hazard involved;
- Assist in notifying a third party of the motorist's choice if necessary;
- Using proper discretion, remain with the motorist until either the third-party assistance arrives, the vehicle becomes operative, or the motorist advises that they no longer need assistance of this agency;
  - When exercising discretion in determining whether to stay with a stranded motorist the primary consideration must be the personal safety of the motorist;
  - A deputy may transport a disabled motorist to a place of safety or the motorist's residence at the discretion of the deputy.
- Do a minimum of a Code 9 report.



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

<b>TITLE:</b> In-car Mobile Audio-Video Recording System		<b>NO:</b> E-0750	
<b>APPROVED:</b> Donny Youngblood, Sheriff-Coroner			
<b>EFFECTIVE:</b> July 15, 2013	<b>REVIEWED:</b> 9/22/2017	<b>REVISED:</b>	<b>UPDATED:</b> 9/22/2017

### **POLICY**

It is the policy of the Kern County Sheriff's Office that all personnel who use the in-car video recording equipment adhere to the procedures outlined in this policy and be properly trained in the equipment's use.

The In-Car Mobile Audio/Video Recording System (MAVRS) is designed to assist and compliment patrol deputies in the performance of their duties. The MAVRS is used to record events, actions, conditions, and statements made during law enforcement activities. These recordings are intended to provide accurate documentation of incidents, enhance criminal prosecutions, aid in officer training, and limit civil liability. It is the purpose of this policy to provide deputies with guidelines for the use of the in-car video recording equipment. This policy is not intended to describe every possible situation where the system may be used; however, there are many situations where the use of the MAVRS is recommended.

### **PROCEDURE A-OPERATOR RESPONSIBILITIES**

- The proper operation of the recording equipment installed in the vehicles and the portable transmitter are the responsibility of the deputy assigned to the equipment. The equipment will be operated and maintained according to the manufacturer's instructions and recommendations. Sheriff's Office personnel will not use the video system until they have completed training on the proper use of the system.
- At the beginning of each shift, the vehicle operator will log in, identifying themselves as the operator of that vehicle, and test the MAVRS to ensure it is functioning properly. If the unit is malfunctioning, the operator will notify their supervisor immediately who shall ensure the vehicle's MAVRS is fixed and operational as soon as possible.
- The power to the system shall be left "on" during the operator's entire shift. The recording equipment will automatically be activated when certain thresholds are met (e.g. emergency lights are activated, the vehicle is involved in a collision, certain speed is reached, etc.).
- While on duty, a vehicle operator shall:
  - Ensure that the video equipment is turned on, positioned, and adjusted to record events.
  - Carry a wireless microphone on his or her person.

- Once activated, the MAVRS shall remain on and not be turned off until the initial incident that caused the MAVRS to activate has concluded. For purposes of this section, conclusion of the initial incident occurs when immediate arrests are made, arrestees are transported, and witnesses, victims, etc. are interviewed at the scene. Recording may cease if an officer is simply waiting for the arrival of a tow truck, taxi, family member, or other similar non-confrontation, non-evidentiary situation. In some circumstances it is not possible to capture images of the incident due to conditions or location of the camera; however, the audio portion can be valuable evidence and is subject to the same activation requirements as outlined above.
- Operators shall not tamper with the MAVRS in any manner.

**DIRECTIVE A- REQUIRED ACTIVATION OF MAVRS**

Activation of the MAVRS is required in any of the following situations:

- All field contact activities involving actual or potential criminal conduct, within video or audio range, which includes, but is not limited to:
  - Vehicle pursuits
  - Code 3 responses
  - Traffic stops
  - Pedestrian checks
  - Suspicious/disabled vehicles
  - Detentions and arrests
  - Prisoner transports
  - DUI investigations
  - Operators shall record enforcement contacts that the deputy reasonably believes at the time may become confrontational or combative.
  - Any call for service involving a crime where the recording may aid in the apprehension and/or prosecution of a suspect, such as:
    - Any incident involving an allegation of domestic violence
    - Any incident involving violence, drugs, or weapons
  - Deputies should make audio/video recordings of any event where the deputy reasonably suspects that an audio/video record could have value as evidence, limit liability, or resolve citizen complaints.

Activation of MAVRS is **not required** when exchanging information with other officers, during breaks, when not in service, or when actively on routine patrol.

E-0750

EFFECTIVE: July 15, 2013	REVIEWED: 9/22/2017	REVISED:	UPDATED: 9/22/2017
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## **DIRECTIVE B-SURREPTITIOUS RECORDINGS**

Absent lawful cause or order and within the normal scope of duties, no member of the Sheriff's Office will secretly record any other member of the Sheriff's Office.

## **PROCEDURE B-REVIEW OF MAVRS RECORDINGS**

Only the following members of the Sheriff's Office shall have access to review the MAVRS digital recordings:

- Senior Deputy Sheriff's
- Sheriff's Sergeants
- Sheriff's Lieutenants
- Commanders
- Chief Deputies
- Undersheriff
- Sheriff
- Internal Affairs Investigators
- Deputy reviewing his or her own recordings

Review of recordings is permitted for the following purposes:

- By the Deputy, Senior Deputy, or Sergeant for the purpose of completing their reports.
- Any sworn personnel conducting an investigation which is captured by MAVRS, shall review the video evidence prior to completing an investigative/supplemental report. If an unforeseen circumstance (eg. exigent circumstances or technical situations which would not allow the sworn personnel involved to review the video evidence prior to completing the investigative/supplemental report) occurs, the sworn personnel will be required to complete their report as current Department Policy dictates. Once the unforeseen circumstance is resolved, the sworn personnel will review the MAVRS video. If there are any additional observations, the sworn personnel shall document those observations in a supplemental report.
- By a Deputy or Senior Deputy, with supervisor approval, who is conducting follow-up on a specific case or incident and finds it necessary to review a video involving another deputy.

E-0750

<b>EFFECTIVE:</b> July 15, 2013	<b>REVIEWED:</b> 9/22/2017	<b>REVISED:</b>	<b>UPDATED:</b> 9/22/2017
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- By the Sheriff, Undersheriff, Chief Deputy, Commander, Lieutenant, or Sergeant who is conducting a review of a critical incident, such as a use of force, vehicle pursuit, citizen complaint, or evaluation of Sheriff's Office business practices.
- By Internal Affairs Investigators while conducting an administrative inquiry or as part of a personnel investigation.
- By court personnel through a formal request to the Wasco Property Room Deputy or a Sheriff's Office Supervisor/Manager.
- As directed by the Sheriff.
- Recordings may be used for the purposes of training with the approval of the Commander or Lieutenant of the area involved.
- As required by law.

**DIRECTIVE C- PROHIBITED USES OF MAVRS RECORDINGS**

- Recordings may not be used for any personal use or uploading to any internet web site without the express written authorization of the Sheriff.
- In no event shall any recording be used or shown with the intent to ridicule or embarrass any employee or any member of the public.

**PROCEDURE C- DOCUMENTATION AND STORAGE**

- Any pertinent incident that was recorded with either the video or audio system shall be documented in the associated Incident Report. If a traffic citation or administrative citation was issued, a notation shall be placed on the back of the deputy's copy of the citation that the incident was recorded.
- Video/audio media will be stored in a designated secure location. All video/audio media that is not secured as evidence will be retained for a minimum of 25 months, after which time it can be erased or recycled.
- All equipment, video media, and copies will be maintained and kept in the custody of the Sheriff's Office.
- A copy of the video/audio recording will be made for any authorized person enumerated in Procedure B. Additionally; a copy may be made available to Sheriff's Office personnel for court testimony or to the court for evidentiary purposes. Personnel authorized to duplicate (write to DVD/USB) a video/audio file captured by the MAVRS include:
  - Deputy who recorded the audio/video.
  - Property Room Deputy (when applicable).
  - Sergeant/senior deputy of the involved area.
  - Involved areas Commander or Lieutenant.

E-0750

<b>EFFECTIVE:</b> July 15, 2013	<b>REVIEWED:</b> 9/22/2017	<b>REVISED:</b>	<b>UPDATED:</b> 9/22/2017
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Only authorized employees may duplicate/copy video or audio files. Personnel shall do so for legitimate law enforcement purposes only. Unauthorized duplication, copying, or distribution is expressly prohibited, and personnel who do so will be subject to disciplinary action. MAVRS recordings shall be safeguarded similar to other forms of evidence. All copies made and not booked into Sheriff's Office Property Room/or used for administrative purposes will be returned to the assigned Property Room Deputy for destruction.

E-0750

<b>EFFECTIVE:</b> July 15, 2013	<b>REVIEWED:</b> <b>9/22/2017</b>	<b>REVISED:</b>	<b>UPDATED:</b> <b>9/22/2017</b>
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*Kern County Sheriff's Office*  
**Policies and Procedures**

<b>TITLE: PERSONAL PATROL VEHICLE/VEHICLE USE POLICY</b>		<b>NO: E-800</b>	
<b>APPROVED: Donny Youngblood, Sheriff-Coroner</b>			
<b>EFFECTIVE: December 1, 1997</b>	<b>REVIEWED: 9/22/2017</b>	<b>REVISED: 02/06/2014</b>	<b>UPDATED: 9/22/2017</b>

## **POLICY**

The Personal Patrol Vehicle Program has been created to improve public safety for the residents and visitors of Kern County and to increase the response capabilities of our employees. Some of the public benefits of the program include: increased law enforcement visibility, extended patrol time, and immediate response to disasters and other major emergencies. In addition, this program is intended to provide driver accountability and be a cost efficient alternative to conventional fleet management. Deputies who are involved in the Personal Patrol Vehicle Program will be provided with transportation which is familiar to the individual deputy and which is equipped with personal equipment needed for immediate response anywhere within the County of Kern.

The Sheriff's PPV Program is based on the operational need of the assignment and on the benefit to the residents and visitors of Kern County as deemed by the Sheriff-Coroner. The Sheriff-Coroner reserves the right to expand or restrict the PPV Program based on budgetary restrictions with reasonable notice to the participating employees.

Participation in the Personal Patrol Vehicle Program is voluntary. Deputies who meet the criteria for home retention of a personal patrol vehicle will be allowed to retain their vehicle at their place of residence. Deputies who choose not to participate in the home retention of a vehicle, or who do not meet the criteria for home retention, will park their assigned patrol vehicle at their work assignment in an area designated by the section lieutenant.

All personnel who use a patrol vehicle for overtime or other assignments (whether or not part of the PPV Program) **will be** subject to the applicable provisions set forth in this policy.

### **DIRECTIVE A. PPV DEFINED**

A Personal Patrol Vehicle is defined as an emergency response vehicle owned or leased by the Sheriff's Office. All Personal Patrol Vehicles must be equipped with a top mounted or mounted and stationary emergency light assembly with an operational siren. Personal Patrol Vehicles include, but are not limited to:

- Fully marked Sheriff's patrol vehicles with top mounted emergency lights and graphics.
- Unmarked "slick tops" that have mounted emergency lights and an operational siren.

- Other Sheriff's vehicles that are used in an operational capacity that have mounted emergency lights with an operational siren.

**DIRECTIVE B. ELIGIBILITY**

In order to participate in the Sheriff's PPV Program:

- The operation of an emergency response vehicle must be a normal part of the employee's regular assignment.
- The employee must be of a classification that is authorized to operate an emergency response vehicle in a "code-three" capacity and is expected to do so as a normal part of his or her duties.
- Participation in the PPV Program is strictly voluntary. If eligible deputies choose not to participate, these deputies are not authorized to drive their assigned PPV to and from home.
- The PPV Program is inclusive of sergeants, senior deputies, and deputies. Specialized assignments as determined by the Sheriff-Coroner will be exempt.
- There will be no mileage caps; however, all participants must reside in Kern County to be eligible to take the PPV to and from home. Deputies who reside outside the County may park their assigned PPV at a substation within their section, but the deputy must comply with all other terms of the PPV Program.
- All participants will be required to authorize a payroll deduction each pay period. The Administration will review the amount of the deduction in January as part of the mid-year budget review and again in May prior to the end of the fiscal year. The amount of the deputy's payroll deduction will be dependent on budgetary requirements.

The Sheriff's Administration retains the right to increase or decrease the payroll deduction with reasonable notice to the deputy. Deputies will be allowed to enroll in the program in December and June; however, deputies may discontinue participation at any time. The Sheriff-Coroner, Undersheriff, or the Chief Deputy of the Field Operations Bureau may authorize a deputy to enroll in the program based on promotion, transfer, reassignment, or other compelling reason.

**DIRECTIVE C. VEHICLE USE**

Participants in the PPV Program are authorized to drive their assigned vehicle between their residence and place of assignment. Participants will retain the vehicle at their residence and:

- Personnel shall not use assigned vehicles for transportation to and from voluntary overtime assignments unless the assignment mandates the use of the personal patrol

E-800-2

<b>EFFECTIVE:</b> December 1, 1997	<b>REVIEWED:</b> 9/22/2017	<b>REVISED:</b> 02/06/2014	<b>UPDATED:</b> 9/22/2017
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vehicle. Use of personal patrol vehicles will be limited to and from the following locations:

1. Regular duty work assignments.
  2. Mandatory court appearances.
  3. Mandatory training classes.
  4. Emergencies authorized by the Sheriff's Office.
  5. Any other activity approved by the Sheriff-Coroner.
- b. No one other than the assigned deputy shall operate the personal patrol vehicle unless authorized by a supervisor. Exception is made for other deputies when riding as a partner or maintenance personnel and other members of the Sheriff's Office when transporting the vehicle for maintenance. A supervisor may authorize other personnel to drive a county vehicle during an emergency.
- c. Assigned deputies shall be in complete uniform when operating the personal patrol vehicle to and from their regular work assignment. At all other times deputies shall be dressed appropriately and possess a Sheriff's Office authorized handgun, badge, and Sheriff's identification.
- d. Travel time to and from work in a county vehicle will not be compensable.
1. Police action taken while enroute to or from the participant's residence is compensable with the approval of the on-duty supervisor or Watch Commander.
- e. Personal patrol vehicle radios shall be on and the deputy shall monitor radio traffic and be able to contact the Communications Center at all times when operating the vehicle on or off duty. If the Personal Patrol Vehicle is equipped with a Mobile Data Computer (MDC), the deputy shall use the MDC in conjunction with the communications radio. Deputies will take appropriate enforcement action consistent with Sheriff's Office Policy when a violation is observed and the deputy is operating the personal patrol vehicle. When off duty and enforcement action is to be taken, the deputy will identify himself to the Communications Center by use of his/her CAD Identification Number unless the deputy is assigned a permanent call sign.
- f. The use of any tobacco products is prohibited in all County owned or leased vehicles.
- g. When a deputy assigned to a personal patrol vehicle is on vacation, sick leave, or other extended absences for more than five (5) working days, the personal patrol vehicle will be parked at the deputy's work assignment. Deputies shall drive their assigned PPV or other assigned vehicle to and from work unless they are off work for more than five (5) working days. Deputies may leave their vehicles at their duty assignment on an as needed basis with the permission of a supervisor.

E-800-3

<b>EFFECTIVE:</b> December 1, 1997	<b>REVIEWED:</b> 9/22/2017	<b>REVISED:</b> 02/06/2014	<b>UPDATED:</b> 9/22/2017
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- h. Personal patrol vehicles shall be locked at all times when unattended. Weapons stored in vehicles will be locked. Portable radios will not be stored in patrol vehicles unless they are stored in the trunk.
- i. Assigned deputies shall complete all forms and accurately maintain all vehicle records deemed necessary by the Sheriff's Office.
- j. Deputies involved in a traffic accident, with a personal patrol vehicle, will notify their section lieutenant or the on duty Watch Commander immediately. The existing policy for vehicle accidents will then be followed.

Misuse or abuse of personal patrol vehicles may result in the loss of program privileges and/or disciplinary action.

**DIRECTIVE D. CARE & MAINTENANCE**

- a. Routine preventive maintenance shall be performed prior to each shift by the deputy assigned to the personal patrol vehicle. This maintenance shall minimally include:
  - 1. Check engine oil and add engine oil to the crankcase if necessary.
  - 2. Check the radiator coolant level and add water if necessary.
  - 3. Check battery cables and water level if applicable.
  - 4. Check power steering fluid level.
  - 5. Visually inspect brake fluid level.
  - 6. Check and maintain proper tire inflation.
- b. The assigned deputy of a personal patrol vehicle is responsible for arranging routine maintenance and repair through the Fleet Management Unit, or approved private vendors in the deputy's assigned area. Receipts shall be delivered to the Fleet Manager.
- c. Preventive maintenance will be performed on the personal patrol vehicle every 3,000 miles.
- d. Overtime is not authorized for arranging preventive maintenance. Fleet personnel can handle arrangements for vehicles in the metropolitan patrol area. Substation sergeants should make arrangements to facilitate the service of cars assigned to their areas.
- e. Assigned deputies shall not add or delete any equipment installed on the personal patrol vehicle other than equipment which is authorized by the Chief Deputy of the Law Enforcement Bureau.
- f. Assigned deputies shall maintain a clean vehicle, exterior and interior, at all times.

E-800-4

<b>EFFECTIVE:</b> December 1, 1997	<b>REVIEWED:</b> 9/22/2017	<b>REVISED:</b> 02/06/2014	<b>UPDATED:</b> 9/22/2017
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- g. Any theft of equipment or vehicle damage shall be reported to the Sheriff's Office immediately.
- h. Personal patrol vehicles are to be parked in a legal manner at the residence of the assigned deputy. The personal patrol vehicle is intended to be a highly visible symbol of the presence of the Kern County Sheriff's Office in our communities and will therefore be parked in public view.
- i. Personal patrol vehicles left parked at a deputy's assignment will be parked in an area designated by the section lieutenant.

Deputies requiring extensive maintenance on their personal patrol vehicle shall make arrangements with the Sheriff's Office Fleet Manager to have the vehicle repaired. Service and repairs should be scheduled during the deputy's non-duty hours or days off whenever possible.

**DIRECTIVE E. ENFORCEMENT ACTIONS**

When driving an assigned vehicle to and from work or training outside of the jurisdiction of the Kern County Sheriff's Office, a deputy shall not become involved in enforcement actions except in those circumstances where a potential threat to life or serious property damage exists.

Deputies driving marked vehicles shall be armed at all times.

Deputies may render public assistance, e.g. to a stranded motorist, when deemed prudent.

**DIRECTIVE F. VEHICLE INSPECTION**

All County owned vehicles are subject to inspection and or search at any time by a supervisor and no employee assigned to or operating such vehicle shall be entitled to any expectation of privacy with respect to the vehicle or its contents.

E-800-5

<b>EFFECTIVE:</b> December 1, 1997	<b>REVIEWED:</b> 9/22/2017	<b>REVISED:</b> 02/06/2014	<b>UPDATED:</b> 9/22/2017
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*Kern County Sheriff's Office*  
**Policies and Procedures**

<b>TITLE: USE OF MOBILE DATA COMPUTERS</b>		<b>NO: E-850</b>	
<b>APPROVED: Donny Youngblood, Sheriff-Coroner</b>			
<b>EFFECTIVE:</b> December 17, 2008	<b>REVIEWED:</b> 9/22/2017	<b>REVISED:</b> 00/00/00	<b>UPDATED:</b> 9/22/2017

**POLICY**

Mobile Data Computers are tools used to provide accurate and timely information to field units actively engaged in the protection of life and property. Proper use of the Mobile Data Computer will eliminate routine radio traffic making those radio channels available when needed for urgent traffic, thus enhancing the safety of field units.

The MDC is a tool to reduce routine radio traffic and enhance safety. All authorized members of the Kern County Sheriff's Office will use the MDC system as fully as possible and comply with all Sheriff's Office directives on usage. Members will safeguard the equipment, information and integrity of the system, and its information.

**DIRECTIVE A (Authorization)**

Only authorized personnel trained in the proper use of the terminals shall have access to the MDC. Non-sworn personnel shall only use MDCs under the supervision or direction of authorized personnel.

**DIRECTIVE B (Safety)**

All personnel are expected to fully comply with Kern County Sheriff's Office Policy and Procedure Sections E-100 (Emergency Driving) and E-800 (PPV) at all times while utilizing the MDC. Use of the MDC should never distract or interfere with the safe practices or operation of a moving vehicle. Users must not allow MDC operation to put themselves or others in danger.

- MDC Users operating a moving vehicle will be restricted to 12 keystrokes per transaction.

**DIRECTIVE C (Official purpose)**

- Transmission of data by Mobile Data Computers will be limited to data that can be described as official in nature. Official is defined as any act that is pertinent to a

lawful police function.

- Kern County Sheriff's Office Policy & Procedure J-1610 requires that the access of computer databases be limited to official queries pursuant to a lawful police function where there is not only a right to know, but also a need to know.
- Instructions regarding the functional operation of the Mobile Data Computer shall not be made via voice radio. This refers to information such as how to log on or how to run inquiries as well as commands for operating the MDC. This prohibition is intended to prevent unauthorized persons from obtaining a working knowledge of our digital communications system. It does not refer to instructions regarding procedural operations such as whether or not to send a message in a particular situation.

#### **DIRECTIVE D (General use)**

- Authorized personnel will use the MDC to log on and log off the CAD system.
- After each shift change the concerned dispatcher shall determine if any Sheriff's Office members have completed their shift but failed to log off. If it appears there are units that have failed to log off, the following procedures will be followed:
  1. The dispatcher will attempt to contact the unit via radio and MDC.
  2. If this meets with negative results, the Communications Supervisor shall notify the Sergeant or Watch Commander, providing the unit's last known location and activity.
- The MDCs will be used to log units enroute to calls, arriving and clearing from calls, and will be used to enter call dispositions and receive case numbers.
- The MDCs are capable of inquiries into most CAD system databases such as DMV, CJIS, and NCIC. Rather than voice transmissions, MDCs should be used for such inquiries in order to reduce radio traffic. However, MDC use should not compromise officer safety procedures. In these cases, voice transmissions are appropriate.
- Whenever possible, field units shall make their own inquiries into CAD databases rather than asking a dispatcher to make the inquiry.
- MDCs will be used for non-urgent communications between field units and between field units and dispatchers. These messages shall be limited to official business.
- MDC users shall not use profanity, racial, ethnic, religious slurs, or sexual comments.

E-850-2

<b>EFFECTIVE:</b> December 17, 2008	<b>REVIEWED:</b> 9/22/2017	<b>REVISED:</b>	<b>UPDATED:</b> 9/22/2017
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Users shall not be rude or disrespectful when sending messages via MDCs.

- Indiscriminate transmissions of text messages will backlog the officer's and dispatcher's terminal, burying more important messages and impeding the entire CAD/MDC system. Only messages of operational relevance will be transmitted on MDCs.
- All MDC transmissions to the Communications Center and between cars are recorded by the Computer Aided Dispatch System and can be reproduced at any time.

**DIRECTIVE E (Tactical dispatching & transmissions)**

- Car stops, subject stops, and on-site activity will be transmitted by voice.
- All calls will be dispatched via the MDC. High priority calls such as crimes in-progress, impending injury to a citizen or officer, disturbances involving weapons, gang fights, or calls requiring a back-up officer, will be dispatched simultaneously by voice and MDC. Supplemental information to these types of calls will also be voice dispatched.
- Accidents, hazardous materials incidents, and similar hazard/safety type calls shall also be dispatched by voice to warn other personnel in case they need to avoid the area for safety reasons or may be closer to respond than the dispatched unit.
- Priority calls may be dispatched via the MDC when directed to do so by the Watch Commander in special circumstances. This practice should be limited to specific tactical situations when the use of voice is not practical because of security considerations, threats to the public, or officer safety.
- The radio system shall be used for all urgent communications or any communications in situations where the MDC is either unavailable or impractical, i.e.; when a member is away from the patrol car or at the direction of a supervisor.
- Calls that would normally be considered high priority, but are actually not in progress or are "cold calls" and only require "taking a report," may, at the dispatcher's discretion, be dispatched by MDC rather than voice.
- All broadcasts that are FELONY or Officer Safety in nature shall be voice dispatched by the dispatcher in addition to being sent via MDC. Misdemeanor or minor broadcasts shall only be sent via MDC, unless the dispatcher or a supervisor feels it should be voice dispatched.

E-850-3

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**DIRECTIVE F (Maintenance)**

- Although MDCs are designed to withstand hard use, they are electronic equipment and subject to malfunction when components get wet or are physically abused. Avoid bumping or hitting the MDC. Avoid using it as an armrest or working bench. Avoid dropping foreign objects on, or spilling liquids into, the MDC.
- Personnel who become aware that their MDC is inoperative or in need of repair or cleaning, shall contact the Technology Services Section Help Desk for resolution. If another MDC equipped car is available, it should be used.

E-850-4

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

<b>TITLE: Vehicle Damage and Accident Reporting</b>		<b>NO: E-900</b>	
<b>APPROVED: Donny Youngblood, Sheriff-Coroner</b>			
<b>EFFECTIVE: July 1, 2004</b>	<b>REVIEWED: 9/22/2017</b>	<b>REVISED: 7/15/2013</b>	<b>UPDATED: 9/22/2017</b>

**POLICY**

It is the policy of the Kern County Sheriff's Office that all damage to or accidents involving a vehicle owned/leased by the Kern County Sheriff's Office be reported immediately.

All damage incidents and accidents will be considered and reviewed with the goals of:

- Improving driver and public safety, and
- Maintaining a safe and efficient vehicle fleet.

All Kern County Sheriff's Office vehicles sustaining damage shall be inspected by the Fleet Management Unit as soon as is practical after the damage has been discovered. The Fleet Manager will direct how, when, and if repairs are to be made.

All Kern County Sheriff's Office vehicles involved in a collision or those which have sustained any damage relating to the steering, control, or safe operation of the vehicle will be removed from service immediately. These vehicles will not be put back into operation until a safety inspection by the Fleet Management Unit or an approved vendor is performed, and the Fleet Manager clears the vehicle as safe to operate.

Kern County Sheriff's Office vehicles that sustain very minor damage may remain in operation with the approval of a supervisor. The Kern County Sheriff Fleet Manager will inspect vehicles that fall into this category at the earliest convenience.

**PROCEDURE A, DAMAGE REPORTING**

**Driver Responsibility**

**Definition:** Driver means any person who is assigned to drive the vehicle, whether or not they were in possession of the vehicle at the time the damage was incurred.

Upon finding, causing, witnessing, or otherwise becoming aware of the damage, the Driver will, as soon as practical but no later than the end-of-shift:

- Notify a supervisor.
- Regardless of the severity of the damage, complete a Crime or Incident (CI) report, (form Sheriff 580 2210 500 (rev. 4/03), Incident/Investigation Report in LERMS, detailing all of the facts known to the driver concerning the damage.

- Use incident category SHERIFF’S OFFICE VEHICLE DAMAGE/ACCIDENT in the Offense Description box of the CI.
- Use only SR case numbers to report vehicle damage.
- Route a copy of the CI report to “Fleet Management.”
- If the damage was the result of a motor vehicle accident, follow Procedure B, Accident Reporting.
- If the damage was the result of vandalism or other criminal activity, report the offense to the law enforcement agency responsible for criminal investigations in the jurisdiction where the damage was incurred.
  - Obtain the assisting agency case number for cross-reference.
  - If the crime occurred in Kern County Sheriff’s Office jurisdiction, it is not necessary to pull a second SR number.
    - Use SHERIFF’S OFFICE VEHICLE DAMAGE/ACCIDENT as a secondary incident category in the Offense Description box of the CI.

If the vehicle is disabled or damaged to the point that it cannot be operated safely, contact one of the towing companies listed below. Have the vehicle towed to Sheriff’s Office Headquarters.

- Golden Empire Towing (661) 834-8697
- Jim’s Towing (661) 832-7080

### **Supervisor Responsibility**

Upon being notified of damage to a Sheriff’s Office vehicle the supervisor will:

- Ensure that the Driver follows the above procedure.
- As soon as possible and no later than end-of-shift, use the Vehicle Damage/Accident Notice form on SheriffNet to report the damage to the Fleet Manager.
- Review the Driver’s report for completeness.
- Make a determination whether or not the vehicle can safely remain in-service until the damage can be repaired.
  - If the vehicle has sustained significant body damage it should be immediately removed from service and towed to Sheriff’s Headquarters.
- Notify the Driver’s division commander or section lieutenant.

E-900-2

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## **PROCEDURE B, ACCIDENT REPORTING**

### **Driver Responsibility**

- Notify a supervisor.
- Request the agency of jurisdiction for traffic accident investigation when the accident resulted in:
  - Death or injury to any person, or
  - Damage to public or private property, or
  - Any damage to the Sheriff's Office vehicle or privately owned vehicle that exceeds \$750.00.
- Complete a CI report with a summary of the incident
  - Use only SR case numbers to report vehicle accident
    - Use SHERIFF'S OFFICE VEHICLE DAMAGE/ACCIDENT as the incident category in the Offense Description box of the CI/LERMS report.
    - If a Sheriff's Office employee was injured, follow policy N-200. A separate report will be written that covers only the employee's injuries.
- Route a copy of the CI to the Fleet Manager
- Complete County of Kern Motor Vehicle Accident Report (form 5021, Rev. 3/88.)
- Photograph the scene and damage
  - Technical Investigator is preferred
  - Other means are acceptable where damage is minor, providing photo quality is sufficient for accident review.

### **Supervisor Responsibility**

- If the Driver is incapacitated, arrange for all of the above to be completed.
- As soon as possible and no later than end-of-shift, use the Vehicle Damage/Accident Notice form on SheriffNet to report the accident to the Fleet Manager.
- Review all documents for completeness.
- Carefully review the facts with the Driver and determine a primary collision factor within the guidelines on the back of the Motor Vehicle Accident Report (form 5021, Rev. 3/88.)
- Notify the Driver's division commander or section lieutenant.

E-900-3

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