



Kern County Sheriff's Office
Policies and Procedures

TITLE: CRITICAL INCIDENTS		NO: H-100	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: August 1, 1990	REVIEWED: 10/20/2020	REVISED: 04/01/1996	UPDATED: 11/17/2017

POLICY

The primary law enforcement responsibility, should a critical incident develop, is to protect the lives of every person involved in the situation and provide security to other government agencies involved in returning the community to normal status. The success of any crisis plan hinges on a good team approach, good communications, and coordination of the situation by management and supervisory personnel. The Kern County Sheriff's Office has adopted the Law Enforcement Incident Command System to effectively and successfully manage critical incidents.

In addition, it is recognized that pre-planning and training are essential to ensure an efficient, controlled response to critical incidents. For major critical incidents such as earthquakes, floods, and hazardous chemical releases, a Multi-Hazard Functional Plan has been adopted by the county to assist in the response. For lesser critical incidents and special operations such as S.W.A.T. specialized training and procedures have been established.

To aid in the planning and training process, and further clarify the role of the law enforcement incident command system, the following four level response is established.

Level 1 - DAY-TO-DAY LAW ENFORCEMENT INCIDENTS

Examples:

- Setting up perimeter on burglary in progress;
- Response to robbery in progress.

Level 2 - CRITICAL INCIDENTS REQUIRING KCSO RESPONSE ONLY

Examples:

- Hostage situations;
- Major narcotics operations;
- Barricaded suspects;
- Jail riots in a small contained office.

Level 3 - CRITICAL INCIDENTS REQUIRING MULTI-AGENCY RESPONSE

Examples:

- Major airplane crash at Meadows Field requiring C.H.P., Fire, B.P.D. assistance;
- Riots requiring allied agency response;
- Request from other allied agencies for assistance from the Sheriff's Office resources, i.e. S.W.A.T., S.E.R.T., surveillance, perimeter security, etc.;
- Major hazardous materials release.

Level 4 - DISASTERS/MUTUAL AID

Examples:

- Any incident that occurs that is beyond the capabilities of the Sheriff's Office and requires mutual aid.
- Requests for mutual aid will be made and/or received in accordance with State law and current mutual aid agreements.

Note:

The modular elements of I.C.S. afford its use as an incident management tool in all four levels of response. For example, one officer may fulfill all functions of I.C.S. on a simple burglary incident. In a disaster, individual personnel would be assigned to each function. It is the responsibility of the incident commander, after weighing the circumstances of the incident, to decide the scope of the I.C.S. structure.

H-100-2

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Kern County Sheriff's Office

Policies and Procedures

TITLE: SWAT CRITICAL INCIDENTS		NO: H-110	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: April 29, 2005	REVIEWED: 10/20/2020	REVISED: 00/00/00	UPDATED: 08/30/2018

POLICY

Recognizing that the presence of a highly trained, highly skilled tactical unit has been shown to substantially reduce the risk of injury or loss of life to citizens, deputies and suspects; and recognizing that a well managed “team” response to critical incidents usually results in successful resolution of critical incidents, it is the intent of the Kern County Sheriff’s Special Weapons and Tactics Team (SWAT) to provide a highly trained and skilled tactical team as a resource for the Kern County Sheriff’s Office in the handling of critical incidents. The success of any crisis plan hinges on a good team approach, good communications, and coordination of the situation by management and supervisory personnel. The SWAT Team will assist other units with tactical contingency planning for resolving potential confrontations with dangerous suspects. SWAT is also available to respond anywhere within the county and when properly requested, can assist other law enforcement agencies with incidents that fall within the scope of the SWAT Team’s defined role.

DIRECTIVE

It is important to remember a SWAT critical incident may be time sensitive. Deputies and supervisors should be able to recognize either immediately, or by the escalation of actions by a suspect, the need for SWAT intervention. The following procedures will outline generally the types of missions SWAT is used for and provide guidelines for decision making on the need for SWAT. **PROCEDURE A**

The following situations are generally an automatic SWAT response:

1. Hostage Situations: The holding of any person(s) against their will by an armed or potentially armed suspect. Including incidents at detention facilities.
2. Barricade Situations: The standoff created by an armed or potentially armed suspect in any location, whether fortified or not, who is refusing to comply with demands for surrender.
3. Sniper Situations: The firing upon citizens and/or police by an armed suspect, whether stationary or mobile.
4. Apprehension: The planned arrest or apprehension of armed or potentially armed suspect(s) where there is the likelihood of armed resistance.
5. Warrant Service: The service of search or arrest warrants where there is a likelihood of armed or potentially armed suspect(s) and there is the potential of armed resistance.

- 6. Personal Protection: The security of special persons, such as VIP's, witnesses, or suspects, based on threat or potential threat to the wellbeing of those persons.
- 7. Special Assignments: Any assignment, approved by the Sheriff, Chief Deputy, or SWAT Commander, based upon the level of threat or the need for a special expertise.

PROCEDURE B

The guidelines in "Attachment A" may be used to assess an incident for the appropriateness of a SWAT response. The guidelines are designed to be used as a field guide and do not fit all criteria. When in doubt request a SWAT response through the Watch Lieutenant/ Communications Center.

PROCEDURE C

When a SWAT response is requested, the Incident Commander, Watch Lieutenant, or Communications Center Supervisor shall contact the on-call SWAT Commander, or their designee, to be briefed on the situation. The SWAT Commander, or their designee must approve the request prior to the team being mobilized. In the event of an approved SWAT call-out, the SWAT Commander, or his/her designee, will direct the Communications Center to put out a group page alerting SWAT member of the call-out.

If the situation is such that an Incident Commander, Watch Lieutenant, or Communications Center Supervisor is unable to contact the SWAT Commander, or his/her designee, or if time is of the essence due to the nature of the situation, the Communications Center Supervisor can initiate a SWAT call-out upon request from the Incident Commander or Watch Lieutenant.

H-110-2

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ATTACHMENT A

This matrix is a threat assessment guideline. When preparing the operation plan, the following matrix should be used as a guide to evaluate the need for assistance from the SWAT team. This matrix is intended to provoke consideration of officer safety, potential risk and threat factors associated with warrant execution. Check any boxes that may apply. It is recognized that each situation is unique, and this matrix may not apply to every circumstance. Operational decision-making is ultimately the responsibility of the on-scene supervisor, Watch Commander or Incident Commander.

POINTS	SEARCH WARRANTS	X	SCORE
3	Search warrant is for evidence related to drug sales		
2	Search warrant is for evidence related to a crime against a person (no weapon)		
4	Search warrant is for evidence related to a crime against a person (weapon)		
ARREST WARRANTS /WANTED SUBJECTS			
2	PC to arrest or Ramey warrant obtained for a low level offense (property crime, drug possession, drug sales, non-violent crime against a person)		
10	PC to arrest or Ramey warrant obtained for violent crime against a person (felony)		
15	PC to arrest or Ramey warrant obtained for 664/187 or 187		
15	PC to arrest or Ramey warrant obtained for violent crime against a peace officer Type of crime: Injuries:		
SERVICE LOCATION ISSUES			
1	Minimal forced entry (ram, halligan, etc.)		
2	Guard dog(s) / vicious dog(s)		
2	Surveillance equipment present		
4	Location is heavily fortified requiring special breaching equipment		
5	Hazardous materials (labs, grows, explosives)		
10	Booby traps		
WEAPONS			
8	Firearms used in a crime within the past 48 hours		
15	Or Shooting in progress / just occurred		
25	Or Shots fired with suspects' knowledge of law enforcement personnel on-scene		
5	Handgun/long gun		
10	Fully-automatic firearm		
10	Explosives (<i>other than simple commercial fireworks</i>)		

2	Other known improvised weapons		
SUBJECTS CURRENTLY AT THE LOCATION			
1	Low level criminal history (property crimes, drug use)		
2	Statements of resistance		
3	Violent criminal history		
4	History of criminal firearms use		
3	History of evading / resisting law enforcement		
2	Gang member / associate		
2	Organized crime associate		
2	Military / law enforcement / martial arts trained		
2	Drug/alcohol influence		
2	Issues of mental illness		
SUBJECTS ASSOCIATED WITH THE LOCATION (continued)			
4	3 rd strike candidate		
1	Body armor available		
5	Prior assaults against law enforcement		
1+	Add 1 point for each additional subject present who is suspected of criminal behavior		

Total Points: _____

POINT EVALUATION:

- 0-14 Points Operation is within the capability of the investigating unit
- 15-24 Points Consultation with the SWAT Commander is recommended
- 25+ Points SWAT Team deployment is recommended



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

TITLE: HAZ-MAT/WMD Law Enforcement First Response		NO: H-120	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: January 8, 2007	REVIEWED: 10/20/2020	REVISED: 00/00/00	UPDATED: 11/17/2017

POLICY

The Kern County Sheriff's Office recognizes that a Weapons of Mass Destruction (WMD) release incident, chemical incident, or potential release of hazardous agents (HAZ-MAT) requires a multi-agency response. Further, that the response to such incidents is a complex process, requiring specially trained personnel and specialized equipment to safeguard personnel and the public. The Sheriff's Office is committed to maintain a high state of readiness for response to WMD and criminal chemical release incidents.

To provide properly prepared personnel, the Sheriff's Office will maintain a supply of Personal Protective Clothing and Equipment (PPE) for issuance to Sheriff's Office personnel responding to incidents and will provide for the adequate and continuing training on their usage.

DIRECTIVE A

All Sheriff's personnel assigned to a role in a HAZ MAT/WMD incident will first complete a department required training course provided or approved through the Training Section. No personnel will utilize the PPE without first successfully completing the required training.

DIRECTIVE B

The Sheriff's Office will provide Level C chemical protective suits and respirators for use by field personnel. Respirators will be issued to field staff only upon completion of approved training. The respirator must be fit tested upon issuance and at least annually thereafter.

Respirators shall be maintained in good working order. Personnel assigned PPE shall complete annual fit testing of the respirator.

DIRECTIVE C

The Sheriff's Office will establish a safety plan to minimize the risk associated with the usage of supplied equipment.



Kern County Sheriff's Office
Policies and Procedures

TITLE: LEVEL C PERSONAL PROTECTIVE EQUIPMENT (PPE) DEPLOYMENT AND USAGE		NO: H-125	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: January 8, 2007	REVIEWED: 10/20/2020	REVISED: 00/00/00	UPDATED: 11/28/2007

POLICY

Due to the limited scope of protection offered by the Level C suit, the suits shall be donned only when authorized by the Sheriff's Office Watch Lieutenant or on-scene Incident Commander under the considerations outlined below.

PROCEDURE

When a request is made for Sheriff's Office personnel to operate in a potential Hazardous Materials or Weapons of Mass Destruction contamination area, the Sheriff's Office Watch Lieutenant or on-scene Incident Commander may, after considering the degree of identification of hazards, the risks to personnel, and potential benefit of deploying personnel into the contaminated area, order the distribution and donning of Level C suits to designated Sheriff's Office personnel.

The on-scene Sheriff's Office Incident Commander will direct operations of Sheriff's Office personnel in conjunction with the Haz-Mat Incident Command Staff.

DIRECTIVE A

The Level C protective suits should not be donned until a Hazardous Materials Unit has identified the hazards.

DIRECTIVE B

Sheriff's Office personnel should not don the Level C suits until a Hazardous Materials Unit is on-scene and prepared to conduct decontamination operations and medical monitoring.

DIRECTIVE C

Personnel shall not exceed the maximum allowed operations time in a Level C suit. The average maximum operations time in a Level C suit is 30 minutes. Operational time shall be defined as the time from when the suit is donned through the completion of the primary decontamination.



Kern County Sheriff's Office
Policies and Procedures

TITLE: CRITICAL INCIDENTS-HOSTAGE SITUATION		NO: H-200	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: August 1, 1990	REVIEWED: 10/20/2020	REVISED: 04/01/1996	UPDATED: 11/28/2007

POLICY

The increasing use of hostages by an individual or group as a means to secure criminal, political, or other personal objectives presents a serious law enforcement problem. The purpose of this section is to provide direction, uniformity, and expertise in effectively dealing with hostage situations and barricaded subjects.

The goals in these incidents are:

- Secure and maintain complete operative control;
- Protect the lives of every person involved;
- Explore every source of available information regarding the circumstances, location, and persons involved in the incident;
- Attempt, by every means available, to attain tactical advantage over all suspects involved, and ultimately, to effect the arrest of those persons responsible for causing the situation;
- Attempt to negotiate surrender of the hostages(s) and the suspect(s) through the use of Sheriff's Office expertise and/or other individuals available for assistance. Failure in obtaining a negotiated surrender of the hostage(s) or suspect(s) does not necessarily mean that the suspect(s) demands or conditions must be met. Such a determination must only be made by those at the scene with command responsibility after due and careful consideration of the variables involved.
- The tactical principles used to achieve these goals include:
 - containment;
 - delaying tactics;
 - control of suspect gunfire;
 - acquiring physical control of suspect.

NOTE: The tactical principles required in a jail setting vary from those stated here. Depending on the facility, the number of inmates involved and other factors, containment and quick action may be more appropriate.

Nothing in this policy shall preclude the use of necessary force, deadly or otherwise, by members of the Sheriff's Office in protecting themselves or others from death or serious injury.

Strict gunfire discipline shall be maintained by all involved personnel. Gunfire shall be directed at known targets only, except as cover fire in the protection of life or when directed by the officer in charge of the operational phase of the assignment.

The application of deadly force in a hostage situation must be considered when all reasonable negotiating alternatives have been presented and the immediate threat to human life has intensified or when a human life has been taken by the suspect(s).

If, during a hostage situation, a tactical solution presents itself, (i.e. the use of deadly force or other force) that would resolve the situation with minimal risk of injury or loss of life to officers or innocent citizens, the incident commander may opt for the tactical solution rather than continuing negotiations. This decision must be made quickly in some cases, but the incident commander must make that decision based on input from the Tactical Team leader and the hostage negotiator.

Upon a responsible decision to neutralize the situation through the use of deadly force, the personnel available with the best chance of success will be utilized. All involved personnel must be briefed as fully as possible concerning the incident as it pertains to them and specifically instructed as to their assignment or mission.

DIRECTIVE A

No member of the Sheriff's Office, regardless of rank or position within the Sheriff's Office, shall retain his/her authority when taken hostage.

No member of the Sheriff's Office shall be expected to surrender their weapon(s) upon the demand of a hostage taker.

No member of the Sheriff's Office shall be expected to, nor should they, exchange themselves for one or more hostages.

PROCEDURE

Any officer who identified a situation as being a hostage/barricaded suspect incident will:

- Refrain from any act which would endanger the hostage(s) or other individuals;
- Confine the suspect(s) to the smallest possible area that is consistent with their own safety;
- Notify Communications Center.

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Communications Center will:

- Immediately notify the on-duty sergeant, the applicable Division Commander if on duty and/or the Watch Lieutenant.

The sergeant on-duty will:

- Respond to the scene;
- Initiate incident command system;
- Establish a perimeter;
- Evacuate persons in danger;
- Detain witnesses;
- Set up command post;
- Request additional assistance as required.

NOTE: If no sergeant is available, the most senior officer at the scene will assume the duties listed above until relieved.

DIRECTIVE B

In all cases where an incident commander has been identified, that officer shall remain in control of the situation until relieved. No other officer, regardless of rank, shall order, direct nor in any way interfere with the operation, unless assigned to do so by the incident commander.

Any officer that relieves the incident commander of his duties shall notify the incident commander, the Communications Center, and any incident command staff in place. The change in incident commander will be logged on the incident log. The new incident commander will assume all responsibility and commensurate authority.

DIRECTIVE C

The incident commander of the situation that requires a S.W.A.T. team response has overall command of the incident. If a decision is reached to implement a tactical solution, all aspects of the tactical solution are to be controlled by the S.W.A.T. team commander or leader present.

H-200-3

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Kern County Sheriff's Office
Policies and Procedures

TITLE: CRITICAL INCIDENTS – ASSIST OTHER AGENCIES		NO: H-300	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: August 1, 1990	REVIEWED: 10/20/2020	REVISED: 04/20/2005	UPDATED: 11/28/2007

POLICY

The Kern County Sheriff's Office realizes the importance of mutual aid to accomplish the law enforcement mission. The Sheriff's Office will respond to calls for assistance from allied agencies and will request assistance from allied agencies when necessary. To ensure a controlled law enforcement response, teamwork, good communication, and coordination, the following procedures are established.

In all cases the final determination on what role the Sheriff's Office takes and what tactics our personnel utilize will be made by a ranking officer of the Kern County Sheriff's Office, not the allied agency.

PROCEDURE A - PLANNED RESPONSE

All requests for assistance from the Sheriff's Office will be forwarded to the appropriate Division Commander. This division commander will:

- Coordinate and plan the response;
- Draft an operations order;
- Assign appropriate personnel or units;
 - May use whatever resources available and necessary;
 - Must notify and coordinate with any other affected Division Commander;
- Brief affected Chief Deputy;
- Implement planned response.

PROCEDURE B - EMERGENCY RESPONSE

All requests for assistance from the Sheriff's Office, made after normal working hours, that are an emergency, will be forwarded to the Sheriff's Office Watch Lieutenant. The Sheriff's Office Watch Lieutenant will:

- Obtain as much information as possible regarding the request;

- Cause the closest available unit to respond to the allied agency's command post;
- Take steps necessary to coordinate a response;
- Assign and brief a sergeant to respond to the allied agency's command post.

The initial unit dispatched to the allied agency's command post will:

- Act as our agency representative (Refer to L.E.I.C.S.);
- Meet with incident commander and determine:
 - Details of situation;
 - Resources needed.
- Remain at command post until relieved or situation is resolved;
- Notify Watch Lieutenant of resources needed;
- Assist the ranking officer who relieves them.

The sergeant assigned will:

- Respond to the command post;
- Assume role of agency representative or operations officer in charge of Sheriff's personnel;
- Assign the initial unit to assist as needed;
- Keep or cause to be kept a log of Sheriff's personnel deployed and their locations and other resources;
- Coordinate and assign any other Sheriff's units who respond;
- Maintain communication on situation status with
 - Assigned Sheriff's personnel;
 - Communications O.I.C.;
 - Watch Lieutenant.
- Ensure safety of Sheriff's personnel;

H-300-2

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- Maintain communications with the incident commander if the situation escalates or moves;
- Prepare a written report on the incident;
 - Personnel utilized;
 - Resources used;
 - Action taken.
- Continue as agency representative until relieved or situation is resolved.

H-300-3

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Kern County Sheriff's Office
Policies and Procedures

TITLE: BONDSMAN/AGENT ARRESTS OF BAIL JUMPERS		NO: H-310	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: December 14, 1998	REVIEWED: 10/20/2020	REVISED: 00/00/00	UPDATED: 11/17/2017

POLICY

If a bondsman or their agent contacts the Sheriff's Office asking for assistance in arresting a person who has been admitted to bail in another state, who has escaped bail, and who is presently in Kern County, Sheriff's deputies will verify the following prior to making the arrest:

- There is a warrant for the individual in NCIC, or
- that a bondsman or their agent seeking to arrest a fugitive in our jurisdiction has filed an affidavit with a magistrate in Kern County which states the name and whereabouts of the fugitive, the offense with which the alleged fugitive was charged, or of which he was convicted, the time and place of same, and the particulars in which the fugitive has violated the terms of his bail

If there is a warrant in NCIC or the magistrate has issued a warrant of arrest on the fugitive, deputies will attempt to arrest the fugitive. If there is no warrant, Sheriff's personnel will instruct bondsman or their agent how to contact a magistrate and obtain one. Deputies will caution bondsmen and their agents about PC 847.5, which deems it a misdemeanor to take someone into custody without a warrant.

Bondsmen or their agents will not be allowed to accompany or assist Sheriff's personnel in the arrest of the fugitive. They will be notified of the outcome of the attempt to serve the arrest warrant. Arrestees will not be turned over to bondsmen or their agents. Arrestees will be transported to jail by Sheriff's personnel.

DIRECTIVE A

Sheriff's personnel receiving information of a bondsman, or their agent, requesting assistance of law enforcement in affecting an arrest on an individual who has escaped bail will notify the on-duty supervisor and the Watch Lieutenant.

DIRECTIVE B

Sheriff's personnel will determine whether the bondsman/agent is armed with a handgun or other weapon. If they are armed, their right to carry the weapon in our jurisdiction will be investigated. Individuals carrying weapons in violation of the law will be arrested and have their weapon seized.

DIRECTIVE C

Bondsmen or their agents who have not filed an affidavit with a magistrate in Kern County and obtained an arrest warrant will be instructed to do so. Sheriff's personnel will obtain the telephone number of the on-duty magistrate from the Sheriff's Communication Center and obtain the information from the judge on how, when, and where to obtain a warrant. This information will be passed on to the bondsman or their agent. They will be informed that a bondsman or agent who takes a fugitive into custody, except pursuant to an order issued under PC 847.5, will be guilty of committing a misdemeanor.

The on-duty supervisor or deputy will:

- Determine if there is an NCIC warrant or warrant of arrest issued by a magistrate in Kern County on the fugitive.
- If there is no warrant, instruct the bondsman or their agent on how to obtain one per Directive C above.
- Notify the on-duty Watch Lieutenant.
- Notify the Communications Center.
- Inform the bondsman or their agent they may not accompany deputies on the service of the arrest warrant.
- Attempt to serve the warrant.
- Notify the bondsman or their agent of the outcome of the service attempt.
- Ensure arrestees are transported to jail by Sheriff's personnel.

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Kern County Sheriff's Office
Policies and Procedures

TITLE: SEARCH AND RESCUE INCIDENTS		NO: H-400	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: June 10, 1991	REVIEWED: 10/20/2020	REVISED: 04/01/1996	UPDATED: 11/28/2007

POLICY

The Kern County Sheriff's Office recognizes its responsibility to those persons who become lost or otherwise endangered within the immediate vicinity of the County of Kern. To this end the Sheriff's Office established a volunteer Search and Rescue Unit under the supervision of the Sheriff's Sergeant as part of the Volunteer Services Division.

The Sheriff's Office also recognizes the fact that a search and or rescue of persons is an emergency and a timely response of proper urgency is imperative. Under no circumstance shall any member of the Sheriff's Office delay in reporting or causing to be reported a person lost, overdue, or in need of rescue to the appropriate member of the Search and Rescue staff. Waiting any length of time to see if the person returns on their own is unacceptable.

DIRECTIVE

The above policy applies equally to urban as well as rural situations. It is important to remember that a missing person, child or adult, may be the victim of a crime, therefore a thorough investigation conducted by a sworn officer is always necessary. Search and Rescue teams will add to or replace field deputies involved in the search, generally they will never be the only resource deployed.

PROCEDURE A

Any officer who identifies a situation as being a Search and or Rescue incident will immediately:

- Contact the Communications Center and provide all known information on the incident;
- Conduct a thorough investigation;
- Stand by at an appropriate location until relieved or ordered otherwise.

The Communications Center will:

- Notify the Search and Rescue coordinator or the on-call Search and Rescue supervisor;
- Notify the Watch Commander if after normal working hours.

The Search and Rescue coordinator or on call supervisor will:

- Assess the situation and determine what resources if any will be deployed;
- Respond with the appropriate team and act as the Operations Chief in the Incident Command System.
 - *Can operate as the Incident Commander if necessary, however, this function is normally held by some Watch Commander, Field Sergeant, Sub-Station Sergeant or other designated personnel.*

PROCEDURE B

In the event a request from another county is made for Search and Rescue resources of the Sheriff's Office, the person receiving the request will:

- Advise the requesting party that the request must come from the Governor's Office of Emergency Services (O.E.S.), unless the request is from that office;
- Advise the Search and Rescue coordinator or on call Search and Rescue supervisor.

The Search and Rescue coordinator or on-call supervisor will:

- Ensure proper O.E.S. mission number is issued and resources are properly deployed.

H-400-2

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Kern County Sheriff's Office

Policies and Procedures

TITLE: DOMESTIC VIOLENCE RESPONSE AND ENFORCEMENT	NO: H-500		
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: November 1, 1991	REVIEWED: 10/20/2020	REVISED: 12/12/2006	UPDATED: 08/30/2018

POLICY

It is the policy of the Sheriff's Office that the official response to cases of domestic violence shall stress the enforcement of the laws to protect the victims and shall communicate the attitude that violent behavior in the home is criminal behavior and will not be tolerated.

PROCEDURE

FELONY ARREST-Officers shall make an arrest when there is probable cause to believe that a felony has occurred.

MISDEMEANOR ARREST-Officers shall make an arrest when there is probable cause to believe that a misdemeanor has occurred in the officer's presence (including violations of court orders) *or when there is probable cause to believe a violation of PC 273.6 has occurred outside the officer's presence, in cases where the person to be arrested had knowledge of the court order prior to the violation.*

Officers considering releasing the suspect on a citation shall evaluate the likelihood of that person continuing an offense which is one of the statutory conditions under which a field release is not appropriate (PC 853.6(a)). Any one of the following may support the likelihood of a continuing offense:

- Whether the suspect has a prior history of arrests or citations involving domestic violence.
- Whether the suspect is violating a criminal court-issued stay away order.
- Whether the suspect has previously violated, or is currently violating, valid temporary restraining orders.
- Whether the suspect has a prior history of other assaultive behavior (e.g., arrest/convictions, for battery or aggravated assaults).
- Statements taken from the victim expressing fear or retaliation or further violence should the suspect be released.
- Statements or demeanor of the suspect.

Officers should make every effort to determine the “dominant aggressor” in a domestic violence incident. While although not prohibited, arresting both parties in a domestic violence incident is discouraged (PC 13701(b)).

PRIVATE PERSON’S ARREST (CITIZEN’S ARREST)

Officers shall inform the victim of the right to make a private person’s arrest when a crime has been committed outside the officer’s presence *for which the officer cannot make an arrest* and does not meet the requirements for a felony arrest (PC 836(b)). Whenever possible, such discussion shall be held out of the presence of the suspect.

Officers will accept a private person’s arrest and *shall not* dissuade victims from making a lawful private person’s arrest.

REPORTING

A written report will be completed for all incidents involving domestic violence. PC 13730 requires such a report and shall be identified on its face as a domestic violence incident so that the incident can be retrieved under the domestic violence classification.

- Identify, in the report, whether or not the suspect was under the influence of alcohol or a controlled substance (PC 13730(c)(1)).
- Identify, in the report, whether or not there have been prior incidents of domestic violence (PC 13730(c)(2)).
- Identify, in the report, whether or not weapons were involved, present at the location, and, if there is an inquiry, whether that inquiry disclosed the presence of a firearm or other deadly weapon (PC 13730(c)(3)).
- Identify, in the report, whether or not the incident involved strangulation or suffocation (PC 13730(c)(4)).
- Obtain a case number from the Communications Center or the Computer Aided Dispatch (CAD) system prior to leaving the call.
- Provide the victim with the case number of the report.
- Advise the victim to contact the Sheriff’s Crime Reports Unit to obtain a copy of their case at least 24 hours after the time of reporting.
- If children are present during the domestic violence incident, the report shall be forwarded to Child Protective Services (CPS) by checking the “CPS” box in the report writing system.

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CONFISCATION OF FIREARMS OR DANGEROUS WEAPONS

PC 18250 reads in part:

Any peace officer, who is at the scene of a family violence incident involving a threat to human life or a physical assault, is serving a protective order as defined in Section 6218 of the Family Code, or is serving a gun violence restraining order issued pursuant to Division 3.2 (commencing with Section 18100), that person shall take temporary custody of any firearm or other deadly weapon in plain sight or discovered pursuant to a consensual or other lawful search as necessary for the protection of the peace officer or other persons present. Upon taking custody of a firearm or other deadly weapon, the officer shall give the owner or person who possessed the firearm a receipt.

PC 18255 reads in part:

The receipt shall describe the firearm or other deadly weapon and list any identification or serial number on the firearm. The receipt shall indicate where the firearm or other deadly weapon can be recovered, the time limit for recovery as required, and the date after which the owner or possessor can recover the firearm or other deadly weapon.

Officers who choose to seize any firearm or other dangerous weapon, pursuant to PC 18255 shall:

- Complete form 2210-2025 (Firearm Confiscation Receipt) as instructed in the report writing manual.
- Provide the receipt (pink) copy to the owner of the firearm or to the person from whom the firearm was seized.
- Attach the duplicate (yellow) copy to the property card.
- Attach the original (white) copy to the case report.
- Mark the original case report for investigation by checking the “DETECTIVES” box in the route to function of the report writing system.

Whenever a firearm is seized by a peace officer pursuant to this procedure, PC 33850 must be followed. The firearm must be booked into the Property and Evidence Facility and a C&I incident report completed. PC 33850 prohibits the release of any firearm to any person unless the person has received a clearance from DOJ and has obtained the proper documentation. Firearms will only be released through the Property and Evidence Facility per PC 33850 and applicable procedures.

The instructions for obtaining a release is contained on the receipt form 2210-2025 (Firearm Confiscation Receipt).

H-500-3

EFFECTIVE: November 1, 1991	REVIEWED: 10/20/2020	REVISED: 12/12/2006	UPDATED: 08/30/2018
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COURT ORDERED FIREARM CONFISCATION PURSUANT TO FC 6389 (f)

Effective January 1, 2007, court orders involving domestic violence under FC 6389 (f) will contain firearm relinquishment / confiscation requirements. The order will list the type of firearm(s), the person who is possibly in possession of them, and their location, if available. The court order will also indicate if the relinquishment / confiscation is immediate or falls under the 24 hour or 48 hour conditions. The peace officer serving this type of order will utilize the following procedure:

- Review the order for proper content / authorization as with any court order
- Inform the respondent of the firearm(s) relinquishment / confiscation order as indicated
- Seize the firearm(s) as indicated and provide the firearms confiscation receipt (form 2210-2025) to the respondent
- Complete a C&I incident report and book the firearm(s) into the Property and Evidence Facility

If the respondent refuses to comply with the order or denies possession of any firearm(s) the peace officer will advise the respondent that any willful violation of the court order is a crime and the respondent could be subject to arrest.

The court order **DOES NOT** provide the peace officer with any authority to force entry into the location indicated on the order where the firearm/s may be located and conduct a search. Further, the peace officer must have independent probable cause, other than the court order, that there is a firearm(s) present in order to arrest under PC 273.6 for a violation of the court order. **COURT PROTECTIVE ORDERS-VERIFY & ENFORCE RESTRAINING ORDERS**

There are several different types of restraining orders issued by a court in domestic violence situations. PC 13710 requires law enforcement agencies to maintain a complete and systematic record of all protection orders with respect to domestic violence incidents, restraining orders, and proof of service in effect. This section also requires that the systematic record shall be used to inform law enforcement officers responding to domestic violence calls of the existence, terms, and effective dates of protection orders in effect.

VERIFICATION OF RESTRAINING ORDERS

Whenever a complainant advises of the existence of a restraining order, the officer shall attempt to ascertain:

1. Whether a restraining order is on file with the Sheriff's Office Communication Center or whether the complainant has a copy of the restraining order in his/her possession.
2. Whether a restraining order is still valid as to duration/time.
3. Whether the proof of service or prior notice exists or that the suspect was in court when the order was made.

H-500-4

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4. The terms of the restraining order.

ARREST CRITERIA AND ENFORCEMENT PROCEDURES

A violation of a restraining order is a misdemeanor under either PC 273.6 or 166.4. Make an arrest when there is probable cause to believe the subject of the restraining order has violated the order *whether or not* in the presence of the officer and any one of the following conditions is met:

- The existence of the order and proof of service on the suspect has been verified by the officer.
- The complainant produces a valid copy of the order bearing a file stamp of a court and a proof of service on the subject.
- The existence of the order has been verified by the officer, no proof of service is required if the order reflects that the suspect was personally present in court when the order was made.
- The existence of the order has been verified, and there is proof that the suspect has previously been admonished by an officer.

When the officer verifies that a restraining order exists, but cannot verify proof of service or prior knowledge of the order by the suspect, the officer shall:

- Obtain a suspect statement as to, if and when service was made.
- Inform the suspect of the terms of the order.
- Admonish the suspect of the order, that the *suspect* is on notice and that a violation of the order will result in arrest. If the *suspect* continues to violate the order after being advised of the terms, an arrest *shall* be made.
- If the suspect complies after admonishment of the terms, the officer shall make a retrievable report pursuant to PC 13730(a), showing:
 - The suspect was admonished/advised of the terms of the order.
 - The name of the officer who made the admonishment.
 - The time and date the admonishment was made.
 - The Sheriff’s Office copy of the restraining order will be updated to reflect the admonishment information listed above by routing a copy to the Communications Section.

H-500-5

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In the event the suspect has left the scene of the incident, an investigation should be made to determine if a crime has been committed. PC 13730 and 13701(h) require that a retrievable report shall be made, and complainant shall be advised of the follow-up criminal complaint procedure and case number of the report.

When the victim is not in possession of the Temporary Restraining Order, and/or in case of a computer error, officers may not be able to confirm the order's validity, the following applies:

1. PC 13701(h) requires that an officer shall write a report, give the victim the report number and direct the victim to contact the appropriate Sheriff's Office unit for follow-up information.
2. When an order is not verifiable, officers should advise the victim of the right to make a private person's arrest for the appropriate violation.

VERIFICATION AND ENFORCEMENT: CRIMINAL COURT ISSUED STAY-AWAY ORDERS

VERIFICATION OF STAY-AWAY ORDERS

A stay-away order is issued in a criminal case where the probability of victim intimidation exists and violation of such is a misdemeanor under PC 166.4. In domestic violence incidents where a person advises an officer that a stay-away order has been issued, the officer shall attempt to ascertain the terms and validity of the order.

- The officer may accomplish this by requesting the victim show a copy of the order or verify through the Sheriff's Office Communication Center that a stay-away order has been issued against the suspect. In either case, verify through the Sheriff's Office that the suspect is under the court's jurisdiction (i.e., pending court procedures, probation, etc.).

ARREST CRITERIA AND ENFORCEMENT PROCEDURES

The Code of Civil Procedures Section 540 et seq. and 527.6 requires that when the order has been verified, officers shall effect an arrest, the suspect will not be released on a citation prior to booking pursuant to PC 827.1 and PC 853.6(a), if the suspect has violated any terms of the order. The report should note the specific violations of the order and the victim shall be given the report number for reference pursuant to PC 13701(c).

A violation of the order is a violation of PC 166.4. This violation can be added to other charges such as assault or battery.

An act of victim intimidation relating to the court proceedings is a violation of PC 136.1 et seq. Examples of intimidation include:

- Attempting to prevent or dissuade a victim from attending or giving testimony at any proceeding is a misdemeanor.

H-500-6

EFFECTIVE: November 1, 1991	REVIEWED: 10/20/2020	REVISED: 12/12/2006	UPDATED: 08/30/2018
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- Using force or threatening the use of force or violence related to the court proceeding is a felony.

ORDER NOT VERIFIABLE

When the victim is not in possession of the stay-away order, and/or in cases where officers may not be able to confirm the order’s validity, the following applies:

- PC 13730 requires that the officer shall write a report. PC 13701(c) requires that officers give the victim the report number and direct the victim to contact the appropriate Sheriff’s Office unit for follow-up information.
- When an order is not verifiable through the verification procedures, officers should advise the victim of the right to make a private person’s arrest for the appropriate violation.

TENANCY

You may request a person who is not in lawful possession of the non-commercial premises to leave the premises when:

1. The complainant is in lawful possession of the premises, and;
2. The complainant has requested that the person leave the premises.

Arrest the suspect under PC 602.5 if the suspect does not leave upon request.

Another appropriate civil remedy would be through the utilization of *an emergency protective order* (see H-510) if the complainant requesting removal cannot show proof of lawful possession. Lawful possession of the premises is shown by a rental agreement, canceled rent check, lease, grant deed, verification from landlord, court order, or other document showing person(s) to be removed.

VICTIM ASSISTANCE

Assist in obtaining appropriate medical attention if a complainant claims injury, whether visible or not (PC 13701(c)(7)). Keep in mind an injured victim can be encouraged and helped to get medical attention but cannot be forced to do so. Document any refusal to obtain medical attention in the report.

Assist in making arrangements to transport the victim to an alternate shelter, if one is available, if the victim expresses a concern for safety or the officer determines a need exists.

Stand by for a reasonable amount of time when a complainant requests police assistance while removing essential items such as toiletries, clothing, medication and personal items necessary for 1 to 2 weeks. Officers will not assist in the removal of items that may possibly be community property.

H-500-7

EFFECTIVE: November 1, 1991	REVIEWED: 10/20/2020	REVISED: 12/12/2006	UPDATED: 08/30/2018
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Explain legal options available to the victim including the private person's arrest process, *emergency protective*, temporary restraining and stay-away orders, and in cases of arrest the follow-up procedures and ensuing criminal proceedings.

Advise the victim of available community resources and the State Victim Assistance Program.

FURNISH WRITTEN NOTICE TO VICTIM AT SCENE

Furnish the victim with the "Marsy's Rights" pamphlet which explains the rights of the victim in accordance with PC 13701(c), and advises them where they may obtain counseling, shelter and referrals as well as their rights and services available to them as a victim of a crime.

H-500-8

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Kern County Sheriff's Office
Policies and Procedures

TITLE: EMERGENCY PROTECTIVE ORDERS		NO: H-510	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: February 1, 1996	REVIEWED: 10/20/2020	REVISED: 04/01/1996	UPDATED: 11/17/2017

POLICY

When an officer of the Sheriff's Office has reasonable grounds to believe a person is in immediate and present danger of domestic violence, or a child is in immediate and present danger of abuse by a family or household member, the officer *shall* inform the complainant as to the availability of Emergency Protective Orders. Regardless of the victim's preference, the officer may request an ex parte Emergency Protective Order from the on-call judge.

Officers should make this determination based on the complainant's allegations of a recent incident of abuse or threat of abuse. The officer may request an Emergency Protective Order whether or not the suspect is present or has been arrested.

The following situations are examples of those which may provide the grounds for requesting an Emergency Protective Order:

- The suspect is being arrested for a charge related to a domestic violence incident.
- The suspect has a history of domestic violence.
- The victim expresses fear of retaliation or further violence.
- Threats of serious danger have been made to the victim or to the victim's family.

PROCEDURE

1. The officer shall contact the on-call judge by telephone or otherwise and assert grounds for the belief that the order is appropriate.
2. Upon oral issuance of the order by the on-call judge, the officer requesting the order shall reduce it to writing, using the Judicial Council form provided (see attached copy), and sign the order.
3. The officer shall serve a copy of the Emergency Protective Order on the restrained person.
4. The officer shall give a copy of the Emergency Protective Order to the protected party.
5. The officer who requested the Emergency Protective Order, while on duty, shall carry a copy of the order.

6. A copy of the Emergency Protective Order shall be filed with the court as soon as practical after issuance. The officer requesting the Emergency Protective Order shall route the white copy to the Court officer to be filed with the Superior Court Clerk. Substation officers shall fax a copy to the Court Officer as well as route the white copy via inner office mail. The goldenrod copy will be filed with the officer's Crime or Incident Report.
7. The officer shall ensure that a copy of the Emergency Protective Order is hand delivered or faxed (872-1224) to the Communications Center and request that the information regarding the order be entered into the complaint history detail for the incident and request a temporary hazard be placed on the involved address.
8. The officer shall ensure that the information on the Emergency Protective Order is entered into CLETS/ROS (Restraining Order System) before the end of shift, by phoning or delivering the information to the teletype operator of the Crime Reports Record Section at 391-7770.
9. An Emergency Protective Order is valid for five court days after the day of issuance, but never longer than seven calendar days following the day of issuance, counting weekends and holidays.

ENFORCEMENT OF EMERGENCY PROTECTIVE ORDERS

Where a violation of an Emergency Protective Order has occurred, the investigating officer shall arrest the suspect in accordance with DPPM H-500, **DOMESTIC VIOLENCE RESPONSE AND ENFORCEMENT**.

OFFICER IMMUNITY

A law enforcement officer who acts in good faith to enforce an Emergency Protective Order is not civilly or criminally liable (Family Code Section 6272(b)).

H-510-2

EFFECTIVE: February 1, 1996	REVIEWED: 10/20/2020	REVISED: 04/01/1996	UPDATED: 11/28/2007
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Kern County Sheriff's Office

Policies and Procedures

TITLE: PROTECTIVE CUSTODY ORDERS		NO: H-515	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: September 5, 2013	REVIEWED: 10/20/2020	REVISED: 09/05/13	UPDATED: 11/17/2017

POLICY

When an officer of the Sheriff's Office has reasonable cause to believe a child might be in danger of abuse by a family or household member, the officer *shall* seek a court order to remove the minor child from the house and place them into protective custody. The Officer may remove the minor child without a court order if the officer has reasonable cause to believe the child is in imminent danger of serious bodily injury. The courts have stated, "To take a child into protective custody without a warrant, the officer must have reasonable cause to believe that harm will occur in the period of time it would take to procure a warrant and remove the child from the home." See Rogers v. County of San Joaquin, 487 F.3d 1288, 1294-95 (9th Cir.2007)

The officer will detail the reasonable grounds for removal without a court order for each child removed from the home in their written report, including specific facts demonstrating risk as to each child to be removed.

Regardless of the victim's preference, the officer may request an ex parte Protective Custody Order from the on-call judge.

Officers should make this determination based on the complainant's allegations of a recent incident of abuse or threat of abuse. The officer may request a Protective Custody Order whether or not the suspect is present.

The following situations are examples of those which may provide the grounds for requesting a Protective Custody Order:

- The suspect has a recent history of violence or sexual assault on the minor.
- The victim expresses fear of retaliation or further violence or sexual assault.
- Threats of serious danger have been made to the victim.

PROCEDURE

1. The officer shall contact the on-call judge by telephone or otherwise and assert the factual basis for the belief that the order is appropriate. The officer must articulate facts showing imminent risk as to each child removed and when applying for an order, the officer needs to articulate facts demonstrating risk as to each child to be removed. If the officer is requesting a telephonic or oral Protective Custody Order, the officer will record both sides of their conversation with the issuing judge.



Kern County Sheriff's Office

Policies and Procedures

TITLE: PROTECTIVE CUSTODY ORDERS		NO: H-515	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: September 5, 2013	REVIEWED: 10/20/2020	REVISED: 09/05/13	UPDATED: 11/17/2017

2. Should an officer wish to seek authority for night time service (between 2200 hours and 0700 hours) of a Protective Custody Order, he/she will need to document the reason(s) for such action in the affidavit. Should the issuing judge find good cause for night time service of the custody order, he/she should initial next to the "approved" portion of subsection "A".
3. California Penal Code Section 293 references a victim's right to request confidentiality as a result of being reported as a victim of a sex offense. Due to the sensitive nature of a minor's identification and information pertaining to an investigation in which a Protective Custody Order is sought; it is recommended that officers include articulable facts in the affidavit as to a reason(s) for an authorizing judge to grant a request for confidentiality and authority to seal the requested order. Should the issuing judge find good cause to seal the custody order, he/she should initial next to the "approved" portion of subsection "B". The affidavit will need to be sealed in an envelope upon receipt by the Juvenile Court.
4. Upon issuance of the order by the duty judge, the officer shall transfer it into writing, using the Protective Custody Order provided (see attached copy), and sign the order. The officer requesting the Protective Custody Order shall deliver the original or fax (661-868-4414) a copy of the Protective Custody Order along with the affidavit to the Court Clerk at the Juvenile Justice Center, prior to the end of the officer's shift, within 24 hours of the issue date. If the order is faxed, the original documents will need to be delivered to the Juvenile Justice Center as soon as possible. When the issue date falls into a period of time when the Juvenile Justice Center is closed (I.E. weekend, holiday), all documents will need to be delivered to the Juvenile Justice Center by the close of the next available court business day.
5. ***For Telephonic Oral Orders*** - If the Protective Custody Order is obtained through an oral telephonic affidavit both sides of the conversation must be recorded and later transcribed. Prior to the end of the officer's shift and within 24 hours of the issue date, the order must be faxed to the Juvenile Justice Center (661-868-4414). The transcription and the original Protective Custody Order must be taken to the issuing judge for his/her review and signature. The original Protective Custody Order (with the issuing judge's signature), affidavit, transcription of the recorded conversation, and a CD of the recorded conversation, will be delivered to the Juvenile Justice Center as soon as transcription is complete. A copy of the transcription will accompany the



Kern County Sheriff's Office

Policies and Procedures

TITLE: PROTECTIVE CUSTODY ORDERS		NO: H-515	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: September 5, 2013	REVIEWED: 10/20/2020	REVISED: 09/05/13	UPDATED: 11/17/2017

officer's report and a CD of the recorded conversation will be booked into the Kern County Sheriff's Office Property Room as evidence.

6. The officer shall serve a copy of the Protective Custody Order (cover page only) on the Parent, Guardian, or person responsible for the minor's welfare.
7. The officer shall transport the minor to the A. Miriam Jamison Children's Center. The officer will give a copy of the Protective Custody Order (cover page only) to the intake official.
8. The officer shall include a copy of the Protective Custody Order (cover page only) with the incident report.
9. The officer shall ensure that prior to the end of their shift, a copy of the Protective Custody Order (cover page only) is hand delivered or faxed (661-872-1224) to the Communications Center and request that the information regarding the order be entered into the complaint history detail for the incident and request a temporary hazard be placed on the involved address for the duration of the order.
10. The officer shall have the Protective Custody Order entered into CLETS via Teletypes and one copy of the cover page only will be faxed or hand delivered to Teletypes, prior to the end of their shift.
11. A Protective Custody Order is valid for ten (10) calendar days after the date of issuance, including weekends and holidays. If the Protective Custody Order is not served on or before the ten (10) day period, the court order becomes *invalid*. Upon expiration, the investigating officer would be required to request and secure a new Protective Custody Order for use in enforcement actions.

OFFICER IMMUNITY

A law enforcement officer who acts in good faith to enforce a Protective Custody Order is not civilly or criminally liable (Government Code 820.4 and 821.6).



Kern County Sheriff's Office

Policies and Procedures

TITLE: UNDER THE INFLUENCE OF CONTROLLED SUBSTANCES		NO: H-520	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: February 1, 1996	REVIEWED: 10/20/2020	REVISED: 07/05/2001	UPDATED: 11/28/2007

POLICY

It is the policy of the Sheriff's Office that suspects shall be arrested and transported to the appropriate detention facility when they are found to be in violation of Health and Safety Code 11550(a), use or under the influence of specified controlled substances, and meet the criterion of Penal Code 647(f). When a subject is detained and suspected of being in violation of Health and Safety Code 11550(a), but does not meet the criterion of Penal Code 647(f), the subject may be cited in the field or released after obtaining a confirming sample and if the following criteria exists:

- The suspect is able to care for the safety of himself/herself and others.
- The suspect is not the focus of a disturbance.
- It appears unlikely the suspect will be responsible for any criminal activity if he/she is cited and released in the field.
- The suspect has a local arrest record (LAR) and has previously been processed through the Arrest Records Identification Section.

Juveniles who are not detained at Juvenile Hall will only be released to a parent or legal guardian.

PROCEDURE

If an arrest is made for being under the influence or use of a controlled substance as specified by H&S 11550(a), the following action will be taken:

- After an arrest has been made, the officer will cause the suspect to be booked, cited, or in the case of a juvenile, detained at Juvenile Hall or released to a parent or legal guardian.
- The suspect may be detained for detoxification for up to 12 hours before being eligible for release.
- All persons arrested for under the influence of PCP or its derivatives may be detained for a period of 24 hours before being eligible for release.

- Questionable releases should be evaluated by medical personnel.
- A Crime or Incident report and Drug Influence Worksheet will be completed in all cases in which a suspect is arrested, booked, cited, or processed and released, the report will include specific facts justifying the release.

A general statement simply indicating the suspect appears able to care for the safety of himself or others is not sufficient.

First time offenders who do not have a local arrest record shall be processed through the normal booking procedure. Suspects with local arrest records in lieu of booking may be issued a citation at the end of the detoxification period at the discretion of either the arresting officer or detention personnel.

H-520-2

EFFECTIVE: February 1, 1996	REVIEWED: 10/20/2020	REVISED: 07/05/2001	UPDATED: 11/28/2007
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Kern County Sheriff's Office
Policies and Procedures

TITLE: DETENTION OF GRAVELY DISABLED PERSONS NO: H-0550			
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: February 1, 1993	REVIEWED: 10/20/2020	REVISED: 12/17/2015	UPDATED: 11/28/2017

POLICY

Under the authority of Welfare & Institutions Code 5150, sworn peace officers employed by the Kern County Sheriff's Office may detain a person involuntarily for psychiatric treatment when probable cause exists to believe that the person is a danger to himself, herself or others.

When a peace officer either initiates the detention, or becomes involved to the extent of transporting the detainee to the appropriate medical facility, that officer is required to fill out and sign an "Application for 72-hour Detention for Evaluation and Treatment" (Form MH 302).

The documentation shall include detailed information regarding the factual circumstances and observations constituting probable cause for the officer to believe that the individual required psychiatric evaluation under the standards of W&I Section 5150.

Pursuant to Penal Code Section 11106.4, when a peace officer receives information that a welfare check is being requested for a person that is motivated by a concern that the person may be a danger to himself or herself or to others, the peace officer should, whenever possible and reasonable, conduct a search of the Department of Justice (DOJ) Automated Firearms System (AFS) via the California Law Enforcement Telecommunications System (CLETS) to determine whether the person is a registered owner of a firearm. For purposes of this paragraph, "reasonable" means that the officer could conduct the firearm registry check without undue burden on the execution of the officer's other duties, that there are no exigent circumstances demanding immediate attention, and that the peace officer has access to, or can reasonably ascertain, relevant identifying information. (Penal Code § 11106.4(b)).

Pursuant to W&I Section 8102, when the subject being detained under W&I 5150 is found to be in possession or control of any firearm whatsoever, that firearm shall be confiscated by the investigating officer. In the event a firearm is confiscated, the investigating officer shall complete form 2210-2025 (Firearm Confiscation Receipt) and shall leave the receipt with the detainee or at the scene.

Confiscation of that firearm shall further be noted appropriately on the face of form MH302, along with the name and phone number of the person to be notified upon release of the detainee. The original case report shall be marked for investigation.

The appropriate point of contact for notification by the treating facility, upon release of any detainee from whom any firearm was seized, will be the Communications Center who will notify the appropriate personnel within the Sheriff's Office.

Upon delivery of the detained individual to the appropriate medical facility, the transporting officer *shall* be delayed no longer than the time necessary to complete documentation of the detention and a safe and orderly transfer of physical custody of the person has been accomplished.

DIRECTIVE A

When a peace officer is dispatched to or otherwise comes in contact with a person suspected of being a danger to himself or herself or to others, the peace officer *shall* request a Mental Health Mobile Evaluation Team (MET) member respond to the scene. In the event a (MET) member is not available and the person is not transported to a mental health facility, the peace officer *shall* complete an informational report containing the details of the contact and forward the report to mental health for possible follow up.

Detention Based on Facts Supported by a Person other than a Peace Officer

When a person other than a peace officer observes the facts upon which the probable cause for detention is based, the responsible deputy *shall* present the facts justifying the detention on the MH 302 Form and state the name(s) of the person(s) who supplied the facts.

W&I Section 5178 provides no civil or criminal liability can result if the officer acts “in accordance with the law.” Officers acting in good faith will be safe from liability even though the probable cause may be legally insufficient.

H-0550-2

EFFECTIVE: February 1, 1993	REVIEWED: 10/20/2020	REVISED: 12/17/2015	UPDATED: 11/28/2017
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Kern County Sheriff's Office
Policies and Procedures

TITLE: Virtual MET Program		NO: H-560	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: April 10, 2018	REVIEWED: 10/20/2020	REVISED:	UPDATED:

POLICY

The Kern County Sheriff's Office has recognized the growing need to extend mental health services to residents of Kern County. As a result, the Kern County Sheriff's Office has partnered with Behavioral Health and Recovery Services (BHRS) to extend services to substation areas of the community through the utilization of the Virtual MET System.

Virtual MET utilizes today's technology to provide citizens experiencing a mental health crisis with direct and immediate access to a mental health professional. This is accomplished through the use of an Apple iPad with a "Face-Time" type application called "ZOOM." The "ZOOM" application is in compliance with all HIPAA restrictions.

Deputies on duty in the substation areas of Kern County, equipped with BHRS's iPads, will make a reasonable effort to respond to all calls for service involving a citizen experiencing a mental health crisis to facilitate their needs. Those deputies will also assist other deputies with mental health related calls for service when reasonable.

DIRECTIVE A (UNAUTHORIZED USAGE)

These iPad units are designed for mental health services only. No additional applications or information will be added to the iPad. Any form of internet usage or social media communication is prohibited, and shall fall under the current restrictions governing electronic communication and department policy (DPPM J-3200). All iPads are subject to audit at any given time upon request by a ranking officer or BHRS.

Deputies assigned the Virtual MET iPads will be provided training prior to the iPads use.

PROCEDURE

- The deputy meets an individual (dispatched or on sight) who is experiencing a mental health crisis.
- The deputy working in a substation area is aware that a MET Unit is not available to respond in-person.
- The deputy makes a request for a V-MET call via the Communications Center.

- The Communications Center telephones the MET Team and advises the MET Unit of the deputy’s request.
- The Communications Center provides the MET Unit with the deputy’s contact telephone number, so they can make contact with each other.
 - During this contact, the Met Unit will gather a case report from the deputy as well as provide the deputy with the code to enter the “Virtual Room.”
- The MET Unit will initiate the “Virtual Call” (via “ZOOM”) and wait for the deputy to enter the “Virtual Room.”
- The deputy will stand by with the individual in crisis during the entire “Virtual Call” to ensure safety.
- The MET Unit then provides the crisis intervention and/or W&I 5150 Evaluation.
- After the MET Unit is done speaking with the client and collateral contacts (family/friends if there are any available), the MET Unit will inform the deputy of the disposition of the call.
- If the person in crisis responds well to intervention by MET, via “ZOOM”, the deputy will take the time to explain the instructions the MET Unit provided to the individual, to ensure he/she understands. The MET Unit will follow-up with the individual within 3 days, to link them to additional services.
- Once the “Virtual Call” is completed, the deputy and the Met Unit will each complete a brief survey regarding the effectiveness of the Virtual MET Program.

H-560

EFFECTIVE: April 10, 2018	REVIEWED: 10/20/2020	REVISED:	UPDATED:
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Kern County Sheriff's Office
Policies and Procedures

TITLE: CRITICAL INCIDENTS-BOMBS AND EXPLOSIVES NO: H-600			
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: August 1, 1990	REVIEWED: 07/07/2022	REVISED: 07/07/2022	UPDATED: 07/07/2022

POLICY

No officer, unless designated by the Sheriff-Coroner, shall at any time, attempt or cause to be moved, any bomb, suspected bomb or explosive. When a suspected bomb or explosive is located, the Kern County Sheriff's Bomb Squad shall be called and officers shall follow their instructions, lending whatever assistance the Bomb Squad may require.

When a Bomb Squad member is not immediately available, officers shall not attempt to disarm or move the explosive but shall keep the area clear until arrival of the Bomb Squad.

A member of the Bomb Squad, or in their absence, the Watch Commander or his designee, shall notify the Fire Department, as well as an ambulance, to stand by the area when they are needed. When necessary, notify utilities to shut off power and fuel lines.

For the purposes of this policy, in the absence of the Watch Commander, the supervisor on scene will assume the role of the Watch commander until relieved by a supervisor.

The United States Army has prime responsibility for non-altered military explosive ordinance disposal in all areas under the control of local government and civil authorities. Responsibility for the notification of military E.O.D. personnel rests with the Kern County Sheriff's Office Bomb Squad or their designee.

Officers shall treat all explosives or suspected explosives sent or received through the mail in the same manner as other explosives. Officers shall also immediately notify the Watch Commander, who shall contact the proper postal authorities immediately.

It shall be the responsibility of the deputy investigating a bomb threat to complete a Crime or Incident report. The Bomb Squad Commander shall have the responsibility for notifying the FBI and the ATF of any actual bombings as necessary. The Bomb Squad, using the format required, will make reports to the Bomb Data Center by the Federal Government.

Personnel shall refer any requests for information pertaining to appropriation of a permit for the use of explosives to the Kern County Sheriff's Office Investigations Division, Detectives Section, Licensing Unit.

Inspection of legal explosives is the responsibility of the Kern County Fire Department. Members shall refer all requests for explosive inspections to the Arson Unit.

When a deputy seizes fireworks as evidence or contraband, the fireworks can usually be booked into property. If the quantity of fireworks is larger than items that will reasonably fit into a property locker, or if the fireworks have been improvised/altered, deputies should notify the Bomb Squad Commander for other alternatives.

BOMB THREATS

The primary responsibility for the search of the bomb threat area shall rest with the person in charge of the premises. The field unit should provide assistance and advice to the person in charge of the premises to assist in conducting the search. In the event no bomb or suspicious device is found, the responsibility to return to the threatened area shall rest with the person in charge of the premises.

In the event the target of a bomb threat is an automobile, the responsibility for the search shall rest with the Bomb Squad.

During the searching period, a decision to evacuate the area shall be the responsibility of the person in charge of the premises. The officer in charge of the scene shall notify the person in charge of the premises that this is their responsibility.

In the event the area is evacuated, the responsibility for securing the scene and preventing entry of unauthorized persons shall rest with the officer in charge of the scene. Should a bomb, explosive device, or suspicious package be located, the officer in charge may cause the area and/or premises to be evacuated.

The Watch Commander shall consider the circumstances surrounding the threat and refer to Q-700 for consideration of explosive ordinance detection canine deployment.

PROCEDURE A

Any member who receives a bomb threat directly from the person making the threat or the intended victim of a threat will:

- Keep the caller on the line as long as possible and attempt to ascertain as much of the following information as possible:
 - Location of the bomb;
 - Time set for detonation;
 - Description of the bomb;
 - Why the bomb was placed or the threat was made;
 - What person or group is responsible;
 - Gender of caller;
 - Voice characteristics;
 - Accent
 - Speech impediments
 - Ethnic or national origin

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- Age of caller;
- Any background noises;
- Number called from.

DIRECTIVE A

The Communications Center will dispatch field unit(s) to the scene of bomb threats and shall notify the Watch Commander of the situation. In case of an actual bombing or upon discovering a suspected explosive device, the Watch Commander shall immediately notify the Kern County Sheriff’s Office Bomb Squad, via the Bomb Squad Commander and shall notify Communications to dispatch a supervisor to the scene.

PROCEDURE B

An officer assigned as the primary unit, upon locating a suspected bomb, explosive or military ordinance, will:

- Set up a perimeter and evacuate to a minimum distance of 300 feet. Larger perimeters are desired especially when the suspected device is near a building, in a vehicle, or in an urban or congested area;
- Be aware of the possibility of secondary or multiple devices;
- After determining the item is a suspected bomb, DO NOT APPROACH THE SUSPECTED BOMB AGAIN unless authorized by Bomb Squad Personnel;
- Remain outside the perimeter;
- Request the Bomb Squad;
- Refrain from radio use within the evacuation area.

DIRECTIVE B

Should the Watch Commander be unable to contact the Sheriff’s Office Bomb Squad Commander or any Bomb Squad members, the Bakersfield Police Department’s Bomb Squad should be requested.

When both the Bakersfield Police Department’s and Kern County Sheriff’s Office’s Bomb Squads are unavailable, the Watch Commander shall notify the local office of the Federal Bureau of Investigations (FBI) for assistance.

PROCEDURE C

Whenever an explosive device has been detonated accidentally or unlawfully, the investigating officer will:

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- Render immediate care for any injured persons and request emergency services;
- Preserve the scene and all potential evidence bearing in mind that any evidence may be spread over a large area and may still pose a danger;
- Request the Bomb Squad to respond to conduct the post-blast investigation and collect evidence;
- Locate and obtain identifying information and statements from witnesses;
- Attempt to locate any potential video surveillance footage in the area;
- Request the Crime Scene Investigations Unit respond;
- Provide assistance, as requested by the Bomb Squad.

PROCEDURE D

If a bomb threat is directed toward an aircraft, the following additional procedures will be followed.

The Watch Commander will:

- Dispatch a supervisor to the scene;
- Notify the F.B.I.

The field supervisor will:

- If possible, have the aircraft removed to a remote area where an explosion would cause the least harm to life and property;
- Direct the passengers from the aircraft and allow no one to take any luggage or packages. All persons must be searched again using the airport detection devices;
- Removed passengers shall be kept together in a suitable location and secured until they have been interviewed as needed. The F.B.I. has primary jurisdiction;
- Assist personnel from the affected airlines in searching the aircraft and all luggage. Any mailbags shall be opened and searched as directed by the F.B.I.;
- When the affected airlines and the F.B.I. are satisfied that there is no explosive aboard the aircraft or in the luggage, release any emergency equipment at the scene and report the outcome to the Watch Commander.

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EFFECTIVE: August 1, 1990	REVIEWED: 07/07/2022	REVISED: 07/07/2022	UPDATED: 07/07/2022
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Kern County Sheriff's Office

Policies and Procedures

TITLE: INTERVIEWING HEARING IMPAIRED PERSONS NO: H-700			
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: February 1, 1996	REVIEWED: 10/20/2020	REVISED: 04/01/1996	UPDATED: 11/28/2017

POLICY

It is the policy of the Kern County Sheriff's Office to furnish appropriate auxiliary aids and services whenever required by law and whenever reasonable and/or necessary to ensure effective communication with individuals who are deaf or hard-of-hearing. This policy addresses only those situations where a Sheriff's deputy determines that the services of a qualified interpreter are necessary to ensure effective and accurate communication.

For purposes of this policy, a deaf or hard-of-hearing person means a person with a hearing loss so great as to prevent his or her understanding language spoken in a normal tone. It does not include a hard-of-hearing person who is able to understand through the use of electronic devices or hearing aides.

Auxiliary aids and services include qualified interpreters, written materials, note pads, and other effective methods of making aurally delivered materials available to individuals who are deaf or hard-of-hearing.

Evidence Code section 754(j) mandates that a qualified sign language interpreter be provided by law enforcement when interviewing a deaf witness, victim, or suspect. The section provides that statements taken without qualified interpreter may be subject to exclusion from use in court.

PROCEDURE A

Communicating with a suspect – If an individual without a hearing impairment would have been arrested on probable cause, then a suspect with a hearing impairment in the same situation may be arrested. However, a qualified interpreter may still be required if an officer is unable to convey to the arrestee the nature of the criminal charges. The arrestee may be transported to a Sheriff's jail or office facility prior to obtaining the interpreter.

If an officer needs to interview a suspect with a hearing impairment to determine if there is probable cause to make an arrest, a qualified interpreter must be provided if written communication is ineffective. An officer must keep in mind that communications with hearing impaired suspects, without the use of a qualified interpreter, **will** be challenged in subsequent court proceedings and may be excluded from evidence.

PROCEDURE B

Interrogating an arrestee – If an officer cannot effectively inform the arrestee of the *Miranda* warnings without the use of an interpreter, the officer **shall** secure the services of a qualified interpreter prior to any interrogation.

If an officer can effectively communicate the *Miranda* warnings to the arrestee, and the arrestee specifically declines the opportunity to communicate through an interpreter, the officer may proceed with the interrogation using a note pad. **If in doubt, get an interpreter.**

PROCEDURE C

Interviewing a victim or critical witness – If an officer is able to communicate effectively through writing, the officer may proceed with the interview using a note pad. If communication is not effective, the officer must provide a qualified interpreter. Keep in mind that victim and/or witness statements, taken without an interpreter, are also subject to challenge and may be excluded from evidence in court. For example, the field identification of a suspect may be excluded if it cannot be clearly shown that the communication between the officer and the hard-of-hearing victim/witness was effective.

PROCEDURE D

Completing the report – All identifying information on the interpreter must be included in the report along with his/her qualifications as an interpreter. All written questions and responses between and among officers and hard-of-hearing persons must be treated as evidence and handled accordingly. A copy of any written communications shall be attached to the report and the originals shall be placed into evidence.

PROCEDURE E

Obtaining an interpreter – The Sheriff's Communications Center maintains a list of qualified interpreters. Officers may also use interpreters selected by the hard-of-hearing person to be interviewed. In either case, the qualifications of the interpreter shall be clearly described in the report. Whenever possible, interviews should be scheduled in advance so that interpreter(s) may be scheduled.

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Kern County Sheriff's Office
Policies and Procedures

TITLE: MISSING PERSONS-REPORTING			NO: H 0800 - Missing Persons.doc
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: May 25, 1992	REVIEWED: 02/06/2023	REVISED: 02/06/2023	UPDATED: 02/06/2023

POLICY

Deputy Sheriffs, Dispatchers, Sheriff's Report Technicians, Sheriff's Aides, Community Services Technicians and all other Sheriff's personnel who have reporting responsibilities shall accept any missing person's report, including any telephonic report of missing persons, including runaways, without delay and shall give priority to the handling of these reports over the handling of reports relating to property crimes.

Missing persons' cases shall be handled in accordance with the following procedures:

PROCEDURE A

Initial Response

Sheriff's personnel who take the initial call, by phone or in person, will determine if the call meets the criteria for a missing person (See Definitions). If the call is determined to be a missing person's case, the following procedures will be followed:

- A. Sheriff's personnel will accept any missing person report (PC 14211(a)).
 1. It is the duty of all law enforcement agencies to immediately assist any person who is attempting to make a report of a missing person or runaway.
 2. A report must be accepted regardless of jurisdiction.
 3. Generally, the agency having jurisdiction over the missing person's place of residence has the ultimate investigative responsibility of the missing person's case. However, deputies of this agency may consider initiating an investigation if the missing person was last seen in our jurisdiction, even though the missing person resides in another jurisdiction.
 - It is appropriate to initiate an investigation when the missing person is at risk or when a delay might significantly reduce the possibility of finding the missing person.
- B. Sheriff's personnel will give preference to reports of missing persons and runaway cases.
 1. Deputies, Dispatchers, Sheriff's Report Technicians, Sheriff's Aides, Community Services Technicians or other designated personnel shall give priority to the handling of a missing person or runaway over reports relating to property crimes.

2. The individual taking the report must exercise good judgment and apply reasonableness in following this guideline.
3. Special attention should be given to reports of at-risk missing persons and missing children. The younger the child, the less their survival skills and the greater the risk to their safety.

C. Take the proper course of action for initial response.

1. Deputies or other designated personnel shall interview reporting parties and any witnesses to determine:
 - The type of missing person case.
 - The existence of any suspicious circumstances or indications that the person is at risk.
 - A description of the missing person.
 - Other appropriate action that may be necessary.
2. Based on the circumstances of each report, appropriate action may include:
 - Making a local broadcast. If the person is under twenty-one (21) years of age, or there is evidence the person is at risk, a broadcast must be made without delay.
 - Searching the area.
 - Examining court orders regarding custody matters if the child is a minor under eighteen (18) years of age.
 - Notifying other agencies.
 - Calling a supervisor or investigator to the scene.
 - Securing a recent photograph of the missing person.
 - Following reporting requirements.
 - Utilizing additional resources such as Air Support, K-9, and Search and Rescue.
 - Utilizing ReadyKern, Nextdoor, and Nixle.

NOTE: It is important to remember that a missing person, child or adult, may be the victim of a crime; therefore, a thorough investigation is always necessary. Search and Rescue teams can add to or replace field deputies involved in a search. Refer to Sheriff’s Policy and Procedure H-400 Search and Rescue Incidents.

- D. In cases where the missing person is under 21 years of age, or meets the criteria for being at risk, the reporting party will be provided with an “Authorization to Release” form (BCIA 4048, Attachment A) and a notation that the form was provided will be made on the associated report.
1. If the report is being taken in person, the form will be given to the reporting party immediately.
 2. If the report is being taken over the telephone, the form will be mailed to the reporting party without delay.

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- E. The reporting party shall be instructed to take the “Authorization to Release” form to the dentist immediately when the missing person is at risk or is under eighteen (18) years of age and has been missing at least fourteen (14) days; however, nothing prohibits a parent or guardian of a child, reported as missing, from voluntarily submitting these documents. The reporting party or family member shall immediately submit the obtained x-rays and a recent photograph of the missing person to the Sheriff’s Office. In these cases, the investigating deputy or their designee may confer with the Coroner or Medical Examiner and submit the report and dental records to the Department of Justice (DOJ) within twenty-four (24) hours.
 - 1. In the case of missing persons who were not initially classified as “at risk,” if the person is still missing thirty (30) days after the report is made, the form is to be signed by a family member or next of kin and taken to the dentist, physician and surgeon, or medical facility of the missing person. The family member or next of kin should obtain the dental records and/or dental and skeletal x-rays and within ten (10) days submit them to the agency to which the report was made.

- F. When a child is missing under suspicious circumstances or is at risk, the Sheriff’s Office may immediately obtain the dental records by “written declaration” (Attachment B). In such cases, the investigating deputy may immediately confer with the Coroner and submit a report, dental records, and photograph(s) to the DOJ within twenty-four (24) hours.
 - 1. Any peace officer may sign a written declaration to obtain a release of dental records immediately when the missing person is under eighteen (18) years of age, and there is evidence that the missing person is at risk. The deputy or other designated person may immediately confer with the Coroner and may submit the report and dental records within twenty-four (24) hours to the DOJ.

PROCEDURE B

The following investigative tools can be used to help solve missing persons’ cases; however, these tools are not a substitute for, nor are they a replacement of, Search and Rescue teams.

ReadyKern Activation

The Kern County Sheriff’s Office recognizes that a timely and proper response to the search of missing persons who are deemed at risk is imperative. ReadyKern has the capability to call more than 800 telephones and send nearly 1,700 e-mails within five minutes to a targeted geographic area, thereby greatly assisting in the search for a missing person.

The criteria for use of the ReadyKern system in a missing person investigation are as follows:

- A. Law enforcement confirms a child (17 years of age or younger) has been abducted or a reported mental or physical handicapped person has been abducted, regardless of age.

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- B. Law enforcement believes the circumstances surrounding the abduction indicate that the victim is in imminent danger of serious bodily injury or death. Absent unusual conditions, parental or family abductions will not fit the criteria without indication of imminent danger.
- C. There must be enough descriptive information about the victim, abductor, and suspect's vehicle to believe an immediate broadcast alert to the public will assist in the safe recovery of the victim.

Once the criteria have been met, the Investigator shall:

- A. Notify a supervisor.
- B. The supervisor will notify the Watch Lieutenant (or affected Division Commander) for authorization to use the ReadyKern System.
- C. Once approval has been granted, the investigator will request the Sheriff's Communications Center activate the ReadyKern system.
 1. The investigator will determine and notify the Communications Center of the specific geographic area to be notified, i.e. ¼ mile or ½ mile radius, number of square blocks, etc.
 2. The Communications Center will initiate the system by creating a customized alert message (using information provided by the investigator) and will disseminate to the specified geographic area.
 3. The Communications Center will notify local agencies that ReadyKern is being deployed as appropriate.

NOTE: Refer to Sheriff's Policy and Procedure H-1510 ReadyKern for further details regarding the use of ReadyKern.

Nextdoor

Nextdoor is the private social network for the community we serve. The Sheriff's Office can post messages, polls, or urgent alerts to the neighborhoods in our service area where the information would be relevant. Nextdoor members can reply to messages publicly or privately.

Nixle

Nixle focuses exclusively on public safety and is used by more than 8,000 public safety organizations. Nixle can notify citizens over multiple communication paths, including voice, text messages, email and social media. Nixle proactively manages incident communications before, during and after an event to keep residents safe and informed.

When the missing person is located, or it is determined that the prior notification is no longer helpful, the assigned deputy will contact the Communications Center and request a Ready Kern,

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Nextdoor and/or Nixle cancellation message. Communications Center personnel will then create a cancellation message and disseminate it to the specified geographic area.

PROCEDURE C

Follow-up Investigation

Follow-up investigations will be the responsibility of the detective or other designated personnel within the Kern County Sheriff's Office.

- A. Persons responsible for follow-up investigations shall re-contact the reporting party within thirty (30) days of the initial report to update and develop any additional information. The person handling the case shall also contact any other involved agencies as appropriate.
- B. When an at-risk missing person has not been found within thirty (30) days and no family or next of kin can be located, a written declaration (Attachment B) will be executed. The declaration shall state an active investigation seeking the location of the missing person is being conducted and the dental records and/or dental and skeletal x-rays are necessary in the furtherance of the investigation. The written declaration, signed by a peace officer, is sufficient authority for the dentist to release records and/or x-rays (PC 14212(d) and PC 14212(e)).
- C. Education Code § 49068.6 requires law enforcement to make a written notification and submit a recent photograph (if available) within ten (10) days to the school in which the missing child is enrolled. The school shall "flag" a missing child's record and immediately notify law enforcement of an inquiry or request for the missing child's records.
- D. In any case in which a report is taken concerning a person missing under high-risk circumstances, the assigned detective shall, within no more than 30 days, inform the parents or other appropriate relatives that they may give a voluntary sample for DNA testing or may collect a DNA sample from a personal item belonging to the missing person, if available (Penal Code § 14250(c)(2)).
 1. Such samples shall be collected in a manner prescribed by the (DOJ), using a DOJ model kit.
 2. After 30 days, the reporting deputy or assigned detective shall verify the status of the missing person. If still missing, the DNA sample and a copy of the original report and any supplemental reports shall be sent to the DOJ for testing and inclusion in the DNA database.
 - Definition of "high risk" for DNA purposes (PC 14250 (a)(4)):
 - Missing as a result of stranger abduction.
 - Missing under suspicious circumstances.
 - Missing under unknown circumstances.

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- Reason to believe person is in danger or deceased.
- Missing more than 30 days.
- Missing less than 30 days at discretion of investigating agency.

PROCEDURE D

Reporting and Notification Requirements

- A. When a report is taken, the investigating deputy must notify and send the report to the law enforcement agency that has jurisdiction of the missing person’s residence address and where the missing person was last seen without delay.
- B. In cases of persons under 21 years of age or where there is evidence that the missing person was at risk, within no more than 24 hours, notify, and forward a copy of the report to the police or sheriff’s department or departments having jurisdiction of the residence address of the missing person or runaway and of the place where the person was last seen (PEN. 14211(g)).
- C. It may be appropriate to notify the agency having jurisdiction of the missing person’s intended destination.
- D. “Without delay” means the person completing the missing person’s report will route a copy of that report to the appropriate police agency at the time they submit the report. If the missing person is at risk, the law enforcement agency having jurisdiction will be notified by telephone or teletype prior to the end of the report taker’s shift.
- E. If the missing person is under 21 years of age, or there is evidence that the person is at risk, a “Be on the Lookout” bulletin shall be broadcast without delay, within its jurisdiction.
- F. The report shall be submitted to the DOJ by the Records Section.
- G. Information regarding missing persons under 21 years of age or where there is evidence that the missing person is at risk must be entered into the National Crime Information Center (NCIC) missing person’s system immediately.
- H. If the Kern County Sheriff’s Office is assuming investigative responsibility for the missing person’s report, the report taker is responsible for making the NCIC entry.
- I. When the missing person is under 21 years of age, or there is evidence that the person is at risk, Records Section personnel shall send a teletype to the DOJ and the NCIC within two hours after accepting the report (34 USC 41307, 34 USC 41308, PC 14211(e)). To assist the DOJ, the teletype must note if the case involves a person at risk or under 21 years of age.

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PROCEDURE E

Missing Person is Found

- A. When a missing person is found, the investigating deputy or designated person must report this to the Attorney General's Office and other agencies as appropriate.
1. When any person reported missing is found, the deputy, detective, or other designated personnel shall immediately report that information to the Attorney General's Office (PC 14213(a)).
 - When a person reported missing has been found, the "found" report shall be made within twenty-four (24) hours of locating the missing person (PC 14213(b)).
 - When any missing person is found alive or dead, in less than the 24-hour reporting period, and is suspected to have been abducted, the investigating deputy shall submit a report to the Attorney General's Office (PC 14213(c)).
 - If a missing person has been found before they have been reported missing to the Attorney General's Office, the information must still be forwarded to the Attorney General's Office (PC 14213(c)).
 2. The reporting party and other involved agencies shall be notified.
 3. All automated systems entries shall be canceled by the report taker if the report has not yet been forwarded for investigation, or by the detective or other person designated to conduct the follow-up investigation.
 4. Information regarding any found unidentified person, alive or deceased, must be entered into the NCIC unidentified person's file. This shall be done by the person taking the report.
 5. If ReadyKern, Nixle and/or Nextdoor was utilized, a cancellation notification will be distributed by the Communications Center.

DEFINITIONS

AT RISK: Evidence that the person is at risk includes, but is not limited to, evidence or indications of any of the following:

- A. The person missing is the victim of a crime or foul play.
- B. The person missing needs medical attention.
- C. The person missing has no pattern of running away or disappearing.
- D. The person missing may be the victim of parental abduction.

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E. The person missing is mentally impaired, including cognitively impaired or developmentally disabled.

DENTAL RECORDS: Includes charts, x-rays, or other physically identifying records maintained by a dentist.

DISPATCHER: Any employee of a governmental agency who receives calls for service and/or dispatches deputies or other designated personnel.

OFFICER: Includes any peace officer of a local Police or Sheriff's Office, the California Highway Patrol, or a District Attorney's Office.

OTHER DESIGNATED PERSONNEL: Includes non-sworn employees or volunteers of the Police, Sheriff's Office, the California Highway Patrol, or a District Attorney's office.

MINOR CHILD: Includes any person under the age of eighteen (18) years.

MISSING PERSON: Any adult or child who is reported missing to a law enforcement agency.

A. An adult remains missing until the individual can be located or is determined to be a voluntary missing adult.

B. A child remains missing until the child is located.

PARENTAL ABDUCTION: Abduction or concealment of a child by a parent or their agent in violation of current law (refer to P.C. 277, 278, or P.C. 278.5).

RUNAWAY: Any minor classified as a voluntary missing.

STRANGER ABDUCTION: Abduction or concealment of an adult or minor child by a person other than a parent or guardian.

UNKNOWN MISSING: Cases in which there are insufficient facts to determine the missing person's disposition or the circumstances by which they became missing.

REFERENCE CHART

Refer to Attachment C for a California DOJ reporting reference chart.

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AUTHORIZATION TO RELEASE DENTAL/SKELETAL X-RAYS/TREATMENT NOTES/PHOTOGRAPH OF MISSING JUVENILE

NAME OF MISSING JUVENILE	
REPORTING AGENCY AND CASE NUMBER	REPORTING PARTY

Under California Penal Code Section 14212, the family or next-of-kin of any person under the age of 18 years who is reported missing and has not been located within thirty (30) days may authorize the release of the dental or skeletal X-rays, or both, and treatment notes and a recent photograph of the missing juvenile. This release form **shall** be taken to the dentist, physician and surgeon, or medical facility of the missing person to obtain the release of the dental or skeletal X-rays and treatment notes. The dental or skeletal X-rays, or both, **shall** be released to the person presenting this request. The person to whom the records are released **shall**, within ten (10) days, bring those records to the police or sheriff's department or other law enforcement agency having jurisdiction over the investigation.

If your missing juvenile is found, please notify the law enforcement agency **immediately**.

AUTHORIZATION

I am a family member, next-of-kin, or law enforcement official investigating the disappearance of the above-named missing juvenile and I hereby authorize the release of all dental or skeletal X-rays and treatment notes to assist law enforcement agencies in locating the above-named missing juvenile. I also consent to the release of the above-named missing juvenile's photograph, physical description, and circumstances surrounding the disappearance. This information may be used by the Department of Justice for inclusion in missing children bulletins and posters which will be distributed throughout California to law enforcement agencies, elementary and secondary schools, state buildings, appropriate roadside rest areas, and other parties determined appropriate by the Department of Justice to assist in locating the missing juvenile, including the Attorney General's Website at <https://oag.ca.gov/>.

NAME OF DENTIST			
ADDRESS			
CITY	STATE	ZIP	TELEPHONE NUMBER
NAME OF PHYSICIAN, SURGEON OR MEDICAL FACILITY			
ADDRESS			
CITY	STATE	ZIP	TELEPHONE NUMBER
SIGNATURE OF FAMILY MEMBER OR LAW ENFORCEMENT OFFICIAL			
PRINTED NAME OF FAMILY MEMBER OR LAW ENFORCEMENT OFFICIAL			
RELATIONSHIP TO MISSING JUVENILE		DATE	
ADDRESS			
CITY	STATE	ZIP	TELEPHONE NUMBER



AUTHORIZATION TO RELEASE DENTAL/SKELETAL X-RAYS AND TREATMENT NOTES OF MISSING ADULT

NAME OF MISSING ADULT	
REPORTING AGENCY AND CASE NUMBER	REPORTING PARTY

Under California Penal Code Section 14212, the family or next-of-kin of any person reported missing and has not been located within thirty (30) days may authorize the release of the dental or skeletal X-rays, or both, and treatment notes of the person reported missing. This release form **shall** be taken to the dentist, physician and surgeon, or medical facility of the missing person to obtain the release of the dental or skeletal X-rays and treatment notes. The dental or skeletal X-rays, or both, and treatment notes **shall** be released to the person presenting this request. The person to whom the records are released **shall**, within ten (10) days, bring those records to the police or sheriff's department or other law enforcement agency having jurisdiction over the investigation.

If your missing adult is found, please notify the law enforcement agency **immediately**.

AUTHORIZATION

I am a family member, next-of-kin, or law enforcement official investigating the disappearance of the above-named missing adult and I hereby authorize the release of all dental or skeletal X-rays and treatment notes to assist law enforcement agencies in locating the above-named missing adult. I also consent to the release of the above-named missing adult's photograph, physical description, and circumstances surrounding the disappearance. This information may be used by the Department of Justice for inclusion in missing person bulletins and posters which will be distributed throughout California to law enforcement agencies, state buildings, appropriate roadside rest areas, and other parties determined appropriate by the Department of Justice to assist in locating the missing person, including the Attorney General's Website at <https://oag.ca.gov/>.

NAME OF DENTIST			
ADDRESS			
CITY	STATE	ZIP	TELEPHONE NUMBER
NAME OF PHYSICIAN, SURGEON OR MEDICAL FACILITY			
ADDRESS			
CITY	STATE	ZIP	TELEPHONE NUMBER
SIGNATURE OF FAMILY MEMBER OR LAW ENFORCEMENT OFFICIAL			
PRINTED NAME OF FAMILY MEMBER OR LAW ENFORCEMENT OFFICIAL			
RELATIONSHIP TO MISSING ADULT		DATE	
ADDRESS			
CITY	STATE	ZIP	TELEPHONE NUMBER



1350 Norris Road
Bakersfield, California 93308-2231

Declaration of Authority for Seizure of Dental/Medical Records

Missing Person's Name _____

Agency Case Number _____

I hereby declare that the above-mentioned person has been reported missing and that no family or next of kin exist or can be located. There is presently an active investigation being conducted seeking the location of a missing person, and Dental / Medical X-rays, related charts and records are necessary for the exclusive purpose of furthering the investigation.

These records are hereby requested to be produced by:

Physician's name _____

Address _____

City _____ Phone _____

This form, signed by a peace officer, is sufficient authority for the dental / medical doctor to release the missing person's records pursuant to the express provisions of Section 14212 of the California Penal Code.

Name of Officer _____ Title/Rank _____

Division _____ Phone _____

Signature of Duly Sworn Peace Officer

Date



California Department of Justice Missing and Unidentified Persons Section Reporting Reference Chart

All local police and sheriffs' departments shall accept any report of a missing person (MP) without delay, per Penal Code (PC) § 14211(a). Additional requirements/guidelines are below. As you read the chart from left to right, report types are listed by age group, and note the applicable code section: PC, Education Code (EC), or federal statute (U.S.C.).

Required Action MP Age	"Be On the Look-Out" Bulletin	Initial Entry into the DOJ Missing Person System (MPS)	Copy of MP Report Forwarded to Appropriate Jurisdiction	Obtain Dental and/or Skeletal X-Rays and Treatment Notes	Initial Coroner Check	MP Report with Photograph and X-rays Submitted to DOJ ²	Written Notice Submitted to School	DNA - Advise Family of Right to Submit Sample ³	Validate and Update MPS Record
At Risk¹ (Any Age)	Without Delay <i>PC § 14211(d)</i>	Within 2 Hours <i>PC § 14211(e)</i>	Within 24 Hours <i>PC § 14211(g)</i>	At 30 days <i>PC § 14212(d)</i>	Recommended Within 30 days <i>PC § 14212(g)</i>	Recommended Within 30 days <i>PC § 14212(g)</i>	If a child, within 10 Days <i>EC § 49068.6</i>	Within 30 Days <i>PC § 14250(c)(2)</i>	Within 60 days <i>NCIC Guidelines</i>
Ages 0 to 15	Without Delay <i>PC § 14211(d)</i>	Within 2 Hours <i>PC § 14211(e)</i>	Within 24 Hours <i>PC § 14211(g)</i>	Within 60 Days <i>PC § 14211(f)</i>	Recommended Within 30 days <i>PC § 14212(g)</i>	Recommended Within 30 days <i>PC § 14212(g)</i>	Within 10 Days <i>EC § 49068.6</i>	Recommended After 30 days	Within 60 days <i>NCIC Guidelines</i>
Ages 16 to 17	Without Delay <i>PC § 14211(d)</i>	Within 2 Hours <i>PC § 14211(e)</i>	Within 24 Hours <i>PC § 14211(g)</i>	Within 60 Days <i>PC § 14211(f)</i>	Recommended Within 30 days <i>PC § 14212(g)</i>	Recommended Within 30 days <i>PC § 14212(g)</i>	Within 10 Days <i>EC § 49068.6</i>	Recommended After 30 days	Within 60 days <i>NCIC Guidelines</i>
Ages 18 to 20	Without Delay <i>PC § 14211(d)</i>	Within 2 Hours <i>PC § 14211(e)</i>	Within 24 Hours <i>PC § 14211(g)</i>	Within 60 Days <i>PC § 14211(f)</i>	Recommended Within 30 days <i>PC § 14212(g)</i>	Recommended Within 30 days <i>PC § 14212(g)</i>	Not Applicable	Recommended After 30 days	Within 60 days <i>NCIC Guidelines</i>
Ages 21 and over	Law Enforcement Discretion	Without Unreasonable Delay	Within 24 Hours <i>PC § 14211(g)</i>	Within 60 Days <i>PC § 14211(f)</i>	Recommended Within 30 days <i>PC § 14212(g)</i>	Recommended Within 30 days <i>PC § 14212(g)</i>	Not Applicable	Recommended After 30 days	Within 60 days <i>NCIC Guidelines</i>

¹ Per PC § 14215(b), "at risk" means there is evidence of, or there are indications of, any of the following: (1) is a victim of a crime or foul play, (2) is in need of medical attention, (3) has no pattern of running away or disappearing, (4) may be the victim of a parental abduction, or (5) is mentally impaired, including cognitively impaired or developmentally disabled.

² Per Health & Safety Code § 102870, the DOJ shall act as a repository for dental examination records of missing and unidentified person and will compare the records for the purposes of identification.

³ Per PC § 14250(a)(4), for the purpose of DNA collection, a high-risk missing person is anyone missing as a result of a stranger abduction, suspicious circumstances, unknown circumstances, there is reason to assume the person is in danger or deceased, and that the person has been missing for more than 30 days or less in the discretion of the investigating agency.



Kern County Sheriff's Office
Policies and Procedures

TITLE: LEGAL ORDERS OF ISOLATION-SHERIFF'S RESPONSE		NO: H-900	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: August 4, 1993	REVIEWED: 10/20/2020	REVISED: 04/01/1996	UPDATED: 1/17/2018

POLICY

In accordance with Health & Safety Code Section 311, 3285 and in the interest of protecting the safety of the community, the Kern County Sheriff's Office will assist the Health Department in the apprehension of persons who have a communicable disease and violate a lawful order of isolation. Such cases will generally involve the isolation of persons with tuberculosis.

Whenever a person is legally ordered into isolation, by the Health Department, a copy of the *Order of Isolation*, along with the patient description will be forwarded to the Kern County Sheriff's Office Communications Center to be placed on file there.

The Kern County Health Department will take every reasonable step to ensure that the person ordered into isolation appears at the date and time indicated on the order. Arrangement for transportation and hospitalization will be provided by the Health Department if necessary.

Persons who leave hospital isolation without the permission of the Health Officer will immediately be reported to the Kern County Sheriff's Office by hospital staff. The Sheriff's Communication Center will notify the Health Officer on Duty as well as the Bakersfield Police Department. Every Effort will be made to locate the patient and return them to the hospital as soon as possible.

A report of the circumstances surrounding the failure of a patient to obey the Order of Isolation will be prepared by the MARC unit or field deputy. A copy of the report will be forwarded to the District Attorney's Office requesting a criminal complaint against the patient. The report shall contain copies of the isolation order and all other relevant evidence substantiating the offense.

Deputies who locate and apprehend individuals in violation of the *Isolation Order* shall employ precautionary measures involving the arrest and transportation of a person with a communicable disease.



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

TITLE: PROBABLE CAUSE DECLARATIONS		NO: H-1000	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: August 4, 1993	REVIEWED: 10/20/2020	REVISED: 03/25/2005	UPDATED: 09/14/2018

POLICY

California law allows peace officers to arrest a person for the commission of a public offense based on “reasonable cause” (P.C. 836). For purposes of this policy the terms “reasonable cause” and “probable cause” are synonymous. Absent a warrant, all arrests are based on probable cause. In felony cases even when the crime does not occur in the officer’s presence, an officer may make an arrest based on probable cause. There are also some misdemeanor offenses in which a probable cause arrest is authorized when the offense does not occur in the officer’s presence. All sworn members should make themselves aware of these exceptions.

All probable cause affidavits for suspects arrested and booked are done through the Automated Regional Integrated Electronically Transmitted Information System known as ARIETIS. ARIETIS is also used for suspects not in custody when a complaint will be sought.

Probable cause to affect the arrest can be based on information received from other officers. Broadcasts are frequently used for providing information regarding probable cause arrests. To standardize the transfer of such probable cause information to the arresting officer, the Sheriff’s Office will use the Not in Custody (NIC) Declarations in the ARIETIS System.

Additionally, P.C. section 964 (SB 58) requires the courts to protect confidential, personal information regarding witnesses and victims contained in law enforcement reports submitted to and relied upon by the court. The protection of personal information of suspects and defendants is not protected pursuant to this legislation. Based upon an agreement between the Court, District Attorney, and the Sheriff, the Probable Cause Declaration in ARIETIS will be the document viewed by the court to determine if sufficient probable cause exists to issue an arrest warrant. The Court will not view offense reports to make that determination.

DIRECTIVE 1

It is imperative that probable cause declarations be factual and contain sufficient information to establish that a crime or crimes have been committed and that the identified suspect is responsible for the crime(s).

The declarations are used by the Court to:

1. Determine if sufficient probable cause exists to continue to hold an arrested person in custody.
2. Pursuant to the provisions of P.C. section 964, that sufficient probable cause exists to issue an arrest warrant.



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

TITLE: PROBABLE CAUSE DECLARATIONS		NO: H-1000	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: August 4, 1993	REVIEWED: 10/20/2020	REVISED: 03/25/2005	UPDATED: 09/14/2018

PROCEDURE A: PROBABLE CAUSE DECLARATION - BROADCAST

DIRECTIVE A-1 - Upon Initiating a Broadcast

In **all** cases in which a sworn member of the Sheriff's Office initiates a broadcast for the arrest of a person based on probable cause or otherwise relays the instruction to arrest a subject based on probable cause, the sworn member will be responsible for the completion of the "NIC (Not in Custody) Declaration" in ARIETIS. Once completed, the "NIC Declaration" will describe the probable cause for the arrest along with information identifying the suspect. The sworn member will ensure the "NIC Declaration" is completed prior to the end of his/her shift.

Any deputy providing probable cause to arrest information will:

- Complete the "NIC Declaration" in ARIETIS
 - Complete the suspect identification information and other mandatory fields
 - Complete the "Narrative" (probable cause declaration) portion describing those facts which clearly describe the probable cause for the arrest
- Ensure the "NIC Declaration" in ARIETIS is completed prior to the end of shift

PROCEDURE B: ARRESTS

DIRECTIVE B-1 - Arrest Based on a Broadcast

Any deputy arresting a subject pursuant to a "Probable Cause Declaration" as described in Procedure A will:

- Locate the "NIC Declaration" in the ARIETIS System
- Create a new Probable Cause Declaration in the ARIETIS System
 - May use the "NIC Declaration" as a reference to complete the new "Probable Cause Declaration"
 - Complete the suspect identification information and other mandatory fields



Kern County Sheriff's Office Policies and Procedures

TITLE: PROBABLE CAUSE DECLARATIONS		NO: H-1000	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: August 4, 1993	REVIEWED: 10/20/2020	REVISED: 03/25/2005	UPDATED: 09/14/2018

- The sworn member will use the “Narrative” (probable cause declaration) portion from the NIC Declaration to complete the “Narrative” portion of the new “Probable Cause Declaration”
- The probable cause declaration will describe those facts which clearly describe the probable cause for the arrest
- The sworn member will “copy and paste” or otherwise reproduce the “Narrative” portion of the “NIC Declaration” in the “Narrative” portion of the new “Probable Cause Declaration”
- Prior to inputting the narrative from the “NIC Declaration,” the sworn member will ensure the reader knows who wrote the original declaration by writing something similar to:
 - The following PC Declaration was written by Deputy Smith under NIC Dec #123456:
 - The sworn member will then insert the original narrative.
- If additional information was developed that should be in the narrative, the sworn member will indicate the author and source of the new information and then include the pertinent information.
- If the sworn member determines it is necessary to rewrite the narrative, the member should ensure the reader knows from whom and how the information was obtained.

DIRECTIVE B-2 – Arrests Without a Broadcast - Fresh Arrests

Any sworn member arresting and booking a subject pursuant to probable cause developed by the arresting sworn member will:

- Complete Probable Cause Declaration in the ARIETIS System
 - Complete the suspect identification information and other mandatory fields
 - Complete the “Narrative” (Probable Cause Declaration) portion describing those facts which clearly describe the probable cause for the arrest
 - It is imperative that probable cause declarations be factual and contain sufficient information to establish a crime or crimes have been committed and the identified suspect is responsible for the crime(s).



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

TITLE: PROBABLE CAUSE DECLARATIONS		NO: H-1000	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: August 4, 1993	REVIEWED: 10/20/2020	REVISED: 03/25/2005	UPDATED: 09/14/2018

- For arrests involving adults, use the ARIETIS tab identified as “Adult PC Decs”
- For arrests involving juveniles, use the ARIETIS tab identified as “Juvenile PC Decs”

PROCEDURE C: SUBMITTING COMPLAINT REQUESTS

When a sworn member wishes to seek a criminal complaint against an adult, who has not been arrested for the offense, the sworn member must complete a “NIC Declaration” in ARIETIS before submitting the complaint. The “NIC Declaration” will describe the probable cause for the arrest along with information identifying the suspect. The procedure is the same for a felony or a misdemeanor being submitted to the District Attorney’s Office for a complaint / warrant.

When a sworn member wishes to seek a criminal complaint against a juvenile and the juvenile has not been arrested for the offense, the member does not need to complete a “NIC Declaration” in ARIETIS. Submitting the report to Juvenile Probation is sufficient to seek a complaint against a juvenile. The sworn member should consider including in the report what charges are being sought to avoid any confusion.

PROCEDURE D: DIRECT FILING COMPLAINTS TO THE COURT

Some misdemeanor and infraction cases are filed directly with the court. Direct file case are those in which a citation was issued to the suspect. In those cases, the citation serves as the complaint. If the suspect fails to appear in court as per the citation, the court can seek a warrant based on the suspect’s failure to appear. A Probable Cause Declaration form is not required with “Direct File” complaints.



Kern County Sheriff's Office
Policies and Procedures

TITLE: PRIVATE PERSON'S ARREST		NO: H-1050	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: May 21, 2003	REVIEWED: 10/20/2020	REVISED: 00/00/00	UPDATED: 1/17/2018

POLICY

It is the policy of the Kern County Sheriff's Office to carefully and objectively evaluate private person arrests and, where it is lawful to do so, accept and properly process the person arrested.

DIRECTIVE #1

Officers presented with a situation in which someone wishes to make a private person arrest should be aware of the following provisions of the law:

Penal Code § 837 provides in part that:

- A private person may arrest another for a public offense committed or attempted in his/her presence.

However, notwithstanding this provision of state law, officers must be aware that, under federal interpretations of the Fourth Amendment to the United States Constitution, any action by an officer in which a person is taken into custody — i.e., deprived of their liberty — must be supported by probable cause to believe that a public offense has occurred and that the person being taken into custody committed that offense.

With these provisions of the law in mind, officers presented with a situation in which a private person expresses the desire to place another person under arrest, pursuant to the private person arrest authority of Penal Code § 837, shall:

PROCEDURE A: Probable Cause to Arrest

- Prior to accepting the custody of the private person arrestee, make reasonable efforts to obtain all information relevant to the issue of whether a criminal offense has occurred and whether the person to be arrested is the one who committed that offense.
- Where it appears from the objective evaluation of circumstances and evidence that there is probable cause to believe a criminal offense occurred and the person to be arrested is the one who committed that offense, the officer shall:
 - accept custody of the arrestee; and

- process the arrestee accordingly, i.e., citation release, booking and release, incarceration, etc.

PROCEDURE B: No Probable Cause to Arrest

- Based upon the officer’s objective evaluation of circumstances and evidence, that there is no probable cause for the arrest, the officer shall:
 - carefully explain to the person wishing to make the private person arrest that the legal requirement for acceptance of custody by the officer requires the presence of probable cause to arrest, as well as the facts and circumstances which indicate to the officer an absence of probable cause;
 - encourage the person wishing to make the arrest to have the matter handled by submission of a crime report for further investigation by detectives and/or evaluation of criminal charges by the District Attorney;
 - if the person insists on making the arrest, **the officer shall refuse to accept custody of the arrestee;**
 - complete a report detailing all of the allegations, facts, circumstances, and evidence bearing on the officer’s determination to refuse to accept custody.

DIRECTIVE #2

- Officers should seek advice from a supervisor or the watch commander when there is any question in the mind of the officer as to how to proceed regarding a private person arrest.

H-1050-2

EFFECTIVE: May 21, 2003	REVIEWED: 10/20/2020	REVISED: 00/00/00	UPDATED: 1/17/2018
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Kern County Sheriff's Office
Policies and Procedures

TITLE: NON-LAW ENFORCEMENT EMERGENCY RESPONSE NO: H-1100			
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: January 23, 2001	REVIEWED: 10/20/20	REVISED: 00/00/00	UPDATED: 08/09/2018

POLICY

In keeping with the Mission of the Kern County Sheriff's Office, we recognize our duty to protect life and property and enhance the safety for residents and visitors. To further this, field units will be advised of medical and other non-law enforcement specific emergencies occurring within their assigned area when that information is available to Sheriff's Communications. Information regarding such activities in a zone, beat or area will assist deputies to better serve their community.

PROCEDURE

When the Sheriff's Communications Center becomes aware of a non-law enforcement related emergency in a Sheriff's response area, the dispatcher will advise the unit(s) assigned to the area:

- The nature of the response (possible drowning, structure fire, traffic accident, etc.);
- The other agencies responding;
- Information about people in immediate danger;
- Any additional information that could aid officer safety.

Examples: "Attention 1 Zone Units, fire department responding to a structure fire, Roberts Lane and Oildale Drive."

Or

"Attention Wasco Units, medical aid responding to a difficulty breathing, 12345 Kimberlina Road."

If information is developed that indicates a human life is most likely in immediate danger, the dispatcher will:

- Dispatch a minimum of one unit to the call;
- If unit advises responding code 3, the dispatcher will copy the code response and ensure the on-duty field supervisor is copying the emergency traffic and authorizes the code response. (reference DPPM E-100)
- Advise the allied agency of our response.

Example: “Mike 5, possible drowning, 12345 Oak Creek Road, fire and medical en route.

When a deputy is advised of the above circumstances, the deputy will:

- **If available**, respond to the area, keeping in mind that other emergency personnel are also responding. Advise dispatch if responding code 3. In most cases, you are responding only to assist, and the primary responders are the allied agencies. Rarely is a Code 3 response warranted, unless dispatched as a primary unit. The danger of multiple Code 3 units colliding is great and **extreme caution** must be exercised. “**If available**” means 10-8, unless the call involves persons known to be in immediate danger.
- Upon arrival, take any prudent life saving action, based upon training, experience, the urgency of the situation and your ability.
- Investigate any criminal activity and prepare a Crime/Incident report if criminal activity or suspicious circumstances are noted. Be especially mindful of situations involving injured or endangered children.
- If no Crime/Incident report is warranted, clear the call with a Code 9, later updating the call, if necessary, in the computer system regarding who was contacted, what happened and what you did; (Example: Structure fire, no one in residence, assisted with traffic control or medical aid only, elderly male, assisted ambulance personnel).
- Assist allied agencies as appropriate, if needed.
- Utilize Crime Code #9011 for Assist Other Department medical aid calls.

When a field supervisor hears advisement of the above information, the field supervisor will:

- Monitor the unit’s activity as with any other assignment;
- Ensure training regarding the Fire Safety Issues, Code 3 Response and Water Safety is accomplished via in-service or roll call training annually.

This policy is not intended to replace calls assigned to assist allied agencies when assistance is specifically requested. Such calls are not discretionary. For example, when an ambulance company has a combative patient or the victim of an overdose. In this and similar cases, the deputy will respond as with any other call for service.

H-1100-2

EFFECTIVE: January 23, 2001	REVIEWED: 10/20/20	REVISED: 00/00/00	UPDATED: 08/09/2018
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Kern County Sheriff's Office

Policies and Procedures

TITLE: BICYCLE PATROL		NO: H-1200	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: March 11, 2002	REVIEWED: 10/20/20	REVISED: 00/00/00	UPDATED: 08/13/2018

POLICY

Bicycle Patrol is a highly effective tool, which compliments the level of law enforcement services to the citizens of Kern County. It will be used to address general and specific patrol problems, special events and can be used for traffic enforcement. Bicycle Patrol will also be used to foster positive public relations with the community.

The Sheriff's Office will appoint one Bicycle Patrol Coordinator (sergeant rank) to oversee the implementation of this program. The Coordinator will keep a current listing of properly trained deputies, certified trainers and a current listing of approved uniform and equipment providers.

DIRECTIVE 1: Requirements for Bicycle Patrol

Deputies will be required to complete a twenty-four (24) hour Basic Bicycle Patrol Training Course. In-house staff who have completed a P.O.S.T. certified Bicycle Instructor Course will conduct the course. All training records will be forwarded to the Training Section by the Program Coordinator for inclusion in the affected deputies' training file. This will include documented training attended prior to the existence of this procedure.

After completing the twenty-four (24) hour Bicycle Patrol Course, deputies should also attend the next available Collapsible Baton Course. Deputies may then carry the collapsible baton as their primary baton while working Bicycle Patrol.

DIRECTIVE 2: Division Responsibilities

Each Division Commander will appoint a supervisor to oversee and schedule Bicycle Patrol Units for that division. Each commander will also be responsible for budgeting for the ongoing maintenance of the bicycles within the division. For scheduling and training purposes, each commander will designate a maximum number of trained deputies involved in this program within that division. That information will be provided to the Program Coordinator. Division Commanders will help select deputies for this program from the available applicants.

DIRECTIVE 3: Selection Process

The Program Coordinator and the affected Division Commander will jointly select participants for the program from the applicant list. The final decision on the participants will rest with the Division Commander.

The Program Coordinator and all of the Division Commanders who have a Bicycle Patrol Program under their command will jointly select trainers for this program.

Required Safety Equipment

- Black bicycle helmet.
- Black bicycle gloves (finger or half-finger style)
- Approved whistle.

Bicycle Specifications

The following are minimum specifications for bicycles purchased by the Sheriff’s Office or any of the contract cities. The bicycle vendor must agree to provide lifetime free tune-ups.

Bicycles purchased before the effective date of this policy are exempt from these specifications and may still be used for patrol duties as long as they are deemed serviceable by a supervisor and present a professional image.

Frame: Chromoly, butted chromoly, or aluminum. Black in color. It will have shock absorbing front forks, which meets or exceeds the quality and travel equivalent to “Rock Shox” brand forks.

Component Group: Shimano Deore. 18 speeds. May be other manufacturers’ component group of equal or greater quality.

Rim/Wheel: 26 inch, 27.5 inch or 29 inch double wall rim section.

Tires: Tires should have a tread design with a solid centerline.

Tubes: Heavy duty with injection of tire sealant.

Seat/Saddle: No racing style seats. Split style or model designed to relieve numbing is recommended.

Headlight: Six-watt rechargeable headlight.

Taillight: Three LED blinking taillight, which is visible for at least 500 feet.

Equipment Storage: Rear equipment rack with an equipment storage pack.

Decals: “SHERIFF” in white letters on both forks. “SHERIFF” in white letters or Sheriff’s Office logo on both sides of the lower frame bar. The name of the Contract City may be placed on both sides of the upper frame bar in white letters. (Examples: “City of Wasco”). Both the lettering and logos should be light reflective for the safety of the riders.

H-1200-2

EFFECTIVE: March 11, 2002	REVIEWED: 10/20/20	REVISED: 00/00/00	UPDATED: 08/13/2018
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Uniform Specifications

Deputies will be responsible for providing their own uniforms.

Shirt: Shirt to consist of a Class D Polo in accordance with DPPM K-300

- Long Pants:** Bell Ranger brand Bell Fatigue adult six-pocket BDU military pant (Model #001). One-hundred percent (100%) cotton ripstop material. Olive Drab color. May also use Class C pants in accordance with DPPM K-300 or be another brand of similar style and color be other brands of same style and color.
- Short Pants:** Olympic Uniforms “Phoenix” shorts, Forest Green color, (Model OPS 168). May also wear other brands of same or similar style and color.
- Riding Shorts:** Padded riding shorts may be worn under short pants or long pants, however, if visible must be black in color.
- Jacket:** Sheriff’s Office approved black windbreaker.
- Shoes:** Solid black bicycle or tennis shoes.
- Socks:** Solid black socks.
- Gloves:** Solid black finger or half-finger bicycle style riding gloves.
- Helmet:** Black bicycle helmet with visor. The helmet must be USCPSC safety certified. The helmet will be provided by the Sheriff’s Office.
- Whistle:** Fox 40 brand or similar type whistle. Black in color.

DIRECTIVE 4: Patrol Procedures

Bicycle Patrol Deputies will be required to work in a minimum of a two-man team when performing any law enforcement activity. At the discretion of their sergeant, deputies may be allowed to work as a one-man unit when performing public relations duties only.

Deputies will be cognizant of their visibility and exposure to the public and will conduct their duties in a professional manner.

Deputies will inspect their bicycle at the beginning and end of their shift. Deputies should make any minor repairs or adjustments. If the deputy is unable to make the repair or adjustment, they will notify a supervisor of the problem.

Deputies will obey all laws pertaining to operations of bicycles and will be familiar with the Vehicle Code sections that pertain to Peace Officers and Bicycle Patrol. Deputies will have a full understanding of the following Vehicle Codes:

H-1200-3

EFFECTIVE: March 11, 2002	REVIEWED: 10/20/20	REVISED: 00/00/00	UPDATED: 08/13/2018
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CVC 21200(b)(1) Peace Officer Exemptions
CVC 2800.1(b) Evading a Bicycle Officer

The taillight should normally be turned on at all times for safety, unless circumstances warrant attempting to be undetected. The headlight should be used at night, unless circumstances warrant attempting to be undetected.

When a Bicycle Patrol Deputy makes an arrest, a patrol unit will assist and transport the arrested person(s). The Bicycle Patrol Deputy will ensure that a proper investigation and all appropriate paperwork are completed.

The radio call sign for the Bicycle Patrol units will have the designation of "Bike" in the call sign. Metropolitan Patrol units will be "Bike1", "Bike 2", etc. Substation Patrol units will be "Wasco Bike 1", "Tab Bike 1", "Delta Bike 1", etc.

H-1200-4

EFFECTIVE: March 11, 2002	REVIEWED: 10/20/20	REVISED: 00/00/00	UPDATED: 08/13/2018
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Kern County Sheriff's Office
Policies and Procedures

TITLE: OFF ROAD VEHICLE TEAM (O.R.V.T.)		NO: H-1300	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: March 11, 2002	REVIEWED: 10/20/2020	REVISED: 00/00/00	UPDATED: 11/28/2007

POLICY

The Kern County Sheriff's Office Off Road Vehicle Team (O.R.V.T.) is a specialized unit deployed to remote areas of Kern County to provide law enforcement services for those who pursue off road vehicle recreation. The unit will perform general law enforcement duties and its equipment will be made available to other specialized units of the Sheriff's Office who comply with the provision of this policy.

- The O.R.V.T. is to provide law enforcement services to the remote areas of Kern County that are used for off road vehicle recreation. The O.R.V.T. will focus their effort on off highway vehicle (O.H.V.) safety related enforcement into areas not normally accessible by patrol vehicles.
- The O.R.V.T. is deployed under the direction of the East Area Substation Division Commander and is available to deploy anywhere in Kern County at the direction of the Sheriff or Sheriff's Command Staff.

DIRECTIVE A: STAFFING

The O.R.V.T. will consist of the Unit Coordinator (UC), Assistant Unit Coordinator (AUC), and Training Cadre. Additional sworn, reserve and non-sworn Sheriff's personnel will be trained, on an as needed basis, to operate in the O.H.V. environment and participate in O.R.V.T. deployment.

- The O.R.V.T. Unit Coordinator will hold the rank of Sheriff's Sergeant, and Assistant Unit Coordinator will hold the rank of Sheriff's Sergeant, Senior Deputy Sheriff, or Deputy Sheriff. Coordinators are responsible for the administrative operation of the unit, scheduling, and on-scene deployment supervision. Coordinators will develop, oversee, maintain, and supervise the training program; track and facilitate vehicle maintenance; write and maintain the O.R.V.T. procedures manual; manage and account for the O.R.V.T. budget; maintain unit records; seek funding through and comply with the California State Parks Service Grant Program requirements.
- The UC will maintain contact with the various groups and organizations that have an interest in O.H.V. recreation in Kern County.

- The O.R.V.T. Training Cadre members will hold the rank of Senior Deputy Sheriff, Deputy Sheriff or Sheriff’s Reserve Deputy. Personnel will be under the direct supervision of the UC while conducting O.R.V.T. activities. Team members will participate in operational deployments; assist the UC with writing, conducting and maintaining the training program and records; track and maintain the vehicle maintenance records; assist with maintenance of the O.R.V.T. grant records; and conduct other duties at the direction of the UC.
- O.R.V.T. assignments will be made to qualified individuals who have an interest in the O.H.V. program. Candidates shall submit a Kern County Sheriff’s Office Special Assignment Application to the UC. When the mission of the O.R.V.T. requires additional personnel, selection of candidates will be made on an as needed basis.
- Initially, candidates chosen to participate in the O.R.V.T. will be assigned to work with a member of the training cadre. When a candidate has demonstrated a working knowledge of O.H.V. related issues, operational areas, and the ability to safely work in the O.H.V. environment, they will be eligible to work the O.R.V.T. assignment. O.R.V.T. assignments are made at the discretion of the UC.
- Applicants must demonstrate the following proficiencies:
 - Successfully complete the ATV rider course and/or the ROV Basic Driver Course.
 - Read and demonstrate a working knowledge of related OHV equipment owner’s manuals.
- Demonstrate proficiency to the UC or his designee in safely operating 4x4 vehicles in the O.H.V. environment and successful completion of a 4x4 training course.

DIRECTIVE B: GENERAL DUTIES OF ALL O.R.V.T. PERSONNEL

All personnel of the Kern County Sheriff’s Office O.R.V.T. will comply with the directives outlined in this manual. The success of the O.R.V.T. depends on the adherence to reasonable rules while operating the all terrain vehicle (ATV) and proper care of the equipment. Unsafe or negligent operation of O.R.V.T. equipment shall be grounds for removal from the program.

- The O.R.V.T. may investigate any criminal matters brought to their attention during their deployments, including but not limited to driving reckless or under the influence; vehicle registration violations; trespassing, and other related issues such as fence removal or illegal dumping; Grand Theft Auto (GTA) recoveries and abatement of abandoned vehicles; locating lost or missing persons; illegal shooting and drug enforcement.

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EFFECTIVE: March 11, 2002	REVIEWED: 10/20/2020	REVISED: 00/00/00	UPDATED: 09/14/2018
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- When an O.R.V.T. member makes an arrest, a patrol unit will assist and transport the arrested person(s). The O.R.V.T. member will ensure a proper investigation and all appropriate paperwork are completed.
- O.R.V.T. personnel will complete an activity log during each deployment. The activity log will include the numerical totals for individuals contacted; identification of the types of vehicles operated; the type and number of citations, arrests, and other enforcement actions taken; the condition of or damage to O.R.V.T. equipment.
- OHV equipment shall not be ridden off designated trails in environmentally sensitive areas unless the operational situation or officer safety concerns make it necessary. Sheriff's Office vehicles will not be ridden/driven at a speed or in a manner so that control of the vehicle is lost.
- Passengers will not be allowed on ATV's or motorcycles except in the event of an emergency evacuation.
- While driving OVH equipment, personnel will adhere to DPPM Sections E-100 (code three operations) and E-200 (pursuits). Pursuing vehicles or code three operations on OHV equipment is generally prohibited. In progress felonies, posing an immediate threat to the safety of the public or officers, in the operational area may require a code three response. When violators refuse to stop for vehicle code violations or misdemeanors, personnel are encouraged to follow them at a safe speed and locate their camp or parking spot. Team members will coordinate multiple units in an effort to contact fleeing violators.
- OHV equipment will not tow or push other vehicles except in emergencies.
- OHV equipment should not be driven through water deep enough to wet any portion of the vehicle other than the tires.
- Personnel assigned to work the O.R.V.T. will be required to operate 4x4 vehicles, patrol cars, ATV's, motorcycles, and ROV's.
- The O.R.V.T. personnel will be assigned a desert utility vehicle (DUV) call sign.
- Personnel working in the O.H.V. environment generally will be in remote areas operating on unpaved roadways in rugged terrain. Personnel are cautioned to operate Sheriff's Office equipment within the limitations of the equipment design and within their own personal limitations. The necessity of a given enforcement action versus the danger it presents to themselves, other team members, and the public should be kept in mind.
- The O.R.V.T. possesses two types of trailers: open transport, and enclosed toy box. The ATV trailers will be towed to the operational area with the assigned tow vehicle. Caution should be used when towing.

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EFFECTIVE: March 11, 2002	REVIEWED: 10/20/2020	REVISED: 00/00/00	UPDATED: 09/14/2018
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- Prior to moving any trailer and tow vehicle the operator should walk completely around the unit to ensure that it is safe to proceed.
- The trailers shall not be towed into areas that may cause them to become stuck or damaged. At the deployment location, the vehicles, trailer, and all assigned equipment shall be secured prior to leaving them unattended.
- When maneuvering in close conditions, such as parking, backing, or getting fuel, a second team member, if available, should stand outside the vehicle and help guide the driver.
- Personnel who are towing or using the Command Post trailer will be provided with a system briefing by the UC prior to deployment. All gray and black water holding tanks will be emptied only at approved dumpsites.
- A checklist will be provided to ensure that the trailers are ready for deployment. When trailers are returned the checklist should include the status of all fluids, gas, supplies, vehicle damage or needed repairs.

DIRECTIVE C: MINIMUM SAFETY EQUIPMENT

- DOT approved helmet. (Personal helmet may be worn after approval by the UC)
- Safety goggles.
- Appropriate Off-Road gloves.
- Duty belt – Sheriff’s Office issued.
 - Alternative A: Black nylon gun belt.
 - Alternative B: Personnel may use approved soft military “Alice” style gun belt and suspenders with appropriate BBC brand accessories. Holster will be a military M-12 style flap holster for the Glock handgun.
 - Other alternate duty gear that is approved for wear by other special units of the Sheriff’s Office may be worn with UC approval.
- Over the ankle boots.
- Trained O.R.V.T. members may carry the collapsible baton as their primary baton while working O.H.V. Patrol.
- Other personal O.H.V. safety gear may be worn as an individual preference.

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DIRECTIVE D: O.R.V.T. DEPLOYMENT

The O.R.V.T. can be deployed with ATV and 4x4 vehicles or with 4x4 vehicles only. The O.R.V.T. will generally be utilized during daylight hours. Team members on the ATV motorcycles will be teamed in pairs. ATV teams will be supported by at least one team member deployed in the same area in a 4x4 vehicle.

- Deployed personnel will coordinate their efforts in support of each other. O.R.V.T. personnel will be cognizant of their visibility and exposure to the public and will conduct their duties in a professional manner in accordance with Sheriff's Office policies and procedures.

Single Day Deployment

- The single day deployment will consist of at least two O.R.V.T. personnel. A supervisor will be available in the local area during all deployments. Personnel deployed on ATV's, motorcycles, and ROV's will be teamed in pairs. ATV teams will be supported by at least one additional team member operating a Sheriff's Office 4x4 vehicle. The operation will be for a single day in the area of deployment.

Multiple Day Deployment

- O.R.V.T. members deployed for a multiple day mission will establish a base camp. The O.R.V.T. trailer will be set up as a command post. The deployment will consist of a supervisor and enough personnel to accomplish the mission objective. Personnel deployed on ATV's, motorcycles, and ROV's will be teamed in pairs. Each team will be supported by at least one team member in a 4x4 vehicle. Team members may be assigned to work in the same or neighboring operational area.
- Team members assigned to work the multiple day deployments may stay in the O.R.V.T. trailer. There is no requirement that team members assigned to multiple day deployments stay at the camp. Civilian members of the Sheriff's Office from the Citizen Service Unit, Explorers, and Search and Rescue Team will be welcome to attend multiple day deployments. They will perform their regular duties, assist with maintaining the camp, and provide security for Sheriff's Office equipment.

Public Relations Deployment

- The O.R.V.T. will be available to speak to interested service groups or schools. All requests will be directed to the UC. The UC will schedule personnel for the presentation and determine what equipment is needed.

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EFFECTIVE: March 11, 2002	REVIEWED: 10/20/2020	REVISED: 00/00/00	UPDATED: 09/14/2018
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DIRECTIVE E: MAINTENANCE

ATV's, Motorcycles, and ROV's

- O.R.V.T. staff, the dealer, or an approved vendor will perform maintenance on OHV equipment, as outlined in the owner's manual or as needed.
- Prior to every deployment, a safety inspection will be performed on the OHV equipment. Vehicles found to be unsafe will not be ridden until the maintenance issues are resolved. The result of the safety inspection will be entered on the maintenance log.

Trailers

- The dealer or approved vendor will service the trailers on an as needed basis. Required maintenance or repair should be brought to the attention of the UC.

Equipment Cleaning

- The O.R.V.T. equipment shall be cleaned at the end of each deployment. The ATV's will be cleaned per the instructions in the owner's manual.

PROCEDURE A: EQUIPMENT USE BY OTHER SHERIFF'S OFFICE UNITS

The O.R.V.T. equipment is available, upon request, to other units of the Sheriff's Office. Other units using the equipment will comply with the provisions of this section. The UC or AUC will be briefed by the requesting unit supervisor on the intended use of O.V.R.T. equipment.

- The UC or AUC will determine if equipment can be deployed safely for the mission required. The O.R.V.T. equipment will be deployed by, monitored, and recovered by trained O.R.V.T. staff.

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EFFECTIVE: March 11, 2002	REVIEWED: 10/20/2020	REVISED: 00/00/00	UPDATED: 09/14/2018
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Kern County Sheriff's Office

Policies and Procedures

TITLE: MEADOWS FIELD ALERT RESPONSE		NO: H-1400	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: April 7, 2003	REVIEWED: 10/20/2020	REVISED: 11/13/2008	UPDATED: 10/20/2020

POLICY

It is the policy of the Kern County Sheriff's Office to support the Kern County Office of Airport's Emergency Plan. The Kern County Airport Emergency Plan has divided airport responses into three categories: Alert One-Minor aircraft difficulty, Alert Two-Major aircraft difficulty, and Alert Three-aircraft crash.

The primary responsibility of the Kern County Sheriff's Office, during an in-flight emergency or after the crash of an aircraft on Kern County airport property, is to provide scene security. Personnel from the Kern County Sheriff's Office will utilize the Standardized Emergency Management System to effectively and successfully manage the incident and will interact with the on-scene incident commander to liaison with responding units. It is the responsibility of the ranking deputy, after weighing the circumstances of the incident, to decide the scope of the response.

DIRECTIVE A:

Deputies responding to an aircraft alert at Meadows Field will follow the procedures outlined in this policy to provide an efficient, effective, and controlled response of Sheriff's resources. The Communications Center will maintain communications with Meadows Field. In order to ensure scene security, the ranking deputy may request mutual aid from the California Highway Patrol or the Bakersfield Police Department.

DIRECTIVE B:

Incident command at the scene of an aircraft accident at Meadows Field will be the responsibility of the Kern County Fire Department. Meadows Field personnel will identify the location of a crash site using reference to runways and taxiways (see attached site map, Attachment 1). Sheriff's units will not respond directly to the crash site and will only do so at the direction of the incident commander when it is deemed safe. Generally, units will stage at Kern County Fire station #62 for assignment. Airport fire or security personnel will escort Sheriff's units on airport property. While under escort, Sheriff's units will activate all emergency lights and maintain the 15-mile per hour limit unless otherwise directed. The incident commander can alter the access points for the response and change the staging area location.

DIRECTIVE C:

The following sections are the authorities to deny entrance to restricted airport property and an air operations area: Penal Code 602 (u) (1) entry to posted airport property is trespassing. County Ordinance 15.08.130 is an infraction, which states: “No person shall enter any air operations area of an airport without authorization from the director.”

DIRECTIVE D:

News media personnel will not be permitted access to the airport security area, taxiways, or runways by Sheriff’s personnel. Meadows Field administration or security personnel have the responsibility to authorize media access to restricted airport property. Media personnel will be directed to the airport terminal gate #20 where airport personnel will direct and or escort news media personnel to the established media area. Keep in mind that once airport personnel allow access to restricted airport property, media members should not be restricted beyond what is reasonably necessary to prevent interference with emergency personnel and for scene security.

PROCEDURE A - ALERT ONE:

- Aircraft in minor difficulty.
 - No response from Sheriff required. This is informational only in the event of change in category.

PROCEDURE B – ALERT TWO:

- Aircraft in major difficulty (e.g. engine on fire, faulty landing gear, etc.)
 - Meadows Field will notify the Communications Center.
 - Two units will be dispatched code three unless otherwise directed.
 - The first unit on scene will respond to gate 24 located on Sunnyside Court.
 - The unit will provide access for fire, medical and other emergency personnel.
 - Emergency personnel will be directed to the staging area at Kern County Fire Station #62.
 - The second unit will respond to the staging area at Kern County Fire Station #62 and set up a liaison with the on-scene incident commander ensuring scene security.
 - The on-duty supervisor and watch lieutenant will be notified.
 - The Meadows Field Deputy, if assigned, will be notified by the Communications Center of the alert.
 - The Meadows Field Deputy will maintain terminal security.

H-1400-2

EFFECTIVE: April 7, 2003	REVIEWED: 10/20/2020	REVISED: 11/13/2008	UPDATED: 10/20/2020
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PROCEDURE C – ALERT THREE:

- Aircraft has crashed on or near the airport.
 - Meadows Field will notify the Communications Center.
 - The Communications Center will assign a radio channel to the emergency.
 - Two units will be dispatched code three unless otherwise directed.
 - The first unit on scene will respond to gate 24 located on Sunnyside Court.
 - The unit will provide access for fire, medical and other emergency personnel.
 - Emergency personnel will be directed to the staging area at Kern County Fire Station #62.
 - The second and additional units will respond to the staging area at Kern County Fire Station #62 for security assignments at the direction of the ranking deputy at the scene.
 - The on-duty supervisor and watch commander will be dispatched to Kern County Fire Station #62 and set up a liaison with the on-scene incident commander to coordinate scene security until the emergency is resolved.
 - The Kern County Sheriff’s Public Information Officer (PIO) will be dispatched to the media staging area at the new terminal (3701 Wings Way). The PIO will coordinate with the lead PIO designated by the incident commander.
 - The Meadows Field Deputy, if assigned, will be notified by the Communications Center of the alert.
 - The Meadows Field Deputy will maintain terminal security.
 - There are many variables if the crash site is not on airport property. Use the Aircraft Crash Checklist (Attachment 2) established by the Governor’s Office of Emergency Services as a guide to establish a coordinated response and a secure scene.

DIRECTIVE E:

The Kern County Department of Airports has developed and maintains an emergency plan to minimize the possibility and extent of personal injury and property damage on the airport during emergencies. To aid in the planning and training process, and further clarify the role of the Sheriff’s Office during an emergency, Sheriff’s Office personnel shall take part in the annual review of the Airport Emergency Plan and participate in a full exercise conducted every three years.

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AIRCRAFT CRASH CHECKLIST

This checklist is intended to assist the field supervisor with the initial response to an aircraft crash. It is recommended that *unified command* be established to ensure a coordinated response with other involved agencies. Local law enforcement will generally *not* have an investigative responsibility for aircraft crashes, but will provide perimeter control, site security, evidence protection, and facilitate response with the fire service, medical-rescue, and federal authorities that have investigative responsibility.

Situation Assessment:

Ensure that a situation estimate has been obtained and communicated to the communication center and that it contains the following information:

- Location of accident
- Type of structure involved
- Type of aircraft involved: military or civilian, passenger or cargo, helicopter or jet, private or commercial
- Class of aircraft: single engine or multiple
- Number of injuries and deaths if known
- Additional assistance needed: police, fire, medical, military, etc.
- Location of Command Post and Staging Area
- Best available ingress/egress routes for emergency personnel and vehicles

Special Considerations:

- Approach from up wind
- Do not approach on same path as aircraft
- Avoid breathing smoke, possible toxic materials
- Potential for fire/explosions
 - military aircraft may contain weapons, ammunition, ejection seats
 - no smoking or flares
- Crash site security, adequate control to keep unauthorized persons from the scene
- Traffic control, crowd control, perimeter control (keep a 2,000 foot clearance)
- Evacuation (at least 2,000 feet upwind)

Crash Site Management:

- Establish Command Post
- Restrict air traffic over scene
- Establish liaison with incident commander
- Identify all witnesses, obtain following data:
 - Time of crash
 - Location of witnesses at time of crash
 - Weather at time of crash
 - Aircraft direction in flight
 - Aircraft fire in flight
 - Explosion prior to crash
 - Location of objects falling from aircraft prior to crash
 - Impact angle and position of survivors
 - Anything removed from scene and by whom
- Deceased or injured victims may be displaced by impact. Conduct a thorough, wide search for survivors and other evidence
- Take photographs of scene
- Ensure all crash debris is protected, but do not disturb wreckage, evidence, deceased persons, body parts, or personal property unless advised to do so by the investigator in charge or the coroner in charge.

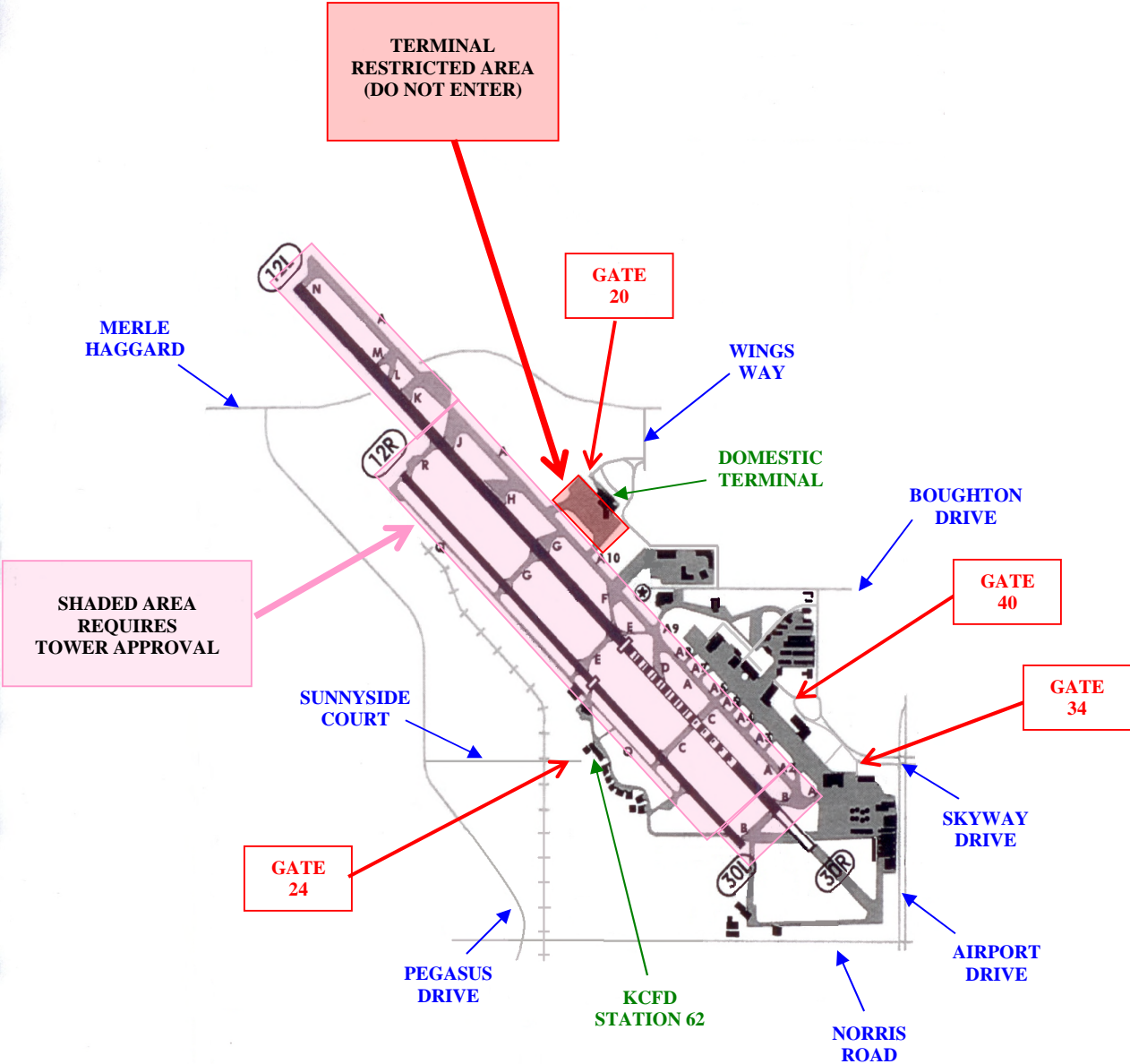
Subsequent Situation Assessment:

- Aircraft identification numbers, owner(s) of involved aircraft and involved structures
- Identification of pilot(s)
- Property damage
- Location of deceased and known survivors

Notification:

- Military if applicable
- National Transportation Safety Board
- Federal Aviation Administration
- All necessary fire/rescue services
- Hospitals of potential influx of patients
- County Coroner

MEADOWS FIELD EMERGENCY GATE MAP





Kern County Sheriff's Office
Policies and Procedures

TITLE: CHILD ABDUCTION ALERT, (AMBER ALERT)		NO: H-1500	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: May 5, 2003	REVIEWED: 10/20/20	REVISED: 03/01/07	UPDATED: 10/20/20

INTRODUCTION

The National Center for Missing and Exploited Children (NCMEC) has reported that 74% of children murdered by non-family members had been killed within the first three hours of their abduction. Reporting of missing children is often delayed by at least two hours for various reasons, compounding the critical importance of rapid response.

In 1996, nine-year-old Amber Hagerman was kidnapped and murdered in Arlington, Texas. The news of this abduction and murder outraged the community. Concerned individuals contacted local media and together they developed a system to broadcast special alerts over the airwaves to help locate abducted children. This became known as the Amber alert system. The NCMEC uses AMBER as an acronym for America's Missing Broadcast Emergency Response. Many communities across this nation now use an AMBER-type system under several different names; however, the functions are essentially the same.

The State of California has implemented legislation instituting guidelines for a statewide AMBER plan to ensure the timely notifications of media and the public in the event of an abduction (Gov't Code 8594).

Legislative Mandates

Under Government Code 8594 (a), "If an abduction has been reported to a law enforcement agency and the agency determines that a child 17 years of age or younger, or an individual with a proven mental or physical disability, has been abducted and is in imminent danger of serious bodily injury or death, and there is information available that, if disseminated to the general public, could assist in the safe recovery of the victim, the agency, through a person authorized to activate the Emergency Alert System, shall, absent extenuating investigative needs, request activation of the Emergency Alert System within the appropriate local area. Law enforcement agencies shall only request activation of the Emergency Alert System for an abduction if these requirements are met. The Emergency Alert System is not intended to be used for abductions resulting from custody disputes that are not reasonably believed to endanger the life or physical health of a child."

POLICY

It will be the policy of the Kern County Sheriff's Office to activate an AMBER alert when it is reasonable to believe the state guidelines are met. The following directives will be followed to activate an AMBER alert for the Kern County Sheriff's Office.

DIRECTIVE A ACTIVATION OF A CHILD ABDUCTION ALERT NOTIFICATION

In cases of apparent child abduction, a field supervisor will be dispatched in addition to patrol personnel. The supervisor will be responsible to determine the potential need for a Child Abduction Alert, and ensure that the abduction criteria is met and all pertinent information is obtained for distribution. In the event a field supervisor is not readily available, the on-scene deputy will be the investigating deputy and cause immediate notification and briefing of available information concerning the abduction to the Watch Lieutenant, or in absence of a Watch Lieutenant, the Investigations Division Commander. The investigating deputy, in the absence of a supervisor, will ensure the Alert protocol is completed.

Generally, the following criteria should be met before an Alert is initiated:

- Law Enforcement confirms a child has been abducted, 17 years of age or younger, or a proven mental or physical handicapped person regardless of age.
- Law Enforcement believes the circumstances surrounding the abduction indicate that the victim is in imminent danger of serious bodily injury or death. Absent unusual conditions, parental or family abductions will not fit the criteria without further indication of imminent danger.
- There must be enough descriptive information about the victim, abductor, and suspect's vehicle to believe an immediate broadcast alert to the public will assist in the safe recovery of the victim.

In the event an Abduction Alert appears necessary, the supervisor will brief the Watch Lieutenant. If no Watch Lieutenant is available, the Investigations Division Commander will be contacted. In the unlikely event, a Watch Commander or Investigations Division Commander is not available, the affected Division Commander, as well as the on-call Detective Sergeant will be contacted. Prior to an Abduction Alert being activated, the Investigations Division Commander or his/her designee will be consulted to determine when the alert should be activated in coordination with other Bureaus. At the very least, a local broadcast should be initiated to affected law enforcement agencies in the Kern County area pending the activation of an Abduction Alert.

The Investigations Division Commander or his/her designee will determine if a detective response is needed. If determined that a detective response is needed, the Investigations Division Commander will assume command of the investigative activities. A Detective Sergeant will be assigned to lead the investigation. The Detective Sergeant in charge of the investigation will assign sufficient detectives and resources to the investigation. The Detective Sergeant will assign duties to personnel on the investigative team as the situation dictates and ensure the incident is investigated following current, accepted policy and investigative procedures. The Detective Sergeant will coordinate with the field supervisor on who is responsible for writing reports.

The Investigations Division Commander will determine if there is a need to activate the Sheriff's

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Office Operations Center and or phone banks. The Investigations Division Commander will then determine the level of staffing needed based on the circumstances known at that time.

The Alert will utilize the Emergency Alert System (EAS), the Emergency Digital Information System (EDIS), Kern County Broadcasters Association, Kern Alert, Technology to Recover Abducted Kids (TRAK), Cal Trans signage, notifications of local law enforcement agencies, and the e-mail news release system.

Prior to information being disseminated to the public, a Public Information Officer must be identified with a contact phone number available. Case sensitive information should not be made available for public dissemination.

To activate the EAS for an Abduction Alert, the incident supervisor will ensure that the Communications Center Supervisor is contacted and provided with the descriptive information regarding the incident, victim, suspect, suspect vehicle, our agency, and agency phone number. The Communications Center Supervisor will immediately contact the Fire Emergency Communications Center Supervisor and request a Child Abduction Alert be immediately accomplished utilizing local EAS. The Fire Emergency Communications Center will activate an alert, which will be transmitted to media outlets and local OES contacts simultaneously.

If Kern County OES is unavailable, contact KUZZ AM/FM radio as a back up system.

When using KUZZ, it will be audible. Use the following format; “This is (your name and title) or (organization). I request that the Emergency Alert System be activated because of a (give information on the alert).”

In your general information include a short description of the case, the victim’s information, any suspect information, vehicle information, location last seen, time element, a phone number to call, and a contact name. The message must be limited to one minute. DO NOT include any confidential or case sensitive information.

To send an EDIS message via CLETS, the incident supervisor will ensure the following steps are taken as soon as possible:

- Contact the Records Section Teletype operator or on duty clerk (24 hours) to send a CLETS Be-On-The-Look-Out (BOLO) administrative message via CLETS. The clerk will ensure that the message is transmitted without delay. The message will be directed to Group Code 4500 (AMBER Alert Users Group). The first line of the text will read, EDIS FLASH, followed by “CHILD ABDUCTION ALERT”. The message of the text should contain a brief description of the incident and all available physical descriptions of the victim, suspect and vehicle, along with our agency name, contact name, and phone number. Text entered after the key phrase EDIS FLASH

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will automatically be forwarded to designated media outlets exactly as it was entered via CLETS and to all law enforcement agencies statewide.

- In addition, a BOLO Administrative Message via CLETS should continue to be transmitted in the prescribed format to initiate a regional law enforcement response to reported missing person cases, pursuant to Penal Code section 14205(a).
- The Kern County Broadcasters Association will be contacted to ensure local media is contacted. To activate the KCBA, call 661-328-6737. This is an answering service. The information given at this time will be sent via message pages to the media associated with KCBA.
- Kern Alert will be activated by the Sheriff's Communications Center. This will make notification to personnel and agencies not necessarily related to law enforcement but could be of assistance in the investigation.
- The Communications Supervisor will ensure that all local law enforcement agencies are contacted to accomplish an immediate local broadcast in compliance with Penal Code 14205(a), per current protocol.
- The Commander or ranking investigator will, if needed, request a Cal Trans signage alert for the Child Abduction by contacting the California Highway Patrol locally or through ENTAC 916-421-2921.
- The Communications Supervisor will make notifications to the affected Division Commander, the Field Operations Chief Deputy, Undersheriff, and the Sheriff.

The TRAK is a fax-based system that the Sheriff's Office has joined to allow us to send and receive faxes of photographs and information from other law enforcement agencies across the nation. The TRAK system is located at Sheriff's Headquarters in the Crime Analysis Unit. If a TRAK is needed during normal business hours the Crime Analysis Unit can be contacted to develop the flyer and make a local, state, or nationwide distribution to the TRAK subscribers. If TRAK is needed other than normal business hours the Crime Analyst may be contacted to respond to Headquarters to assist. If the Crime Analyst is not available the Crime Analysis Data Entry Operator may be contacted to respond.

As timely as possible, with the Investigations Division Commander's approval, the incident supervisor will cause to be sent an email news release with the previously described information. This email is sent to the local media only.

DIRECTIVE B CANCELLATION OF AN AMBER ALERT

Any updates or cancellations of an AMBER Alert should be sent to all affected agencies in a timely fashion. Transmit the appropriate information via CLETS in the form of an EDIS FLASH, using the same format as originally specified. The cancellation of an Amber Alert will be approved by the Investigations Division Commander or his/her designee.

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DIRECTIVE C RECEIPT OF AN AMBER ALERT NOTIFICATION

Upon receipt of an AMBER Alert from another agency, the Communications Center will ensure a broadcast is immediately issued. Existing protocol for the distribution of the broadcast will be followed. However, copies of the Alert will be sent to the Investigations Division Commander, SAAIU Sergeant, and any individual Division Commander that the Communications Center Supervisor deems necessary.

If the Teletype Operator from the Records Section receives an Alert, the Communications Center will be immediately be notified by telephone, and if needed, the information will be forwarded to the Communications Center Supervisor. Copies of the Teletype will be sent to the Investigations Division Commander, SAAIU Sergeant, and any other affected Division Commander as deemed necessary.

DIRECTIVE D REQUEST TO ACTIVATE EAS BY ALLIED AGENCY

In the event that another law enforcement agency in Kern County contacts the Communications Center Supervisor to request an AMBER Alert EAS broadcast, the Supervisor will take the information from the agency and immediately have the Fire Department-OES activate the EAS for the local area.

The supervisor will make courtesy notification to the on-duty Watch Lieutenant and also make notification to the Investigations Division Commander.

In the event that the Fire-OES in unable to activate the EAS, the agency will be referred to the secondary EAS which is KUZZ radio.

CONCLUSION

It is the intent of the Kern County Sheriff’s Office to provide a rapid response to the most serious child abductions and to safely recover the victims and apprehend criminal suspects. The assistance of allied agencies, the media, and the public is vital to this goal. It should be noted that the public is being requested to call 911 or another designated number to report information, and in no way, is the public being asked to take any law enforcement action.

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EFFECTIVE: May 5, 2003	REVIEWED: 10/20/20	REVISED: 03/01/07	UPDATED: 10/20/20
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Kern County Sheriff's Office

Policies and Procedures

TITLE: READY KERN		NO: H-1510	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: 01/20/2023	REVIEWED: 01/20/2023	REVISED: 01/20/2023	UPDATED: 01/20/2023

POLICY:

It is the policy of the Kern County Sheriff's Office (KCSO) to inform the public whenever possible of immediate and serious threats to public safety. This includes, but is not limited to, fires, floods, earthquakes, criminal activity, or where known persons may be at risk of serious harm. The Ready Kern notification system is recognized as an available means by which public notification can occur quickly and efficiently. Ready Kern is essentially a "reverse 911" system, which alerts the public via text messages and phone calls with a pre-recorded message. The only members of the public who receive these Ready Kern notifications are those who have voluntarily registered with the system or those listed in the white pages and/or yellow pages. Activations between the hours of 2200 and 0700 require a Watch Lieutenant's or affected Division Commander's approval.

As used in this section, the word "**alert**" shall have the following meaning: A communication intended to draw the attention of recipients to some previously unexpected or unknown condition or event.

As used in the section, the word "**warning**" shall have the following meaning: A communication that encourages recipients to take immediate protective actions appropriate to an emergent hazard or threat.

Examples of conditions which may necessitate issuance of an alert or warning message via Ready Kern by KCSO include but are not limited to:

- Disaster scenarios
- Hazardous materials spills/incidents
- Wildland Fire
- Flooding
- Active shooter
- Barricaded violent suspect
- Escaped inmate
- At-risk missing person or kidnapping
- Any other emergency incident where mass public communication is deemed necessary

The following questions shall be answered before determining if an incident should be issued an alert or warning notification via Ready Kern:

- Is there an immediate danger to life or property? What are the potential impacts?
- Are there environmental considerations?
- What specific community/neighborhood does this message impact?
- What is the best way to push this information out?
- What time of day, how much reaction time for the public is there?
- What actions need to be taken by the public?
- Has an evacuation center/shelter location been established?

Ready Kern notifications must contain the following components:

- Identify the Agency issuing the alert or warning
- Description of threat, including its name (wildfire, flood, active shooter, etc.)
- Notification status (initial, update)
- Guidance for protective action (evacuation warning/order or shelter-in-place)
- Geographic area that is affected
- Location of evacuation areas
- Future information source (always include www.readykern.com and/or www.211kerncounty.org)

PROCEDURE A – PROCESSING READY KERN REQUESTS

Requests for Ready Kern may be made only by the rank of Lieutenant or higher or an allied agency watch commander.

Ready Kern activation requests will be initially reviewed by the Communications Center supervisor. The Communications Center supervisor will confirm the request is in accordance with the intent of this policy and gather all necessary information as it relates to the specific incident before causing a Ready Kern activation.

Every effort will be made for all notifications to be completed in both English and Spanish, text and voice formats. In the event there is not a certified bi-lingual Communications Center employee on duty to translate the Ready Kern notification into Spanish, the Ready Kern notification will begin with, “*Este es un mensaje de emergencia. Para Espanol, llame a 2-1-1. Gracias.*” This sentence will direct Spanish speakers to call 2-1-1 for more information.

The Communications Center supervisor will ensure local agencies in the area are notified of the activation.

The Communications Center supervisor will include the 2-1-1 Kern County Broadcast Copy from the contacts group list in each activation, as well as all 4 publishing channels.

DIRECTIVE A - ASSISTING OTHER DEPARTMENTS:

Only the Office of Emergency Services (OES), the Emergency Communication Center (ECC), the Kern County Public Health Department (KCPHD), and the KCSO can activate Ready Kern. If an allied agency requests the KCSO to issue a Ready Kern notification, the Communications Center supervisor will determine if there is sufficient staff to complete the request. The Communications Center supervisor will make every effort to assist allied agencies. If staffing is sufficient, the Communications Center supervisor will confirm the request meets the criteria pursuant to this policy and request approval from the Watch Lieutenant or the affected Division Commander prior to completing the allied agency's request.

PROCEDURE B - MISSING PERSONS:

The KCSO recognizes that a timely and proper response to the search of missing persons who are deemed at risk is imperative. However, Ready Kern should generally only be used in missing persons investigations when the following criteria has been met:

- Law enforcement confirms a child (17 years of age or younger) has been abducted or a reported mental or physical handicapped person has been abducted, regardless of age.
- Law enforcement believes the circumstances surrounding the abduction indicate that the victim is in imminent danger of serious bodily injury or death. Absent unusual conditions, parental or family abductions will not fit the criteria without indication of imminent danger.
- There must be enough descriptive information about the victim, abductor, and suspect's vehicle to believe an immediate broadcast alert to the public will assist in the safe recovery of the victim.

When appropriate, other investigative tools such as Nixle, the Nextdoor application, and Search and Rescue should be used as outlined in DPPM H-800 (Missing Persons – Reporting).

PROCEDURE C - CANCELING READY KERN:

When canceling a Ready Kern activation, the Communications Center supervisor must take into consideration the magnitude of the event and the time of day. For any event that would likely impact the public mind-set (impending flood, fires, evacuations, etc.), the Communications Center supervisor will keep the public within the affected geographic location updated with significant new information or cancellations at any time of the day. If the issue has a lessor impact (e.g.: missing person) on the general public, then updates and cancellations can wait, and the Communications Center supervisor will hold the cancelation during the hours of 2200 to 0700.

PROCEDURE D - EVACUATION REQUESTS

Evacuation requests through the KCSO, the ECC or the Emergency Operations Center (EOC) for a mass evacuation require the Communications Center supervisor to confirm the borders of the evacuation area, designated evacuation routes, and the type of evacuation being requested.

Alerts and warnings issued by KCSO via Ready Kern will use the following California Standard Statewide Evacuation Terminology:

- **Evacuation Order:** Immediate threat to life. This is a lawful order to leave now. The area is lawfully closed to public access. (Note: **There are no mandatory evacuations in Kern County and the public will never be advised a mandatory evacuation is in effect.**)
- **Evacuation Warning:** Potential threat to life and/or property. Those who require additional time to evacuate, and those with pets and livestock should leave now.
- **Shelter in Place:** Go indoors, shut and lock doors and windows. Prepare to self-sustain until further notice.
- **Evacuation Order(s) lifted:** The formal announcement of lifting evacuations in an area currently under evacuation.
- **Hard Closure:** Closed to all traffic except fire and law enforcement.
- **Soft Closure:** Closed to all traffic except fire, law enforcement, and critical incident resources (utility, CalTrans, City/County Roads, or those needed to repair or restore infrastructures).
- **Resident only closure:** Soft closure with additional allowance of residents and local government agencies assisting with response and recovery.



Kern County Sheriff's Office

Policies and Procedures

TITLE: MULTI-AGENCY RADIO PATCHING		NO: H-1600	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: May 1, 2003	REVIEWED: 10/20/2020	REVISED: 00/00/00	UPDATED: 10/20/2020

POLICY

Occasionally the need arises for multi-agency radio patching (the linking of different radio frequencies through the “patch” function of the dispatch console). For the purpose of better facilitating multi-agency radio communications in the event of a major incident, the Sheriff’s Office policy is to use all available technology to ensure the best possible communications link. Any time a radio patch is initiated, the agency requesting the patch will handle the radio communications throughout the duration of the incident unless otherwise requested.

No changes in this policy and procedure will be made without consulting allied agencies involved.

Circumstances which would warrant a multi-agency patch would include, but are not limited to:

- joint agency operations;
- probation/parole searches;
- major events (search and rescue, officer involved shootings, multi-agency SWAT operations, etc.);
- natural disasters.

PROCEDURE A: Sheriff’s Office Initiated Patch

Should the need for a radio patch arise, the officer wishing the patch will:

- Notify a field supervisor, who will contact the on-duty Watch Lieutenant or affected Division Commander, to determine if the incident warrants a multi-agency patch.

If the incident does, in fact, warrant a multi-agency patch the on-duty Watch Lieutenant will:

- Have the Communications Center Supervisor call the on-duty Communications Supervisor of the desired agency and request a radio patch.

Directive A-1:

Under no circumstances will officers directly contact the communications center for a multi-agency patch without first seeking the approval of a supervisor, and all requests for radio patching will be initiated at the discretion of the on-duty Watch Lieutenant or affected Division Commander.

Procedure B: Allied Agency Initiated Patch

If an allied agency should request a radio patch with our agency, the Communications Center Supervisor will:

- Immediately notify the on-duty Watch Lieutenant or affected Division Commander that a request for a patch has been made.
- Once approved, the Watch Lieutenant will make a determination as to the number of units necessary to assist with the incident and advise the Communications Center Supervisor.
- Once the patch is completed the Communications Center will issue a “single tone alert” and direct the necessary units to appropriate Sheriff’s frequency for a multi-agency patch.

Directive B-1

Once the patch has been approved and completed, officers will be directed to the appropriate Sheriff’s frequency where they will identify themselves by call-sign and communicate in “clear-text” throughout the duration of the incident. This will help eliminate confusion, as many agencies use agency-specific codes, which may not be understood by other agency employees.

H-1600-2

EFFECTIVE: May 1, 2003	REVIEWED: 10/20/2020	REVISED: 00/00/00	UPDATED: 10/20/2020
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Kern County Sheriff's Office
Policies and Procedures

TITLE: RESPONSE TO BARKING DOG COMPLAINTS		NO: H-1700	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: April 12, 2004	REVIEWED: 10/22/2020	REVISED: 04/13/2004	UPDATED: 1/19/2018

POLICY

It is the policy of the Kern County Sheriff's Office to utilize a progressive approach in the enforcement of the animal nuisance ordinance. Such enforcement shall include an educational warning on the first response to allow an owner or responsible party the opportunity to resolve the nuisance issue. Subsequent violations within a twelve-month period will result in the responsible party being issued a written citation to appear in court. The first such citation issued will be an infraction; the second citation issued will be a misdemeanor. (Reference K.C. Ordinance Code 7.08.380).

DIRECTIVE 1

The Sheriff's Office will respond to nuisance/barking dog calls for service during all hours in which an Animal Control Officer is not on duty. This will be a low priority call. If an Animal Control Officer is on duty, the complaint will be referred to Animal Control to respond.

DIRECTIVE 2

In cases of blatant negligence on the part of the responsible party/owner, this policy does not negate the authority of the responding deputy to issue an infraction citation on a first response to a complaint as provided by Ordinance Code 7.08.380.

DIRECTIVE 3

The responding deputy will not make or take a physical arrest based solely on a violation of the Kern County Ordinance Code. (Reference K.C. Ordinance Code 1.12.010).

PROCEDURE A – RESPONSE

Upon receiving an animal nuisance complaint, the Sheriff's Dispatcher will:

- Call up location incident information in CAD.
- Dispatch a deputy to respond.
- Advise the deputy of any prior responses to barking dog complaints at the address occurring in the preceding twelve-month period and any prior action taken, i.e.; warning; infraction citation issued; misdemeanor citation issued.
- Enter information provided by the deputy at the conclusion of the incident into the CAD system.

The assigned deputy will:

- Make contact with the responsible party and administer one of the following actions:
 - **First Response** - The deputy will determine the cause of the nuisance and advise the owner/responsible party of Ordinance Code 7.08.380, and warn of further action in the event of subsequent complaints.
 - **Second Response** – Upon a second response to an animal nuisance complaint within a twelve-month period, the deputy will issue an infraction citation to the owner/responsible party for an offense occurring in the deputy’s presence.
 - **Third Response** – Upon a third response to an animal nuisance complaint within a twelve-month period, the deputy will issue a misdemeanor citation to the owner/responsible party for an offense occurring in the deputy’s presence.
- Advise the dispatcher of the following information for entry into CAD:
 - Address;
 - Name of Owner/Responsible party;
 - Type of action taken: verbal warning, infraction citation, misdemeanor citation.
- If a responsible party cannot be located, the address and call information will be logged by the dispatcher and forwarded to Animal Control for follow-up.

H-1700-2

EFFECTIVE: April 12, 2004	REVIEWED: 10/22/2020	REVISED: 04/13/2004	UPDATED: 1/19/2018
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Kern County Sheriff's Office
Policies and Procedures

TITLE: ANIMAL SNARE POLES		NO: H-1710	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: September 1, 2004	REVIEWED: 10/22/2020	REVISED: 00/00/00	UPDATED: 1/19/2018

POLICY

The Kern County Sheriff's Office recognizes that circumstances exist in which law enforcement officers respond to locations where they must deal with unconfined vicious animals or dangerous reptiles. In some of these situations, the vicious animal or reptile may pose a significant threat to the deputy or the public. The use of an animal snare pole may become necessary to prevent an animal from attacking a person or other animals. In vicious animal situations, an animal snare pole deployed by a trained, qualified deputy could be beneficial in defending the officer, as well as the public.

In order to meet these needs, the Kern County Sheriff's Office authorizes specified deputies to carry and utilize the animal snare pole. These deputies must first successfully complete a Sheriff's Office approved training course and receive approval from their division commander to carry a snare pole.

This section is not intended to restrict DPPM F-700-2; regarding the use of firearms in killing animals that are seriously injured or pose a real threat to the safety of humans when no other disposition is practical and safety of people has been given prime consideration.

GENERAL PROVISIONS

Animal snare poles authorized by the Sheriff's Office are:

- All poles must be a five-foot-fixed length, have a main body constructed of aluminum or stainless steel, have an automatic-cable-locking mechanism, a quick-release knob, a swivel head, a braided-wire-rope cable, and hand grips.
- Replacement cables and replacement parts must meet or exceed the original equipment manufacture specifications for the five-foot-fixed pole or can be replaced with an original equipment manufacturer's cable made for the four-to-six-foot extension pole.

Authorized snare poles may be issued by the Sheriff's Office or privately owned by the deputy who is authorized to carry a snare pole.

- Privately owned snare poles must be inspected and approved by the deputy's division commander or designee.
- The Sheriff's Office assumes no liability for repairs made to, maintenance of, damage to, or loss of privately-owned snare poles.

PROCEDURE

Any deputy who carries an animal snare pole, whether issued or privately owned, will complete an inspection of the snare pole after each deployment.

- Inspect the operation and condition of the snare pole;
 - If the snare pole is dirty or damaged the deputy will perform the necessary maintenance on the snare pole prior to putting it back into service.
 - The deputy will inspect the cable for bends, kinks, frays, or damage that would cause the pole to malfunction.
 - If the snare pole is unserviceable, the pole will be taken out of service immediately. If the snare pole is an issued snare pole, the deputy will report the condition to his division commander or designee and take the steps necessary to have the pole repaired. If the pole is privately owned, the deputy will have the necessary repairs made prior to putting it back into service.

Any deputy who carries a snare pole issued by the Sheriff's Office will take steps to ensure the pole is secured when not in use by keeping it in a locked patrol vehicle or in the locked trunk of a patrol vehicle. The deputy will also ensure the security of the snare pole when they are off duty by storing it in a Sheriff's Office facility, a locked patrol vehicle, or other locked and secured location.

DIRECTIVE

A deputy may not carry an animal snare pole unless:

- The deputy's division commander or designee has so authorized;
- The deputy has successfully completed the Basic Animal Handling and Capture Course;
- The deputy has had the pole inspected by his division commander or designee.

H-1710-2

EFFECTIVE: September 1, 2004	REVIEWED: 10/22/2020	REVISED: 00/00/00	UPDATED: 1/19/2018
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Kern County Sheriff's Office
Policies and Procedures

TITLE: SOCIAL HOST LIABILITY ORDINANCE		NO: H-1800	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: September 21, 2007	REVIEWED: 10/22/2020	REVISED: 00/00/00	UPDATED: 09/14/2018

DPPH J- & C.O 9.34.10
 Administrative Citation

POLICY

It is the policy of the Kern County Sheriff's Office to utilize the provisions of County Ordinance **C.O. 9.34** Social Host Liability to preserve the peace in County neighborhoods. The Kern County Board of Supervisors added County Ordinance **9.34 Social Host Liability** to provide officers the authority to cite responsible person(s) who actively and passively aid, allow, or tolerate loud and unruly gatherings where there is underage drinking.

County Ordinance 9.34. is an Administrative Ordinance. Administrative Ordinances are **non-criminal** and violators are only subject to civil money penalties. A person cannot be arrested for violation of an Administrative Ordinance. However, the issuance of the administrative citation does not prevent the arrest or the issuance of a criminal citation for any other violations of the law.

DIRECTIVE:

In order to ensure uniform application and enforcement deputies will use the following guidelines to investigate and process citations.

PROCEDURE A – Investigation of Violation of C.O 9.34

Sheriff's deputies may issue an administrative citation, when appropriate, to any person or persons determined to be responsible person within the meaning of the Ordinance. It is not necessary for the event leading to the issuance of the citation to have occurred in the presence of a deputy sheriff. An administrative citation must be issued within 30 days from the date of the violation. The deputy investigating a violation of C.O 9.34 will:

- Establish the presence of underage persons.
- Establish that the event was a “loud and unruly gathering within the meaning of County Ordinance 9.34.020.
- Establish that alcoholic beverages were served to, or consumed by, underage persons at the social gathering.

- Determine who are responsible persons as defined in County Ordinance section 9.34.020.
- Establish that the responsible person or persons had knowledge or should have had knowledge of the underage consumption of alcoholic beverages at the social gathering.
- If the person or persons in control of the premises are a tenant or lessee establish if the landlord had prior notice of the underage gathering.
- Obtain statements from suspects and witnesses along with photos of the crime scene.

PROCEDURE B - Instruction for completing the Sheriff Office Administrative Citation

The administrative citation shall contain the following information:

- Enter the date, time and day of the week of the violation;
- Enter the case number;
- Enter violator’s personal information, along with their driver’s license or identification card number;
- Enter violators address, city, state, and zip code;
- If violator is a juvenile enter parents name, address and phone number;
- Enter the address or a description of the geographic location where the violation occurred;
- The signature of the violator;
- The name of the officer issuing the citation along with his department identification number and the date of issuance of the citation.

PROCEDURE C – Service of the Administrative Citation

A deputy may obtain the signature of the responsible party on the administrative citation to establish personal service of the citation. A person is not subject to arrest for refusal to sign administrative citation. If the violator is not located, refuses or otherwise does not sign the administrative citation, the lack of signature shall in no way affect the validity of the citation and proceedings. The issuing deputy shall make service of the citation as follows:

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EFFECTIVE: September 21, 2007	REVIEWED: 10/22/2020	REVISED: 00/00/00	UPDATED: 09/14/2018
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- Service of an administrative citation may be made upon the responsible party either by personal delivery or by first class mail postage prepaid, return receipt requested, and shall be deemed completed when it is served to the address of record for the responsible party.
 - If a responsible person refuses to sign and administrative citation, the issuing deputy will write, “REFUSED” in the signature box where the responsible person would have signed.
- In lieu of personally serving the responsible party by personal delivery or first-class mail, service of the administrative citation may be made by substituted service, and may be accomplished as follows:
 - By leaving a copy during usual business hours with the person who is apparently in charge at the recipient's place of business, and by thereafter mailing by first class mail a copy to the recipient at the address where the copy was left, or
 - By leaving a copy at the recipient's dwelling or usual place of abode, in the presence of a competent member of the household, and thereafter mailing by first class mail a copy to the recipient at the address where the copy was left; or
 - In the event the responsible party cannot be served by first class mail or cannot be personally served and has a property manager or rental agency overseeing the premises, substituted service may be made upon the property manager or rental agency; or
 - Substitute service may be affected by posting the property with the administrative citation and mailing a copy of the citation by first class mail to the responsible party in violation at the address of the property where the violation exists; or
 - If the responsible party in violation or other person entitled to service cannot be located or service cannot be affected as set forth in this section, service may be made by publication once in a newspaper of general circulation.
- Service by first class mail postage prepaid in the manner provided in this section shall be effective on the date of mailing.

PROCEDURE D – Crime & Incident Report

After issuing a citation the deputy will complete a crime and incident report (C&I).

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EFFECTIVE: September 21, 2007	REVIEWED: 10/22/2020	REVISED: 00/00/00	UPDATED: 09/14/2018
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- The C&I will be assigned separate from any other criminal incident arising from the same occurrence.
- The C&I will be coded as C.O 9.34, Social Host Liability
- Document the facts of the offense. The elements must be established independently of any other reports written or those other reports may be subject to discovery.
- The C&I will be marked for **Crime Analysis** (CAU) for tracking purposes.
- If the violator is a juvenile or underage person mark the juvenile probation box, at the bottom of the C&I, for additional copy distribution.
- The C&I will be attached to the citation and submitted for review and approval.

PROCEDURE E – Copy Distribution of Administrative Citation

The copy distribution for the Administrative Citation is as follows:

WHITE..... Processing Agency Copy

CANARY..... Violator Copy

(Attach white copy of citation to C&I report)

PROCEDURE F – Supervisor Review

Completed citation along with Crime and Incident Report will be reviewed by a supervisor (or their designee) for completeness and elements of the violation prior to submission for processing and routing.

PROCEDURE G – Routing of Citation and Report

Clerical staff will make copies of the original citation and file them with the original crime report. The original citation will be routed to the County of Kern, c/o Citation Processing Center, P.O. Box 7275, Newport Beach, CA. 92658. The original crime report and a copy of the citation will be processed and filed with the records division. Documents supporting other than personal service (i.e., certified mail documents) will be filed with the case file in Records.

PROCEDURE H – Appeal of Administrative Citation

Any person disputing the issuance of an administrative citation may contest the citation by completing a request for hearing form and returning it to the address stated on the form within fifteen (15) days from the date of issuance of the administrative citation, together with an advance deposit of the full amount of the penalty. Applications for request for a hearing will be

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available on the Sheriff's Office website, at all Sheriff's Substations, and attached to this policy as Attachment-A.

- The "Request for Appeal for Administrative Citation" form will be completed and sent to the County of Kern c/o Citation Processing Center, P.O. Box 7275, Newport Beach, California 92658.
- The time requirement for filing a request for hearing form will not be waived
- Within ten (10) days of the conclusion of the hearing, the hearing officer shall provide the responsible party with a written decision ("administrative order"). The administrative order shall contain the hearing officer's finding of facts or conclusions and a statement regarding the procedure for appeal to the Board of Supervisors. Decisions in favor of the responsible party shall constitute a dismissal of the administrative penalty. Should the hearing officer render a decision in favor of Kern County, the responsible party must comply with the administrative order, including payment of any administrative penalty, or seek appeal through the Board of Supervisors.

The Citation Processing Center will coordinate with the Sheriff's Office Subpoena Coordinator to schedule a hearing date and time at the County Public Services Building, 2700 "M" Street. A certified impartial hearing officer for the appeals hearing will be provided by the Citation Processing Center, through the County of Kern.

A responsible party who is subject to an administrative order issued by a hearing officer may contest the administrative order by filing an appeal with the Clerk of the Board of Supervisors within fifteen (15) days from service of the administrative order.

- The decision of the hearing officer may be considered "de novo" (a second time) by the Board of Supervisors. The Board of Supervisors may reverse, affirm wholly or partly, or modify the administrative order. The determination of the Board of Supervisors on any such appeal shall be final. Notice of the final decision shall be served by certified or registered mail on the affected person(s).
- Pursuant to Section 1085 of the Code of Civil Procedure, any person who has been named in an order issued pursuant to an administrative order may seek judicial review of the order by filing a petition for writ of mandate with the superior court within ninety (90) days after the order becomes final.

PROCEDURE I – Application for Waiver of County Fees

Any person who intends to request a hearing and is financially unable to make the advance deposit as required, may file a request for an advance deposit hardship waiver.

- Applications for Hardship Waiver of fees will be available on the Sheriff's Office website, at all Sheriff's Stations, and attached to this policy as Attachment-B.

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- The hardship waiver request shall be filed with the County of Kern, c/o Citation Processing Center, P.O. Box 7275, Newport Beach, CA 92658 within ten (10) days of the date of the issuance of the citation.
- The hardship waiver will be reviewed, and a determination made in a timely manner.
- If the waiver is denied, the person shall remit the deposit to the County of Kern c/o Citation Processing Center, P.O. Box 7275, Newport Beach, CA 92658, within ten (10) days of the date of the decision or thirty (30) days from the date of issuance of the administrative citation, whichever is later.
- The written decision of the waiver shall be mailed to the person who applied for the advance deposit hardship waiver at the address provided in the application.

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Kern County Sheriff's Office
Policies and Procedures

TITLE: FOOT PURSUITS		NO: H-1900	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: June 29, 2020	REVIEWED: 06/29/2020	REVISED: 06/29/2020	UPDATED: 06/29/2020

PURPOSE

This policy provides guidelines to assist deputies in making the decision to initiate or continue the pursuit of suspects on foot.

POLICY

It is the policy of the Kern County Sheriff's Office that deputies, when deciding to initiate or continue a foot pursuit, continuously balance the objective of apprehending the suspect with the risk and potential for injury to Sheriff's Office members, the public or the suspect.

Deputies are expected to act reasonably, based on the totality of the circumstances.

DECISION TO PURSUE

The safety of Sheriff's Office members and the public should be the primary consideration when determining whether a foot pursuit should be initiated or continued. Deputies must be mindful that immediate apprehension of a suspect is rarely more important than the safety of the public and Sheriff's Office members.

Deputies may be justified in initiating a foot pursuit of any individual the deputy reasonably believes is about to engage in, is engaging in or has engaged in criminal activity. The decision to initiate or continue such a foot pursuit, however, must be continuously re-evaluated in light of the circumstances presented at the time.

Mere flight by a person who is not suspected of criminal activity shall not serve as justification for engaging in an extended foot pursuit without the development of reasonable suspicion regarding the individual's involvement in criminal activity or being wanted by law enforcement.

Deciding to initiate or continue a foot pursuit is a decision a deputy must make quickly and under unpredictable and dynamic circumstances. It is recognized that foot pursuits may place Sheriff's Office members and the public at significant risk. Therefore, no deputy or supervisor shall be criticized or disciplined for deciding not to engage in a foot pursuit because of the perceived risk involved.

If circumstances permit, surveillance and containment are generally the safest tactics for apprehending fleeing persons. In deciding whether to initiate or continue a foot pursuit, a deputy should continuously consider reasonable alternatives to a foot pursuit based upon the circumstances and resources available, such as:

- Containment of the area.
- Saturation of the area with law enforcement personnel, including assistance from other agencies.
- A canine search.
- Thermal imaging or other sensing technology.
- Air support.
- Apprehension at another time when the identity of the suspect is known or there is information available that would likely allow for later apprehension, and the need to immediately apprehend the suspect does not reasonably appear to outweigh the risk of continuing the foot pursuit.

GENERAL GUIDELINES

When reasonably practicable, deputies should consider alternatives to engaging in or continuing a foot pursuit when:

- Directed by a supervisor to terminate the foot pursuit; such an order shall be considered mandatory
- The deputy is acting alone.
- Two or more deputies become separated, lose visual contact with one another, or obstacles separate them to the degree that they cannot immediately assist each other should a confrontation take place. In such circumstances, it is generally recommended that a single deputy keep the suspect in sight from a safe distance and coordinate the containment effort.
- The deputy is unsure of his/her location and direction of travel.
- The deputy is pursuing multiple suspects and it is not reasonable to believe that the deputy would be able to control the suspect(s) should a confrontation occur.
- The physical condition of the deputy renders him/her incapable of controlling the suspect if apprehended.
- The deputy loses radio contact with the dispatcher or with assisting or backup deputies.
- The suspect enters a building, structure, confined space, isolated area or dense or difficult terrain, and there are insufficient deputies to provide backup and containment. The primary deputy should consider discontinuing the foot pursuit and coordinating containment pending the arrival of sufficient resources.

EFFECTIVE: June 29, 2020	REVIEWED: 06/29/2020	REVISED: 06/29/2020	UPDATED: 06/29/2020
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- The deputy becomes aware of unanticipated or unforeseen circumstances that unreasonably increase the risk to deputies or the public.
- The deputy reasonably believes that the danger to the pursuing deputies or public outweighs the objective of immediate apprehension.
- The deputy loses possession of his/her firearm or other essential equipment.
- The deputy or a third party is injured during the pursuit, requiring immediate assistance, and there are no other emergency personnel available to render assistance.
- The suspect's location is no longer definitely known.
- The identity of the suspect is established, or other information exists that will allow for the suspect's apprehension at a later time, and it reasonably appears that there is no immediate threat to Sheriff's Office members or the public if the suspect is not immediately apprehended.
- The deputy's ability to safely continue the pursuit is impaired by inclement weather, darkness or other environmental conditions.

RESPONSIBILITIES IN FOOT PURSUITS

INITIATING DEPUTY RESPONSIBILITIES

Unless relieved by another deputy or a supervisor, the initiating deputy shall be responsible for coordinating the progress of the pursuit. When acting alone and when practicable, the initiating deputy should not attempt to overtake and confront the suspect but should attempt to keep the suspect in sight until sufficient deputies are present to safely apprehend the suspect.

Early communication of available information from the involved deputies is essential so adequate resources can be coordinated and deployed to bring a foot pursuit to a safe conclusion. Deputies initiating a foot pursuit should, at a minimum, broadcast the following information as soon as it becomes practicable and available:

- Location and direction of travel
- Call sign identifier
- Reason for the foot pursuit, such as the crime classification
- Number of suspects and description, to include name if known
- Whether the suspect is known or believed to be armed with a dangerous weapon

Deputies should be mindful radio transmissions made while running may be difficult to understand and may need to be repeated.

EFFECTIVE: June 29, 2020	REVIEWED: 06/29/2020	REVISED: 06/29/2020	UPDATED: 06/29/2020
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Absent extenuating circumstances, any deputy unable to promptly and effectively broadcast this information should terminate the foot pursuit. If the foot pursuit is discontinued for any reason, immediate efforts for containment should be established and alternatives considered based upon the circumstances and available resources.

When a foot pursuit terminates, the deputy will notify the dispatcher of his/her location and the status of the pursuit termination (e.g., suspect in custody, lost sight of suspect), and will direct further actions as reasonably appear necessary, to include requesting medical aid as needed for deputies, suspects or members of the public.

ASSISTING DEPUTY RESPONSIBILITIES

Whenever any deputy announces that he/she is engaged in a foot pursuit, all other deputies should minimize non-essential radio traffic to permit the involved deputy's maximum access to the radio frequency. Assisting deputies shall change to an alternate channel, if possible, to put themselves enroute to location of the foot pursuit.

SUPERVISOR RESPONSIBILITIES

Upon becoming aware of a foot pursuit, the supervisor shall make every reasonable effort to ascertain sufficient information to direct responding resources and to take command, control and coordination of the foot pursuit. The supervisor should respond to the area whenever possible; the supervisor does not, however, need to be physically present to exercise control over the foot pursuit. The supervisor shall continuously assess the situation in order to ensure the foot pursuit is conducted within established Sheriff's Office guidelines.

The supervisor shall terminate the foot pursuit when the danger to pursuing deputies or the public appears to unreasonably outweigh the objective of immediate apprehension of the suspect.

Upon apprehension of the suspect, the supervisor shall promptly proceed to the termination point to direct the post-foot pursuit activity.

THE COMMUNICATIONS CENTER RESPONSIBILITIES

Upon notification or becoming aware that a foot pursuit is in progress, the dispatcher is responsible for:

- Clearing the radio channel of non-emergency traffic.
- Coordinating pursuit communications of the involved deputies.
- Broadcasting pursuit updates as well as other pertinent information as necessary.

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- Ensuring that a field supervisor is notified of the foot pursuit.
- Notifying and coordinating with other involved or affected agencies as practicable.
- Notifying the Watch Lieutenant as soon as practicable.
- Assigning an incident number and logging all pursuit activities.

REPORTING REQUIREMENTS

The initiating deputy shall complete appropriate crime/arrest reports documenting, at minimum:

- Date and time of the foot pursuit.
- Initial reason and circumstances surrounding the foot pursuit.
- Course and approximate distance of the foot pursuit.
- Alleged offenses.
- Involved vehicles and deputies.
- Whether a suspect was apprehended as well as the means and methods used.
 - Any use of force shall be reported and documented in compliance with DPPM F-200 Use of Force - Reporting.
- Arrestee information, if applicable.
- Any injuries and/or medical treatment for deputies, public, and/or the suspect.
- Any property or equipment damage.
- Name of the supervisor at the scene or who handled the incident.

Assisting deputies taking an active role in the apprehension of the suspect shall complete supplemental reports as necessary or as directed.

The supervisor reviewing the report will make a preliminary determination that the pursuit appears to be in compliance with this policy or that additional review and/or follow-up is warranted.

In any case in which a suspect is not apprehended and there is insufficient information to support further investigation, a supervisor may authorize that the initiating deputy need not complete a formal report.

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Kern County Sheriff's Office

Policies and Procedures

TITLE: UNMANNED AERIAL SYSTEM (UAS) OPERATIONS		NO: H-2000	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: March 3, 2020	REVIEWED: 04/25/2022	REVISED: 03/03/2020	UPDATED: 03/03/2020

POLICY

Unmanned Aerial Systems (UAS) may be utilized to enhance the Sheriff's Office mission of protecting lives and property when other means and resources are not available or are less effective. Any use of a UAS will be in strict accordance with constitutional and privacy rights and Federal Aviation Administration (FAA) regulations. The purpose of this policy is to establish guidelines for the use of a UAS and for the storage, retrieval and dissemination of images and data captured by the UAS.

DEFINITIONS

Unmanned Aerial System (UAS) - An unmanned aircraft of any type that is capable of sustaining directed flight, whether preprogrammed or remotely controlled (commonly referred to as an unmanned aerial vehicle (UAV)), and all of the supporting or attached systems designed for gathering information through imaging, recording or any other means.

PRIVACY

The use of the UAS potentially involves privacy considerations. Absent a warrant or exigent circumstances, operators and observers shall adhere to FAA regulations and federal and state privacy laws. Operators and observers shall not intentionally record or transmit images of any location where a person would have a reasonable expectation of privacy (e.g., residence, yard, enclosure). Operators and observers shall take reasonable and appropriate precautions to avoid inadvertently recording or transmitting images of areas where there is a reasonable expectation of privacy.

PROGRAM COORDINATOR

The Sheriff or his designee will appoint a program coordinator who will be responsible for the management of the UAS program. The program coordinator will ensure that policies and procedures conform to current laws, regulations and best practices and will have the following responsibilities:

- Coordinating the FAA Certificate of Waiver or Authorization (COA) application process, reporting requirements and ensuring operational compliance with all issued waivers and/or COAs.

- Ensuring that all authorized operators and required observers have completed all required FAA and department-approved training in the operation, applicable laws, policies and procedures regarding use of the UAS.
- Developing uniform protocol for submission and evaluation of requests to deploy a UAS, including urgent requests made during ongoing or emerging incidents. Deployment of a UAS shall require authorization of the Sheriff or the authorized designee, depending on the type of mission.
- Developing protocol for conducting criminal investigations involving a UAS, including documentation of time spent monitoring a subject.
- Developing an operational protocol governing the deployment and operation of a UAS including, but not limited to, safety oversight, use of visual observers, establishment of lost link procedures and secure communication with air traffic control facilities.
- Developing a protocol for fully documenting all missions.
- Developing a UAS inspection, maintenance and record-keeping protocol to ensure continuing airworthiness of a UAS, up to and including its overhaul or life limits.
- Developing protocols to ensure that all data intended to be used as evidence are accessed, maintained, stored and retrieved in a manner that ensures its integrity as evidence, including strict adherence to chain of custody requirements. Electronic trails, including encryption, authenticity certificates and date and time stamping, shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.
- Developing protocols that ensure retention and purge periods are maintained in accordance with established records retention schedules, the law and County policy.
- Facilitating law enforcement access to images and data captured by the UAS.
- Recommending program enhancements, particularly regarding safety and information security.
- Ensuring that established protocols are followed by monitoring and providing periodic reports on the program to the Sheriff.

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USE OF UAS

Only authorized operators who have completed the required training shall be permitted to operate the UAS.

UAS operations should only be conducted during daylight hours as defined by FAA, unless a nighttime waiver is obtained, and a UAS should not be flown over populated areas without FAA approval, or the appropriate waiver.

REQUESTS FOR UAS SUPPORT

The call-out procedure for requesting a UAS for operational deployment shall be:

- The rank of Sergeant or above shall make a request via the Communications Center for a UAS deployment.
- The Communications Center will contact the UAS Lieutenant or his designee who will coordinate the callout details with the team members.
- The UAS team members will handle all UAS operations, notifications and all necessary pre-flight guidelines as required.
- Authorized UAS operators shall have the discretion to deploy a UAS at incidents as outlined in this policy without prior approval.

DIRECTIVE 1

Safety shall be the primary consideration in accepting or authorizing a flight request. The UAS Pilot in Command (PIC) shall have sole authority to reject any flight request based on safety, statutes, regulations or limitations. A UAS PIC may not be ordered to conduct a flight operation that they have determined cannot be conducted safely or within the limitations of the statutes and/or regulations.

PROHIBITED USE

The UAS video surveillance equipment shall not be used:

- To conduct random surveillance activities.

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- To target a person based solely on individual characteristics, such as, but not limited to race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status.
- To harass, intimidate or discriminate against any individual or group.
- To conduct personal business of any type.

The UAS shall not be weaponized.

RETENTION OF UAS DATA

UAS data will be retained in compliance with governmental standards, guidelines, and applicable laws. All video/audio media will be maintained in a secured data storage medium for a minimum period of 13 months. After that period, the data may be destroyed, unless other conditions (described herein) would preclude destruction. Exceptions to this purge criteria are data associated with civil or criminal cases that have not been adjudicated, or if the Sheriff’s Office has sufficient notice of a potential litigation that could involve particular UAS data; sustained Internal Affairs investigations; the request of the District Attorney’s Office or other law enforcement agency; and/or at the discretion of the Sheriff’s Office. The purging of data files will be completed in a manner consistent with all statutory requirements and County and Sheriff’s Office policies.

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Kern County Sheriff's Office
Policies and Procedures

TITLE: Gun Violence Restraining Order		NO: H 2100	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: 09/8/2022	REVIEWED: 09/02/2022	REVISED: 09/02/2022	UPDATED: 09/02/2022

POLICY PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the Kern County Sheriff's Office ("KCSO") to petition and serve gun violence restraining orders and account for the firearms obtained pursuant to those orders (Penal Code § 18108).

It is the policy of KCSO to petition and serve gun violence restraining orders in compliance with state law and to properly account for firearms and ammunition obtained pursuant to such orders.

A Gun Violence Restraining Order (GVRO) is a civil restraining order prohibiting a named person from controlling, owning, purchasing, possessing, receiving, or otherwise having custody of any firearms or ammunition, including an ammunition magazine (Penal Code § 18100).

PROCEDURE

A deputy petitioning the court for a GVRO shall comply with notice, hearing, and renewal requirements, as set forth in Penal Code §18100, et. seq. Forms established by the Judicial Council should be used (Penal Code §18105). The petition should describe the number, types, and locations of any firearm and ammunition the deputy believes to be possessed or controlled by the person ((Penal Code §18107). Petitions should describe why the order is necessary to prevent personal injury to the subject of the petition or another person because less restrictive alternatives are ineffective or inadequate under the circumstances (Penal Code §18125; Penal Code §18150; Penal Code §18175).

If it is not practical under the circumstances to submit a written petition, a deputy may orally request an order, and then prepare and sign a declaration under penalty of perjury that recites the oral statements provided to the judicial officer and memorialize the order of the court on the appropriate Judicial Council form (Penal Code § 18140).

ADDITIONAL CONSIDERATIONS

Deputies should also consider requesting permission to petition the court for a gun violence restraining order (Penal Code § 18108):

- When responding to a domestic disturbance where the residence is associated with a firearm registration or record.

- When responding to any call or incident when a firearm is present or when one of the involved parties owns or possesses a firearm.
- During a contact with a person exhibiting mental health issues, including suicidal thoughts, statements, or actions if that person owns or possesses a firearm.

Deputies should consider obtaining a mental health evaluation if the encounter involves a situation where there is a reasonable cause to believe the person poses an immediate and present danger of causing personal injury to themselves or another person by having custody or control of a firearm (Penal Code § 18108).

GUN VIOLENCE RESTRAINING ORDERS

There are three types of GVROs in California: emergency protective orders, temporary ex-parte GVROs, and the one-to-five year ban. All three types of GVROs require a finding that a GVRO is necessary to prevent personal injury to self or others, because less restrictive alternatives have been tried and either found to be ineffective, or have been determined inadequate, or inappropriate under the circumstances.

There are three types of GVROs available in California:

Gun Violence Emergency Protective Order (Valid for 21 Days) (Law Enforcement only)

- A Gun Violence Emergency Protective Order is valid for 21 days beginning the day after the date of issuance.
- Only law enforcement officers may request a Gun Violence Emergency.
- A deputy who reasonably believes a person is a present danger to their self or another person by controlling, owning, purchasing, possessing, receiving, or otherwise having custody of a firearm may petition the court for a temporary firearms restraining order or a firearms emergency protective order.
- When issuing an Emergency Protective Order, deputies must use Judicial Council of California form, Gun Violence Emergency Protective Order (CLETS-EGV) **EPO-002**. After completing form EPO-002, a copy must be provided to the restrained person and issuing court, as stated on the bottom of the form.
- Explain to a judicial officer why reasonable grounds for the issuance of an emergency GVRO exist and ask for oral or written approval of the temporary emergency GVRO.
- If a Gun Violence Emergency Protective Order is granted, the deputy must be forwarded to the KCSO Gun Violence Restraining Order Coordinator/Subpoena Coordinator to forward to County Counsel's Office via e-mail for determination of further action including whether a Petition for a Firearms Restraining Order should be sought.

- Serve the order on the person to be restrained (if the person can reasonably be located).
- Upon serving a copy of the copy of EPO-002 on the restrained person, enter the EPO-002 into the California Restraining and Protective Order computer database system (Penal Code § 18115).
- Provide the original proof of service to the issuing court as soon as practicable, but within one business day (Penal Code § 18115).
- Verbally ask the subject of the order if they have any firearm, ammunition, or magazine in their possession or under their custody or control (Penal Code § 18160).
- Request that any firearms, ammunition, and magazines be immediately surrendered and issue a receipt for the surrendered items (Penal Code § 18120). When ordered, the respondent must surrender all firearms and ammunition immediately.
- Take into temporary custody any firearms, ammunition, magazines, or other deadly weapons discovered in plain view or pursuant to consent or other lawful search (Penal Code § 18250).
- Inform the restrained person of any scheduled hearing regarding the order (Penal Code § 18160).
- File a copy of the order with the court as soon as practicable after issuance, but within one business day.
- As soon as practicable but no later than the end of the deputy's shift. Submit proof of the emergency firearms protective order to Teletype for prompt entry into the computer database system for protective and restraining orders (CLETS) maintained by the Department of Justice.
- Teletypes will be responsible for entering the order into CLETS and filing a copy with the court.

Temporary Ex-Parte Gun Violence Restraining Order

- In coordination with the Kern County Counsel's Office, KCSO may seek to obtain a temporary ex parte GVRO when one or more deputies believe there is a substantial likelihood the individual who is the subject of the GVRO poses a significant danger, in the near future, or causing personal injury to self or others by having custody or control, owning, purchasing, possessing, or receiving a firearm or ammunition as determined by considering the factors listed in California Penal Code §18155; and the GVRO is necessary to prevent injury to self or others because less restrictive alternatives either have been tried and found to be ineffective, or have been determined to be inadequate or inappropriate for the circumstances.

- If a temporary ex parte GVRO is issued by the court, the respondent must be “served” in-person with a copy of the order and notice of the hearing. State law allows for a county sheriff or marshal to serve the restrained person with the order and remove all the respondent’s firearms, ammunition, and magazines. Due to the dangers, a deputy from the KCSO substation that requested the GVRO should serve these orders, instead of using a family member, or a private process server.
- **Deputies must attend the hearing.**
- When attending the hearing, deputies should take documents that help prove the reasons why a firearm restraining order is necessary. Take two copies of all documents.

Permanent Gun Violence Restraining Orders (One to Five Year Ban)

- In coordination with the Kern County Counsel’s Office, KCSO may seek to obtain a court order for one-to-five years, when there is a finding by clear and convincing evidence that: the subject of the GVRO poses a significant danger of causing personal injury to self or others by having custody or control, owning, purchasing, possessing, or receiving a firearm or ammunition; and a GVRO is necessary to prevent personal injury to self or others because less restrictive alternatives either have been tried and found to be ineffective, or have been determined to be inadequate or inappropriate for the circumstances.
- Permanent Gun Violence Restraining Orders are available to law enforcement, immediate family members including spouses, parents, grandparents, children, stepparents, stepchildren, domestic partners, siblings, or roommates and persons who have regularly resided on the same property as the person to be restrained within the last six months; employers; coworkers of the subject of the petition if they had substantial and regular interactions with the subject for at least one year prior to the petition and have obtained the approval of the employer; or an employee or teacher of a secondary or postsecondary school that the subject has attended in the last six months and upon approval of the school administrator (Penal Code §18170).
- A final GVRO may be issued after a hearing is held to determine if the respondent poses a significant danger to self or others and the removal of firearms, magazines, and ammunition is needed to prevent injury. Final GVROs are renewable.
- **Deputies must attend the hearing.**
- When attending the hearing, deputies should take documents that help prove the reasons why a firearm restraining order is necessary. Deputies should also take two copies of all documents.

Additionally, witnesses may attend the hearing and provide statements.

During a hearing the court will assess the dangerousness of the individual based on the following criteria:

- Recent threat or act of violence directed toward self or others.
- A violation of a domestic violence emergency protective order that is in effect at the time the court is considering the petition.
- A recent violation of an unexpired domestic violence protective order.
- Any conviction for any crime that prohibits purchase and possession of firearms under California law.
- Patterns of violence or threatened violence within the prior 12 months directed toward self or others.
 - The court may consider any other evidence that is indicative of an increased risk of violence, such as the reckless use of a firearm.
 - The court may also consider whether other means less restrictive than a restraining order have been tried and have not worked or are not appropriate.

SEARCH WARRANTS

If a person who has been served with a GVRO refuses to surrender any firearm or ammunition, the deputy should consider whether to seek a search warrant. If a search warrant is to be obtained, the preparation and service of the search warrant shall be done in accordance with Penal Code §1542.5.

- The deputy serving the warrant shall take custody of any firearm or ammunition that is controlled, possessed or owned by the person who is the subject of the GVRO, including any discovered pursuant to the warrant, a consensual search or other lawful search.
- If the location being searched is jointly occupied and the firearm or ammunition is owned by a person other than the restrained person, the firearm or ammunition should not be seized if the following conditions are met:
 - The firearm or ammunition can be stored in a manner that does not allow the restrained person to have control or access.
 - There is no evidence that the owner unlawfully possesses the firearm or ammunition.
- If a locked gun safe belonging to someone other than the subject of a GVRO is discovered, the deputy shall not search the contents of the safe unless the owner consents or there is a valid search warrant for the safe. Any search of the safe must be done in the owner's presence.

- A receipt for the firearm will be provided by a deputy who takes custody of a firearm or other deadly weapon at the scene of a domestic violence incident, when servicing a protective order, or when serving a GVRO. The receipt shall include the name and residential mailing address of the owner of the firearm or other deadly weapon.

RELEASE OF FIREARMS

- Firearms and ammunition that were taken into temporary custody or surrendered pursuant to a GVRO shall be returned to the restrained person upon the expiration of the order and in accordance with Penal Code §18120.
- Firearms and ammunition that were taken pursuant to a search warrant must be retained by the Kern County Sheriff's Department and may only be released in accordance with Penal Code §1536.

RENEWAL OF GUN VIOLENCE RESTRAINING ORDERS

- The KCSO GVRO Coordinator in coordination with the Kern County Counsel's Office is responsible for the review of a GVRO obtained by the Kern County Sheriff's Department to determine if a renewal should be requested within the time prescribed by law (Penal Code §18190).
- In coordination with the Kern County Counsel's Office, KCSO shall re-examine every GVRO court order 90 days prior to its expiration of the GVRO to determine whether re-petitioning the court to extend the ban is warranted.

POLICY AVAILABILITY

The Sheriff or authorized designee shall be responsible for making this policy available to the public upon request (Penal Code §18108).