



Kern County Sheriff's Office
Policies and Procedures

TITLE: CORRESPONDENCE POLICY			NO: J-0100
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: August 1, 1990	REVIEWED: 06/01/2018	REVISED: 11/25/09	UPDATED: 06/01/2018

POLICY

All Sheriff's Office correspondence shall be written in a clear, concise manner, consistent with the applicable report formats and guidelines prescribed and reflecting the highest possible quality in organization, grammar, punctuation, and spelling.

All correspondence sent outside the Sheriff's Office to the private sector or other agencies must be sent under the Sheriff-Coroner's signature. It must be submitted through the chain of command and approved by the Sheriff-Coroner for signature, unless prior authorization has been given to correspond in his or her name.

In the event prior authorization has been given, the form of the "address" and "salutation" on such correspondence shall be as follows:

Address the correspondence to the other department head or corporate executive in charge, then attention the individual you are actually writing to.

Make the closing salutation from the Sheriff-Coroner, by yourself, with your rank and place of assignment.

Example:

Address of correspondence:

Jack Jones, County Counsel
Attention: Jim Brown, Deputy County Counsel
Somewhere County
123 Fourth Street
Any town, California 90000

Signature area of correspondence:

Sincerely,

(NAME OF SHERIFF), Sheriff-Coroner

By: Clarence Communicator, Commander
Such and Such Division

All staff reports (i.e. reports assigned to a specific person for the purpose of responding to a problem or issue) shall incorporate the principle of “completed staff work,” which requires a person, to whom a task has been delegated, to complete and document the delegated work to such extent that the only thing left for the decision-maker to do is to approve or disapprove the recommendation. Staff reports that only point out weaknesses or merely suggest needed actions are not completed staff work and are not acceptable.

The writer of the staff report shall document the efforts made to have the report reviewed by or acted upon by those individuals representing work units or other entities likely to be affected by any proposed changes. Such efforts are to be documented by attaching a Staff Report Routing Sheet as a cover sheet clearly identifying the parties contacted. Their input and recommendations shall be attached to the report as an addendum. If necessary, the writer of the staff report shall use the summary section of his/her staff report to elaborate on the efforts made to distribute the report to other parties.

Any memorandum that exceeds one page in length shall contain a brief introductory summary section, synthesizing the gist of the subject matter addressed in the text of the memo. Such action will enable those people in this agency, who are required to digest numerous memos daily, to quickly evaluate the issues in reference and to prioritize and organize their work.

It should be remembered that the purpose of written correspondence is to communicate information from the writer to the reader, recognizing that successful communication cannot be achieved unless a document is written so that others are able to read and understand it.

All staff reports, submitted via the chain of command to superior officers for further action, shall be written consistent with the following format as applicable:

Executive Summary Section

The staff report should begin with a brief statement of the problem or issue and what can be done about it. This summary should re-state the main points of the report in general, non-technical language, leaving out details. The length of the executive summary section should range between one paragraph and one page.

Problem/Issue Identification Section

This section of a staff report is extremely critical to the success of the reader’s ability to grasp the issues involved and to arrive at an informed decision. The writer of a staff report should strive to identify the true nature and scope of the problem by attempting to answer such questions as:

- Determining the Facts
 - What are the known facts of this situation?
 - What is the background of this situation?
 - Who has the problem? How long has it existed? Who cares? So, what? What are the consequences of the problem?
- Forecast Future Impacts
 - What will happen if no action is taken in response to the identified problem?

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- What are the parameters or factors which will continue to exist and influence the issue?

The Problem/Issue Identification section of the report should clearly define the problem and be accompanied by an analysis of relevant factors, supported by specific examples, details, or testimony. It should clarify the nature of the problem and explain why it exists. Generally, the reader should be able to leave this section of the report clearly understanding the issues involved and the consequences of taking no action.

Alternatives Analysis Section

Whenever the seriousness or complexity of a problem warrants the development of alternative solutions, the staff report should contain an Alternative Analysis Section, containing a discussion of different courses of action and their consequences, taking into account the comments and positions of other staff members or entities affected by each proposed Sheriff’s Office response to the problem.

Recommended Solution Section

This section of the report should clearly detail the writer’s final recommended solution to the problem. Such conclusions should be written in a manner enabling the decision maker to approve or disapprove the recommended solution.

In addition to describing the action that should be taken to solve the problem, the writer should include a discussion of the budgetary impact of the proposed solution when appropriate and an action plan, detailing the procedural steps that will be required in order to implement the recommended plan if approved.

Such an action plan might include attaching such additional documents as proposed enabling orders, directives, or policy manual sections for use by Administrator in the event it is decided to enact the recommended solution. (Added 4/87)

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Kern County Sheriff's Office

Policies and Procedures

TITLE: FOREIGN NATIONALS AND CONSULAR NOTIFICATION / TRUST ACT COMPLIANCE		NO: J-110	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: October 6, 2000	REVIEWED: 06/01/2018	REVISED: 01/01/2014	UPDATED: 06/01/2018

DEFINITIONS

When used in this policy:

- Foreign National means any person, adult or juvenile, who is not a citizen of the United States. Persons with dual citizenship of the United States and a foreign country are not foreign nationals for purposes of this policy.
- Detention means detained by a law enforcement officer for over two hours.
- Consular Officer is a citizen of a foreign country employed by a foreign government and authorized to provide assistance on behalf of that government to that government's citizens in a foreign county. An "Honorary Consul" and a "Diplomatic Officer" will be treated in the same manner. All have identification cards issued by the Department of State. A consular Officer is not the attorney for the foreign national and is not entitled to the same status as the legal representative.
- Notification means advisement, preferably by fax, of a consular officer of the presence and general situation of the foreign national. (i.e., arrested and detained). Specifics of the detention need not be released.
- Optional Notification means the foreign national may request consular notification be made.
- Mandatory Notification means the designated Sheriff personnel, regardless of the wishes of the foreign national, will make consular notification. Included countries are listed in **Attachment "A."**
- Participating Detention Facility means any local detention facility or Mental Health Facility within Kern County using IMS-CJIS as their booking and record-keeping system **and** agreeable to making necessary notifications. All facilities operated by the Sheriff are considered to be "participating" detention facilities under this policy.

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RELATIONSHIP WITH LAW

This policy does not have the effect of law and is not intended to have the effect of law. The law is contained in the federal and state constitutions, statutes, and court decisions. Only the courts can determine the ultimate liability of law enforcement personnel under law. Violations of this policy do not, are not intended to, and cannot mean that the involved law enforcement personnel are liable under law.

DEPARTMENT PHILOSOPHY

The 1963 Vienna Convention on Consular Relations Treaty, signed by 140 nations, including the United States, was ratified in 1969. Guidelines were established in this agreement for all governments to ensure that all foreign nationals are extended the appropriate consular services upon their arrest and detention, upon their death, and upon the appointment of a guardian.

This treaty guarantees that individuals arrested or detained in a foreign country must be told by police "without delay" that they have a right to speak to an official from their country's consulate. If an individual chooses to exercise that right, a law enforcement official is required to notify the consulate of the foreign national's presence and a summary of the circumstances. Penal Code 834(c) codifies the treaty's conditions; obligating law enforcement agencies to make notifications in the event of the detention for over two hours of a foreign national.

These are mutual obligations that also pertain to American Citizens abroad. Compliance with this obligation domestically will help ensure the United States insist on rigorous compliance by foreign governments. In general, you should treat a foreign national as you would want an American citizen to be treated in a similar situation in a foreign country. This means prompt, courteous notification to the foreign national of the possibility of consular assistance, and prompt, courteous notification to the foreign national's nearest consular officials so that they can provide whatever consular services they deem appropriate.

Typical services of a consular officer are arranging visits and phone calls regarding the foreign national's needs and situation. A consular may assist in arranging legal representation, monitor the case, monitor issues of confinement, and assist family members to communicate with the foreign national.

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POLICY

The Kern County Sheriff's Office recognizes and respects the value of this agreement. It is the policy of this agency to advise all foreign nationals who are detained by law enforcement for a period of time in excess of two (2) hours of the right of consular notification and to facilitate the exercise of consular functions as agreed to in the treaty. The Sheriff's Office will notify consular officials in all situations involving mandatory notification requirements regardless of the wishes of the foreign national. The Sheriff's Office will also make notification in the event of a death of a foreign national. The purpose of this policy is to provide officers of this agency with procedural guidelines to ensure reasonable compliance of the law.

No policy can realistically predict or cover every possible situation an officer might encounter. Each officer, therefore, must be entrusted with discretion in determining the action necessary in each incident. While it is the ultimate objective of every law enforcement encounter to ensure all foreign nationals' rights are protected, officers must rely on statements made by the detained person regarding citizenship for purposes of consular notification. Nothing in this policy requires an officer to conduct an independent investigation to ascertain citizenship unless required for the criminal investigation.

PROCEDURE A: DETERMINING THE PRESENCE OF FOREIGN NATIONALS

When deciding applicability of this policy, officers must first determine if the detained person is a foreign national as defined in this policy. Suggested indicators of nationality are, but are not limited to:

- The detained person is in possession of a resident alien registration card (INS Form I-551).
- The detained person is in possession of documentation indicating birth outside of the United States.
- The person claims citizenship of a country other than the United States.
- The person is unfamiliar with the English language.

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- The person is suspected of being an undocumented alien.

DIRECTIVE 1

Sheriff's staff will not advise foreign governments of requests by foreign nationals for political asylum. All requests for political asylum are referred to the U.S. Department of State.

DIRECTIVE 2

Sheriff's Detentions staff will advise and make needed notification when foreign nationals are initially received at a Sheriff's receiving facility.

DIRECTIVE 3

Kern County Sheriff's Office staff will provide reasonable access to Consular Officers to confer with foreign nationals. The decision to allow access will be guided by the current state of the law, security issues surrounding an investigation, and established Detentions Bureau visiting policy.

PROCEDURE B: FOREIGN NATIONALS WHO ARE BOOKED INTO A PARTICIPATING DETENTION FACILITY

Any officer who detains any person suspected of being a foreign national and books the foreign national into a participating detention or mental health facility will:

- If asked, inform the foreign national that detentions staff will perform notifications.
- Notify the Receiving Officer of the request.
- Notify the Shift Supervisor of the participating Detention Facility.

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PROCEDURE C: DETAILED FOREIGN NATIONALS WHO ARE NOT BOOKED OR ARE NOT BOOKED INTO A PARTICIPATING DETENTION FACILITY

Any officer who detains any person suspected of being a foreign national and does not book the foreign national into a participating detention or mental health facility will:

- Be responsible for all advisals and notifications as required by the law and this policy.
- Determine the foreign national's country of citizenship. In the absence of other information, assume this is the country on whose passport or other travel document the foreign national travels.
- Compare the country of citizenship with the list of mandatory notification countries listed in **Attachment "A."**
- **If the foreign national's country is not on the mandatory notification list:**
 - Offer, without delay, to notify the foreign national's consular officials of the arrest/detention. A suggested statement and notification form is shown in **Attachment "B."**
 - If the foreign national asks that consular notification to be given, notify the nearest consular officials of the foreign national's country without delay using the fax sheet, **Attachment "C."** For phone and fax numbers for foreign embassies and consulates in the United States, see Part Six of the U.S. Department of State Consular publication or contact the Central Receiving Facility clerical officer and request the information.
- **If the foreign national's country is on the list of mandatory notification countries:**
 - Notify that country's nearest consular officials, without delay, of the arrest/detention using the fax sheet, **Attachment "C."** For phone and fax numbers for foreign embassies and consulates in the United States, see Part Six of the U.S. Department of State consular publication or contact the Central Receiving Facility clerical office and request the information.

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- Tell the foreign national that you are making this notification. See **Attachment "B."** for a suggested statement to the foreign national and a notification form.
- Report the action taken in the appropriate report for the incident.
- Attach the completed fax, if used, and the copy of the advisal to the report.

PROCEDURE D: TRUST ACT COMPLIANCE

It is the intent of the Sheriff's Office to comply with all federal, state, and local laws, to include the provisions set forth in California Assembly Bill 4, also known as the TRUST ACT. However, the Sheriff reserves the right to consider the risk to public safety when considering releases by allowing ample investigative time to ensure the citizens of Kern County are protected.

The Sheriff's Office shall not detain an individual on the basis of an immigration detainer issued pursuant to Section 287.7 of title 8 of the Code of Federal Regulations, after that individual becomes eligible for release from custody. However, the Sheriff reserves the right to honor an immigration detainer, if I.C.E articulates a specific public safety issue involving the inmate to be released.

When a subject is considered eligible for release, Sheriff's Classification staff will refer to Detentions Bureau Policy C-850 for releasing criteria.

PROCEDURE E: DEATH OF A SUSPECTED FOREIGN NATIONAL

The assigned Coroner's Investigator will:

- Make fax notification in all Coroner's cases involving deaths of foreign nationals from mandatory notification countries.
- Include the fax with their report.
- Notify the Chief Deputy of the Administrative Services Bureau.

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PROCEDURE F: APPOINTMENT OF A GUARDIAN FOR A SUSPECTED FOREIGN NATIONAL

The assigned Public Administrator will:

- Make fax notification in all guardianship cases involving foreign nationals.
- Include the fax with their report.
- Notify the Chief Deputy of the Administrative Services Bureau.

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ATTACHMENT A

Mandatory Notification Countries and Jurisdictions

Antigua and Barbuda
Armenia
Azerbaijan
Bahamas, The
Barbados
Belarus
Belize
Brunei
Bulgaria
China 1
Costa Rica
Cyprus
Czech Republic
Dominica
Fiji
Gambia, The
Georgia
Ghana
Grenada
Guyana
Hong Kong 2
Hungary
Jamaica
Kazakhstan
Kiribati
Kuwait
Kyrgyzstan
Malaysia
Malta
Mauritius
Moldova
Mongolia
Nigeria
Philippines
Poland (non-permanent residents only)
Romania
Russia
Saint Kitts and Nevis
Saint Lucia
Saint Vincent and the Grenadines
Seychelles
Sierra Leone
Singapore
Slovakia

Tajikistan
Tanzania
Tonga
Trinidad and Tobago
Turkmenistan
Tuvalu
Ukraine
United Kingdom 3
U.S.S.R.4
Uzbekistan
Zambia
Zimbabwe

1 Notification is not mandatory in the case of persons who carry "Republic of China" passports issued by Taiwan. Such persons should be informed without delay that the nearest office of the Taipei Economic and Cultural Representative Office ("TECRO"), the unofficial entity representing Taiwan's interests in the United States, can be notified at their request.

2 Hong Kong reverted to Chinese sovereignty on July 1, 1997, and is now officially referred to as the Hong Kong Special Administrative Region, or "SAR." Under paragraph 3(f)(2) of the March 25, 1997, U.S.-China Agreement on the Maintenance of the U.S. Consulate General in the Hong Kong Special Administrative Region, U.S. officials are required to notify Chinese officials of the arrest or detention of the bearers of Hong Kong passports in the same manner as is required for bearers of Chinese passports — i.e., immediately, and in any event within four days of the arrest or detention.

3 British dependencies also covered by this agreement are Anguilla, British Virgin Islands, Bermuda, Montserrat, and the Turks and Caicos Islands. Their residents carry British passports.

4 Although the U.S.S.R. no longer exists, some nationals of its successor states may still be traveling on its passports. Mandatory notification should be given to consular officers for all nationals of such states, including those traveling on old U.S.S.R. passports. The successor states are listed separately above.

SUGGESTED STATEMENTS TO ARRESTED OR DETAINED FOREIGN NATIONALS

Statement 1

When Consular Notification is at the Foreign National's Option (For Translations, See Part Four of the Department of Justice Handbook)

“As a non-U.S. citizen who is being arrested or detained, you are entitled to have us notify your country's consular representatives here in the United States. A consular official from your country may be able to help you obtain legal counsel, and may contact your family and visit you in detention, among other things. If you want us to notify your country's consular officials, you can request this notification now, or at any time in the future. After your consular officials are notified, they may call or visit you. Do you want us to notify your country's consular officials?”

Statement 2

When Consular Notification is Mandatory (For Translations, See Part Four of the Department of Justice Handbook)

“Because of your nationality, we are required to notify your country's consular representatives here in the United States that you have been arrested or detained. After your consular officials are notified, they may call or visit you. You are not required to accept their assistance, but they may be able to help you obtain legal counsel and may contact your family and visit you in detention, among other things. We will be notifying your country's consular officials as soon as possible.”

I have been advised of my consular rights per Statement _____ above.

Foreign National's Signature

Date and Time

By

Officer/Badge Number

Date and Time

ATTACHMENT C



Kern County

SHERIFF

Interoffice Memorandum

P.O. BOX 2208, BAKERSFIELD, CA 93303
1350 NORRIS RD. BAKERSFIELD, CA 93308
PHONE: _____ FAX _____

FAX NOTIFICATION OF ARREST, DETENTION OR DEATH OF A NATIONAL OF YOUR COUNTRY

TO: Embassy of _____, Washington, DC

or

Consulate of _____, _____, _____
(Country) (City) (State)

SUBJECT:

The following foreign national, whom we understand to be a national of your country, has been detained, is being held at this or one of the other Kern County Sheriff's Facilities.

Mr./Ms. _____

Date of birth: _____ Place of birth: _____

Passport number: _____ Date of passport issuance: _____

Place of passport issuance: _____

To arrange for consular access, please call _____.

Comments:

DATE: _____ TIME: _____ BY: _____



Kern County Sheriff's Office
Policies and Procedures

TITLE: COMMENDATION POLICY		NO: J-200	
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POLICY

The Kern County Sheriff's Office expects a high level of professional conduct from all employees; however, members of the Sheriff's Office frequently perform their duties in a manner exceeding the highest standards of the agency. When such conduct occurs, it will be officially recognized, and an appropriate commendation will be made.

Additionally, the Sheriff's Office will officially recognize and commend those civilians' of the community who substantially assist the agency in a manner beyond their normal civic responsibilities.

These awards and commendations afford a means of promoting public and internal recognition of exceptional bravery, outstanding achievement, meritorious service, and exceptional skills performed by individuals.

To preserve the integrity of the commendations, they shall be awarded only to recognized acts which are clearly and distinctly outstanding by nature and magnitude. The act must place the employees', or civilians', performance significantly above that of their contemporaries.

DIRECTIVE

The types and levels of awards and commendations will be as follows:

- Sheriff's Office level awards shall be a certificate, accompanied by a letter of explanation, issued by the Sheriff-Coroner for the following:

- Valor Award:

This commendation will be awarded for acts of "exceptional bravery" above and beyond that expected in line of duty, or beyond normal civic responsibility.

- Meritorious Service/Achievement Award:

This commendation will be made in recognition of officers or citizens who have displayed dedication, outstanding achievement and/or meritorious service performed in the interest of their division and community toward the achievement of the law enforcement purpose and the furtherance of the precepts embodied in the Law Enforcement Code of Ethics.

- Sheriff’s Office awards of prestige shall be awarded to one recipient annually. Recipients of these awards shall receive a specialty “Eagle in Flight” trophy, accompanied by a letter of explanation on Sheriff’s Office letterhead, issued by the Sheriff-Coroner for the following:

- Deputy James Throne Memorial Award:

In 2007, Deputy Sheriff James Throne was involved in a fatal vehicle collision while searching for a suspect near Lamont, California. Deputy Throne was a stellar officer, one who would regularly go above and beyond the call of duty. He was actively involved in the community, working closely with youth in the Lamont Sheriff’s Activities League, and conducted himself with the utmost professionalism in all of his official duties.

In 2011, Sheriff Donny Youngblood established the Deputy James Throne Memorial Award to recognize employees of the Sheriff’s Office who best exemplify the traits of integrity, accountability, and honesty, while maintaining a commitment to the community policing and problem-solving philosophy. A perpetual plaque was created and will remain on display in Sheriff’s Administration, with the name of new recipients added each year.

- Deputy Phillip J. Campas Allegiance Award:

In 2021, Deputy Sheriff Phillip J. Campas was killed in the line of duty during a SWAT Operation in Wasco, California. Deputy Campas was part of the entry team attempting to perform a hostage rescue when he made the ultimate sacrifice answering the call of duty. Deputy Campas showed courageous valor, unwavering commitment to his team, and heroism in the face of extreme danger. When the time came for action in the face of danger, Deputy Campas said “I’ll go.”

Deputy Campas accepted every assignment in a positive manner. His outstanding work ethic served as a source of inspiration to his co-workers, established himself as a leader, and demonstrated his fierce loyalty to his chosen profession. Deputy Campas embodied these traits on a regular basis and served honorably in a variety of collateral assignments, including SWAT Operator, Recruit Training Officer, Honor Guard, and Range Instructor.

In 2022, Sheriff Donny Youngblood established the Deputy Phillip J. Campas Allegiance Award to recognize sworn personnel of the Sheriff’s Office who go above and beyond in all they do, whether it be through acts of bravery or performing various responsibilities exemplifying exceptional commitment to the Kern County Sheriff’s Office and community. A perpetual plaque was created and will remain on display in Sheriff’s Administration, with the name of new recipients added each year.

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- Bureau level commendations shall be a letter-issued by the Sheriff’s Office Chief Deputies and will consist of the following:
 - Commendations for Bravery

This commendation will be issued for individual achievements and/or service records that are significant but not of such “exceptional” magnitude to justify the Sheriff’s Office meritorious service/achievement commendation.
 - Commendation for Meritorious Achievement/Service

This commendation will be issued for individual achievements and/or service records that are signal but not of such “exceptional” magnitude to justify the Sheriff’s Office meritorious service/achievement commendation.
- Division level commendations shall be letters issued by the Sheriff’s Office Division Commanders. The letters will be issued to individuals for acts or achievements which are outstanding within divisional boundaries but do not justify bureau level commendations.
- Unit or supervisory level commendations shall be office memorandums issued by the Sheriff’s Office Sergeant to individuals for remarkable performance in specific areas of responsibility or on specific occasions or assignments.
 - This level of commendation may be issued on the initiative of the supervisor and does not require approval as described below. However, a copy of the memorandum shall be forwarded to the appropriate Chief Deputy through the chain of command.
- Specialty skills commendations shall be a letter issued by the Sheriff’s Office Training Section Lieutenant to individuals demonstrating exceptional skill in utilization of De-Escalation and Crisis Intervention Team Training. The Training Section Lieutenant oversees the Training Committee and also serves as the CIT Coordinator. Recommendation and approval procedure outlined below.
 - Commendation for Exceptional Skills in De-escalation

This commendation will be awarded for the employment of exemplary de-escalation tactics resulting in the significant stabilization of a volatile situation threatening human life or great bodily injury. De-escalation tactics include, but are not limited to, warnings, verbal persuasion, tactical repositioning, any attempt to increase the amount of time until utilizing force, attempts to increase available force options for the encounter or the request for additional resources (e.g. CIT Trained Deputies, MET/JET Teams, Tactical Communication, etc.).
 - Commendation for Exceptional Skills in Crisis Intervention Team Training

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This commendation will be awarded for the employment of exemplary CIT skills. CIT is an innovative collaborative approach to safely and effectively addressing the needs of people with mental health illnesses or substance abuse issues by linking them to appropriate services and diverting them from the criminal justice system, when appropriate. The primary goal of CIT is to improve safety while reducing injuries to officers and individuals with mental illnesses during law enforcement contacts. This can also be accomplished by developing partnerships between law enforcement, mental health, other government agencies, and community organization to identify a way to put individuals in touch with services aimed at addressing the root cause of the law enforcement contact, potentially reducing the number of contacts or diverting them for the criminal justice system altogether.

PROCEDURE

Any employee may recommend another employee or citizen for an award or commendation. Any employee wishing to do so will:

- Prepare a memorandum directed to:
 - The supervisor of the employee to be commended, or;
 - The recommending employee's supervisor if the recommendation involves a citizen.
- Include full documentation of the incident such as:
 - Reports
 - Diagrams
 - Photographs
 - Witness Statements
 - Include statement of why the commendation is deserved.

Any supervisor who receives such a memo will:

- Within three (3) working days:
 - Review recommendation;
 - Investigate the incident;
 - Determine if commendation is warranted.
- Within two (2) working days after the review, forward the original recommendation to their Lieutenant and Commander.

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- Include the results of their investigation;
- Include their recommendation.

Any Lieutenant and Commander who receive such recommendation within three (3) working days will:

- Review the original request and the supervisor’s recommendation;
- Determine if a commendation is warranted.
 - If not warranted, return to the employee who made the request with an explanation;
 - If commendation warranted, forward to appropriate Chief Deputy with recommendation as to level.
- If a Specialty Skill Commendation for CIT or De-Escalation is warranted, forward to the Personnel Division Commander.
 - If not warranted, return to the employee who made the request with an explanation.
 - If warranted, the Personnel Division Commander will cause the Training Section Lieutenant to issue the commendation and enter it into the employee’s personnel file.
 - The Training Section will serve as the custodian of records for all commendations requested and issued for CIT/De-Escalation Skills.

Any Chief Deputy receiving such request with three (3) working days will:

- Make a final determination as to the appropriate commendation or award;
- Cause the appropriate commendation to be prepared;
- Cause the appropriate service of the commendation;
- Cause the commendation to be entered into the employee’s personnel file.

Whenever possible, the entire process should be completed within 15 working days.

J-200-5

EFFECTIVE: August 1, 1990	REVIEWED: 05/6/2022	REVISED: 05/6/2022	UPDATED: 05/6/2022
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Kern County Sheriff's Office
Policies and Procedures

TITLE: 10851 AWARD PROGRAM		NO: J-210	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: May 29, 1995	REVIEWED: 06/01/2018	REVISED: 03/10/2006	UPDATED: 06/01/2018

POLICY

The 10851 Program was established to recognize officers who are high achievers in auto theft arrests and stolen vehicle recoveries. This program is conducted in conjunction with the California Highway Patrol and the California State Automobile Association.

The award consists of a pin to be worn on the uniform shirt right pocket flap, a certificate and a plaque to be awarded by the California Highway Patrol and the California State Automobile Association.

To receive this award, a deputy must achieve any of the following in any consecutive twelve (12) month period.

- Make six (6) separate incident “rolling stolen” in custody arrests.
- Recover a total of twelve (12) stolen vehicles of which at least three (3) must be “rolling stolen” regardless of arrests.
- Develop information which results in the identification of an auto theft ring, subsequent arrest of two (2) or more suspects, recovery of at least ten (10) vehicles.

For the purpose of this program, a parked stolen vehicle with suspects taken into custody is regarded as a “rolling stolen.”

It makes no difference whether the deputy self-initiates the recovery or is dispatched to the scene after the vehicle is discovered by someone else.

The deputies keep track of their own recoveries. When they obtain a sufficient number, the deputy should contact his/her supervisor with copies of their reports.

The supervisor will verify that the criteria has been met and make the necessary notifications.

The Initial Award is a white “10851” pin. The second, third, and fourth awards will be Roman Numerals II, III, and IV attached to the white pin. The Master Award is a blue “10851” pin presented for the fifth award. The sixth, seventh, and eighth awards will be Roman Numerals II, III, and IV attached to a blue pin. A lifetime Award of a gold “10851” pin will be given after the blue IV Master Award is attained.

PROCEDURE A

When a deputy qualifies for the award, he/she will:

- Make a copy of the recovery reports.
- Forward the copies to their immediate supervisor.

PROCEDURE B

When a supervisor receives copies of the recovery reports, he/she will:

- Verify the award criteria has been met.
- Forward a memorandum confirming their findings (along with all supporting documents) to the Sheriff Senior Support Specialist assigned to the Law Enforcement Bureau.

PROCEDURE C

When the Sheriff Senior Support Specialist assigned to the Law Enforcement Bureau receives the reports, she will:

- Make arrangements for the award for the deputy through the California Highway Patrol.
- Archive all documents pertaining to the award for each deputy.

J-210-2

EFFECTIVE: May 29, 1995	REVIEWED: 06/01/2018	REVISED: 03/10/2006	UPDATED: 06/01/2018
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Kern County Sheriff's Office
Policies and Procedures

TITLE: EMPLOYEE ASSISTANCE PROGRAM		NO: J-300	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: August 1, 1990	REVIEWED: 06/01/2018	REVISED: 04/01/1996	UPDATED: 06/01/2018

POLICY

The Employee Assistance Program (EAP) has been established as a tool for self help by an employee and as a means for the Sheriff's Office to retain valued employees. The intent of the program is to help, not punish employees.

All records and discussions of personal problems with the EAP staff will be handled in a confidential manner as are other medical records. These records are kept by the EAP office and do not become a part of the employee's personnel file. Since the program is confidential, participation in the program will not jeopardize job security, promotional opportunities and reputations.

The EAP provides consultants with whom an employee can discuss problems and who can then refer the employee to the resource(s) that can better aid the employee in resolving the problem.

The cost of the consultation with the EAP provider is covered by the County. The cost of any referrals will be the responsibility of the employee, but may be covered by health insurance.

If an employee recognizes a need for professional counseling for himself/herself or a member of his/her immediate family, he/she may directly contact the program provider. This type of referral is confidential and the Sheriff's Office will not be notified.

If a member of the Sheriff's Office recognizes that a friend in the Sheriff's Office is having a problem, that member is encouraged to remind their friend of the availability of EAP and encourage them to utilize it. This type of referral will be considered a self referral regardless of the rank of the employees involved.

All supervisory referrals shall be based strictly on job performance. The supervisory referral is designed to aid the supervisor in retaining an employee who has performed well in the past, but whose performance had declined.

When a supervisor recognizes a decline in an employee's performance, he/she should utilize the traditional approach of counseling the employee about the decrease in performance. If this does not bring the performance back to standard, the supervisor should then consider the possible benefits of the EAP.

If traditional supervisory counseling methods prove ineffective and the supervisor feels that the EAP may be of assistance, the supervisor should contact his/her immediate superiors and in consultation with them will decide if a supervisory referral is a viable option to help the employee bring job performance up to standard. Only the Commander of the division or higher

rank can authorize such supervisory referral. If such referral is authorized, the supervisor should contact the EAP provider and furnish him/her with the EAP “supervisory referral” form. The supervisor should supply the EAP provider with specifics regarding the decline in the employee’s performance and what steps have been taken to improve the performance. If a referral is deemed appropriate, the supervisor shall document only the performance and not speculate as to any personal problems. The supervisor will then have an additional interview with the employee and strongly suggest that the employee contact the EAP provider.

The EAP provider will notify the supervisor if the employee makes and keeps the appointment and follows the recommendations of the counselor, but will not release any other information without the employee’s written authorization, unless ethically or legally required to do so.

The EAP is not mandatory and a supervisor cannot order an employee to make an appointment. No action can be taken against an employee for refusing to utilize the program. Job performance is what the supervisor is evaluating and the supervisor may include the fact that the EAP was offered and refused.

J-300-2

EFFECTIVE: August 1, 1990	REVIEWED: 06/01/2018	REVISED: 04/01/1996	UPDATED: 06/01/2018
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Kern County Sheriff's Office

Policies and Procedures

TITLE: CRITICAL INCIDENT STRESS MANAGEMENT (CISM) TEAM		NO: J-400	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: August 1, 1990	REVIEWED: 06/01/2018	REVISED: 04/20/2005	UPDATED: 06/01/2018

POLICY

The purpose of this program is to provide all employees, volunteers and their families with the opportunity for peer support through times of personal or professional crisis or stress, and to provide a resource in handling crisis situations in the field that require intervention.

The Critical Incident Stress Management (CISM) Team processes may be defined as individual or group meetings (defusing), or discussions about a traumatic event, or series of traumatic events (debriefing).

The defusing and debriefing processes are designed to mitigate the psychological impact of a traumatic event on first responders, prevent the subsequent development of a post-traumatic syndrome, and serve as an early identification mechanism for individuals who will require professional mental health follow-up subsequent to a traumatic event.

The CISM TEAM is in actuality a partnership between mental health professionals, Sheriff's Office employees and volunteers who are interested in preventing and mitigating the negative impact of acute stress on themselves, their peers and their families.

CISM Team members are peers from the ranks of sworn, non-sworn and volunteer personnel within all divisions of the Sheriff's Office, who are specially trained to recognize the presence of acute and chronic stress in their peers and to respond appropriately.

CISM Team activities shall consist of:

- Interventions
- Defusings
- Debriefings
- Demobilization

Team members shall:

- Attend, as a minimum, an International Critical Incident Stress Foundation, Inc. (ICISF) approved, two-day CISM Basic Courts.
- Attend at least one CISM continuing education or refresher session per year (if not directly involved in providing services at two incidents where they applied their CISM skills).

- Abide by the principles of confidentiality and keep all CISM interventions confidential.
- Provide defusing and debriefing operations and be sensitive to the psychological needs of their peers.

Mental health professionals who serve on the teams shall:

- Have at least a Master’s degree in psychology, social work, psychiatric nursing, or mental health counseling.
- Be specially trained in crisis intervention, stress, post-traumatic stress disorder, and the critical incident stress debriefing process.

DEFINITIONS

Critical Incident: Any event that has a stressful impact sufficient enough to overwhelm the usually effective coping skills of either an individual or group. Critical incidents are typically sudden, powerful events which are outside the range of ordinary human experiences.

Critical Incident Stress: Any situations faced by Emergency Services Personnel that causes them to experience unusually strong emotional reactions which have the potential to interfere with their ability at the scene or later generates unusually strong feelings in the emergency services worker. *Dr. Jeffrey Mitchell*

Defusing

A brief confidential discussion between person(s) involved in a critical incident and CISM Team members IMMEDIATELY following an incident. The purpose of a defusing is to restore the person’s cognitive functioning and to prepare him/her for future stress reactions from the incident.

Debriefing

A closed, confidential discussion about a distressing critical incident, which is designed to mitigate the impact of a critical incident and to assist the personnel in recovering as quickly as possible from the stress associated with the event.

EXECUTIVE BOARD

The executive board, with the concurrence of the Sheriff-Coroner, will set the policy, protocol and procedural guidelines for all aspects of the program;

The executive board will consist of the following:

The executive board is chaired by the program coordinator, appointed by the Sheriff-Coroner, and one member who is a Mental Health professional (Sheriff’s Office Psychologist).

EFFECTIVE: August 1, 1990	REVIEWED: 06/01/2018	REVISED: 04/20/2005	UPDATED: 06/01/2018
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EXECUTIVE COMMITTEE

The program coordinator will appoint CISM team members, with the approval of the Sheriff-Coroner, to act as the executive committee. The executive committee will be composed of no less than three CISM team members, including the program coordinator, and will be composed of as many persons as are deemed needed to accomplish the work of the executive board.

All members of the executive committee shall meet the CISM team selection criteria and have received at least the International Critical Incident Stress Foundation, Inc. (ICISF) approved, two-day CISM Basic Course.

COMMITTEE AT LARGE

The Committee at large will consist of the executive board and all currently active CISM team members.

THE EXECUTIVE BOARD SHALL:

- Maintain and coordinate liaison between CISM team members and the Sheriff's Office Administration;
- Maintain or cause to be maintained all statistics and evaluations of the program, and submit an annual report to the Sheriff-Coroner on the work of the program, and its needs;
- Coordinate recruitment, screening, selection, training retention, and dismissal of CISM team members;
- Cause to be maintained a current catalogue of referral resources for assistance, and make it available for reference of all CISM team members, employees and their families;
- Cause to be maintained an accounting of time spent and number of contacts by CISM team members for statistical purposes. This data shall be kept by each CISM team member and submitted monthly to the executive board. It shall include resources expended, time, equipment, etceteras, and the number of contacts and problems dealt with (CISM participants will not be identified in any reports).
- Keep CISM team members apprised of program activities, suggested reading material, upcoming seminars, referral resources, and training classes.
- The executive committee, including all CISM team members, will meet at least every other month for training and discussion, to do the work required by the program and sharpen CISM skills and CISM effectiveness.

J-400-3

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CONFIDENTIALITY

To be effective, the CISM program must maintain confidentiality. For this reason, one of the most important responsibilities of a CISM team member is to maintain the anonymity of CISM participants and the confidentiality of any conversations within a peer support setting. Therefore, communications between a CISM team member and the peer requesting help is considered privileged communications and cannot be divulged under any circumstance with the following exceptions:

- Suspected child abuse
- Danger to self
- Danger to others
- Narcotics offenses (sales or transportation)
- Domestic violence
- Elderly abuse
- Cases where law requires divulgence
- Divulgence is requested by the peer

DIRECTIVE A

In the event of any of the above exceptions to the confidentiality rule, the CISM team member shall immediately notify the CISM program coordinator. If the coordinator, upon review of the circumstances concurs, the situation will be brought to the attention of the concerned Chief Deputy. The CISM team member's role in these cases will be to continue emotional support of the peer without interfering with the necessary Sheriff's Office action.

DIRECTIVE B

With the exception of the situations outlined above, all other communications between the CISM team member and the peer requesting help and privileged may not be divulged by the CISM team member or peer without the expressed permission of the other.

No CISM team member may be compelled to give any statement in any Internal Affairs investigation, nor be compelled to testify in any Civil Service hearing.

A CISM team member may not be subjected to discipline by the Sheriff's Office for refusing to divulge communications deemed privileged by these sections of the Sheriff's Office procedure manual.

J-400-4

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Kern County Sheriff's Office

Policies and Procedures

TITLE: PEER SUPPORT PROGRAM		NO: J-0410	
APPROVED: Donny Youngblood, Sheriff-Coroner			
REFERENCE: Government Code Sections 8669.1 – 8669.7			
EFFECTIVE: December 21, 2021	REVIEWED: 06/14/2022	REVISED: 06/14/2022	UPDATED: 06/14/2022

PURPOSE

The purpose of this program is to provide all employees (including volunteers) and their families with the opportunity for peer support through times of personal or professional crisis or stress.

The Peer Support Team (PST) is designed to help employees and their family members by providing a group of trained individuals who can help support others. The Sheriff's Office recognizes a strong support system can benefit those in need as well as their families.

The Sheriff's Office also recognizes employees face many stressful and conflicting situations that may seriously affect their lives both personally and professionally. The Peer Support Program is provided as a resource to facilitate the understanding and expression of feelings and assist in problem solving.

The Sheriff's Office will place the highest priority on the well-being of all employees, regardless of classification. For this reason, the Sheriff's Office will ensure the PST is properly staffed and trained.

DEFINITIONS

Peers: PST members including employees, volunteers, and their family members. Collectively referred to as "peers."

Support: Support can be provided in a variety of ways including, but not limited to, the following: staying in contact with the peer in need; providing emotionally encouraging feedback and/or healthy advice; directing the peer in need to appropriate resources if/when needed; and, being available to assist a peer in need at all hours, day or night.

Confidential Communication: Any information, including, but not limited to, written or oral communication transmitted between law enforcement personnel, a PST member, or a crisis hotline or crisis referral service staff member made in connection with the PST program. Confidential communications are communications made while a PST member provides peer support services or while a crisis hotline or crisis referral service staff member provides crisis services and must be kept in confidence. Information discussed in these confidential communications are not to be disclosed to third persons other than those who are present to further the interests of the law

enforcement personnel in the delivery of peer support services or those to whom disclosures are reasonably necessary for the transmission of the information or an accomplishment of the purposes for which the PST member is providing services. “Confidential communication” does not include a communication in which law enforcement personnel are required by law to disclose the commission of a crime or a communication in which the law enforcement personnel’s intent to defraud or deceive an investigation into a critical incident is revealed. (See Paragraph G(4).)

Peer Support Services: Authorized peer support services provided by a PST member to an employee, volunteers, and their immediate families affected by a critical incident or the cumulative effect of witnessing multiple critical incidents. Peer support services assist those affected by a critical incident in coping with critical incident stress and mitigating reactions to critical incident stress.

A. PEER SUPPORT ROLES

1. **PST** is comprised of Sheriff’s Office employees who are trained in peer support and interested in preventing and mitigating the negative impact of acute stress on themselves, their peers and their families.
2. **PST Members** are employees from all classifications within all divisions of the Sheriff’s Office, who are specially trained to provide support for employees, volunteers, or their family members.
3. **PST Coordinator** is responsible for managing the team, ensuring team members are properly trained, maintaining necessary records, selecting new team members, removing team members when necessary, and acting as a liaison with the Sheriff’s Office Administration as needed.
4. **PST Leader** is responsible for the direct supervision of PST members.

B. TEAM SELECTION CRITERIA

Employees interested in participating in the PST Program shall submit a special assignment application and a memorandum expressing their desire to do so. The application and memorandum shall be forwarded, through the chain of command, to the Personnel Division Commander. For selection to the program, employees shall meet the following criteria:

1. Have the endorsement of their Division Commander.
2. Not have any work restrictions due to psychological stress.
3. Is not the subject of a serious or major investigation or suffering from serious or extreme personal problem(s).
4. Be subject to inquiries with their coworkers and supervisors to determine their suitability as a PST member.
5. Be subject to a review of their personnel file.
6. Be subject to a peer review completed by the PST.

J-0410-2

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7. Have the following characteristics:
 - a. Strong work ethic.
 - b. Naturally compassionate and empathetic.
 - c. Good communicator.
 - d. Dedicated to helping others.

Preference will be given to those employees who have formal education in a field pertaining to peer support.

The Peer Support Coordinator and Team Leaders will consult during the selection process of new PST members and will consult prior to the removal of any PST members.

C. TRAINING

1. PST members shall complete a POST certified Basic Peer Support course, which meets the requirements outlined in Government Code section 8669.6.
2. PST members shall participate in quarterly training and/or meetings.
3. The Peer Support Program Coordinator or his/her designee shall schedule and develop quarterly meetings, training, and continuing education.

D. TEAM MEMBER DUTIES

PST members shall perform the following functions:

1. Attend at least one PST continuing education course or refresher session per year.
2. Abide by the principles of confidentiality and keep all PST interventions and conversations confidential, unless otherwise required by policy and/or law.
3. Be sensitive to the psychological and emotional needs of their peers.
4. Be willing to devote their time to others when either requested or approached directly by a peer in need.
5. Be willing to track necessary statistical information.
6. Have the necessary sensitivity to deal with all people, regardless of race, religion, gender, gender preference, sexual orientation, culture, and to do so with full confidentiality and without judgement.
7. Maintain all their duties and responsibilities in their primary working assignment.

E. PST MEMBER REMOVAL

1. PST members may be subject to discipline and/or removal from the team by the Peer Support Program Coordinator only after obtaining final approval from the Support Services Bureau Chief Deputy. Removal will be based on:
 - a. Violation of any confidentiality rules.

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- b. Repeated failure to attend quarterly meetings and/or training.
- c. Continuous unavailability in responding to peers in need.
- d. Failure to maintain required statistical information.
- e. Work performance deficiencies in primary assignment.

F. PEER SUPPORT REQUEST PROCESS

1. Any Sheriff’s Office employee, volunteer or their family members may contact any member of the PST at any time without prior approval, either for themselves, their family or on behalf of another employee.
2. Supervisors and managers are encouraged to contact the PST whenever they feel the team can benefit an employee or volunteer.
3. Supervisors will make every effort to allow PST members to leave their primary working assignment to respond to a peer in need. If other factors prevent this, either the PST member or supervisor may contact the Peer Support Program Coordinator to request another PST member respond.
4. PST members may respond to a variety of incidents, including any of the following:
 - a. Officer involved shootings.
 - b. Line of duty death or serious injury.
 - c. Disturbing or emotionally trying calls for service or work events.

G. CONFIDENTIALITY

1. To be effective, the PST Program must maintain confidentiality. Government Code sections 8669.4 and 8669.7 provide mandates regarding confidential communication between a PST member and any employee seeking peer support services.
 - a. PST members may be subject to discipline for the negligent release of confidential communications.
2. Communications between a PST member and the employee seeking peer support is considered a confidential communication.
3. Per Government Code section 8669.4, law enforcement personnel, whether or not a party to an action, has a right to refuse to disclose, and to prevent another from disclosing, a confidential communication between the law enforcement personnel and a PST member made while the PST member was providing peer support services, or a confidential communication made to a crisis hotline or crisis referral service.
4. Per Government Code section 8669.4, a confidential communication may be disclosed under the following circumstances:

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- a. To refer law enforcement personnel to crisis referral services by a PST member.
 - b. During a consultation between two PST members.
 - c. If the PST member reasonably believes disclosure is necessary to prevent death, substantial bodily harm, or commission of a crime.
 - d. If the law enforcement personnel expressly agree in writing that the confidential communication may be disclosed.
 - e. In a criminal proceeding.
 - f. If otherwise required by law.
5. As mandated reporters, PST members will also be required to disclose incidents of:
- a. Suspected child abuse.
 - b. Person(s) who are determined to be a danger to themselves or others.
 - c. Illegal narcotics or drug offenses.
 - d. Domestic violence.
 - e. Suspected elder abuse.
6. The Sheriff's Office understands that a PST Program will not be effective without trust or with fear of reprisal or discipline.
- a. No investigator conducting an Internal Affairs investigation will attempt to interview or compel a PST member to give a statement regarding the actions or behavior of an employee who is receiving assistance from a PST member, unless disclosure is required by policy or law.
 - b. No PST member shall be compelled to give a statement regarding the conversation between the PST member and the employee seeking support.
 - c. No PST member shall be compelled to testify in any Civil Service hearing.
 - d. The investigator will also not ask the employee about their interactions with the PST member, including what services were offered or arranged by the PST member and what was discussed during any confidential conversations.
 - e. A PST member may not be subjected to discipline by the Sheriff's Office for refusing to divulge communications deemed privileged by these sections of the Sheriff's Office procedure manual.
 - f. These protections shall not apply to an investigation in which PST members are alleged to have violated any provisions outlined in Government Code section 8669.5(c) or who have been alleged to have violated provisions of this policy.
7. Supervisors will refrain from discussing matters about their subordinates with the PST member, unless it is to the employees' benefit for their well-being, or part of the referral process. No notations shall be made in any D-500 supervisor files regarding Peer Support.
8. PST members will only discuss their interactions with other employees when required to do so with the Peer Support Program Coordinator or if other situations dictate. Examples of such situations include if a PST member needs additional assistance from other PST members, is unable to establish rapport and/or trust with a peer, or needs to pass off care to another PST member for whatever reason.
9. PST members will not openly discuss their peer interactions with other employees.
- a. If the Peer Support Program Coordinator has any indication that a PST member

J-0410-5

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has violated the confidentiality required by this policy, they will be removed from the PST program immediately and subject to discipline.

H. PEER SUPPORT LIMITATIONS

1. Per Government Code section 8669.5, a PST member shall not provide peer support services in any of the following circumstances:
 - a. If, when serving in a peer support role, the PST member’s relationship with the law enforcement personnel receiving peer support services could be reasonably expected to impair objectivity, competence, or effectiveness in providing peer support, or would otherwise risk exploitation or harm to the law enforcement personnel.
 - b. If the PST member and the law enforcement personnel receiving peer support services were involved as participants or witnesses to the same traumatic incident.
 - c. If the PST member and the law enforcement personnel receiving peer support services are both involved in a shared active or ongoing investigation.

I. COMPENSATION

1. PST members are not required to carry a communication device to ensure their availability and will not be required to respond to emergency peer support situations during off-duty hours.
 - a. PST members are not considered to be subject to mandatory call-out or eligible for availability pay.
 - b. PST members who provide support to a peer while off-duty will be compensated with a PST supervisor’s approval.
 - (1) Such PST members will have the option to be paid overtime or to earn compensatory time off earned (CTOE).
 - (2) Each PST member will bill the Cost Center of their primary work assignment, using Overtime Type 510.

J. OFF-DUTY RESPONSE

1. If a PST member responds in person to an after-hours support request or off-duty peer in need, a notification to a PST Leader is required. If a PST Leader responds in person to an after-hours support request or off-duty employee in need, notification to the Peer Support Program Coordinator is required.
2. In the event PST members have access to a department vehicle, either through the PPV or HRV program, they will be authorized to utilize their assigned vehicle. Those team members who are not assigned a PPV or HRV can either use their privately-owned vehicle or make arrangements with the Fleet Management Unit to obtain a department

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vehicle to use while conducting PST activities.

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Kern County Sheriff's Office
Policies and Procedures

TITLE: GIFT ACCEPTANCE POLICY		NO: J-500	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: August 1, 1990	REVIEWED: 06/01/2018	REVISED: 03/01/2007	UPDATED: 06/01/2018

POLICY

There are times when organizations, businesses, or individuals wish to donate items of value to the Sheriff's Office. This policy defines the process to be followed by all members of the Sheriff's Office when offered a gift.

No member shall knowingly accept any gift from any individual who is under investigation by the Sheriff's Office or any other agency, nor will they accept a gift for their individual use or any gratuity as defined in this section.

Gifts of perishables, such as candy or produce, will be placed in a location accessible to all employees and will be shared to the extent possible.

Only the Sheriff-Coroner, Undersheriff, or a Chief Deputy may accept a gift of nonperishable goods or services. Perishable items may be accepted by a commander or above provided due consideration is given to the provisions of this section. Such donations of perishable items should be delivered to an appropriate Sheriff's facility or station. They should never be transported in patrol vehicles. Appropriate transportation may be arranged for large quantity items as necessary.

DEFINITION

GRATUITY: An item or service given in return for, or expectation of, special treatment or other consideration not afforded to all persons.

PROCEDURE

Any member who is offered a gift or nonperishable goods, or services, for use by the Sheriff's Office, will:

- Report the offer via the chain of command to the Sheriff-Coroner, Chief Deputy or appropriate Division Commander, including:
 - Nature of gift or donation;
 - Estimated value;
 - Condition, if applicable;

- The intended use.
- Notify the person wishing to give the gift or donation of this policy.

If the person offering the gift insists the member take possession of the gift immediately, the member will:

- Prepare an incident report and forward to the appropriate commander or other superior;
- Book the item into the Property Room;
- Inform the giver that the items(s) will be held pending approval.

DIRECTIVE

The Sheriff-Coroner may accept a gift valued at less than \$2,500.00. Upon acceptance or rejection of the gift, the Sheriff-Coroner will notify the donor by letter of acceptance or rejection. A copy of the letter will be filed with the Clerk of the Board.

If the donated item constitutes a fixed asset, a copy of the acceptance letter will be provided to the Auditor-Controller.

Gifts valued at over \$2,500.00, or where the donor specifically requests recognition by the Board of Supervisors, shall be referred to the Board agenda for consideration by the Board of Supervisors.

The Sheriff-Coroner will request evaluation by the County Administrative Officer and County Counsel of any conditions placed on a gift by the donor. Such evaluations shall be made prior to placing the item on the agenda.

The Sheriff’s Office will review any potential maintenance costs with General Services prior to placing the item on the agenda.

J-500-2

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Kern County Sheriff's Office
Policies and Procedures

TITLE: SHERIFF'S PROGRAMS		NO: J-600	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: November 10, 1990	REVIEWED: 06/01/2018	REVISED: 03/01/2007	UPDATED: 06/01/2018

POLICY

From time to time, members of the Sheriff's Office (including volunteer members) receive public requests to present various types of programs or presentations. It is the goal of the Kern County Sheriff's Office to accommodate such requests and to ensure that such presentations are properly conducted by qualified personnel.

Any member of the Sheriff's Office, when asked by any individual or organization to provide a program or presentation as a representative of the Kern County Sheriff's Office, or any of its official affiliates, shall not present the requested program until such time as the request has been reviewed and approved in accordance with the procedures set forth herein.

Public Presentations

All program presentations require the advance approval of the Sheriff-Coroner, Undersheriff, a Chief Deputy, Commander, Lieutenant, Sergeant, or supervisor. It is their responsibility to evaluate a request and, if approval is granted, to assign the appropriate presenter. If a specific member of the Sheriff's Office is requested to present a program, the person approving the request will ensure that the requested presenter possesses the knowledge or expertise to properly conduct the presentation. If it is determined that the requested presenter lacks the requisite knowledge or expertise, an appropriate presenter will be selected and the requesting party will be notified of such.

A Chief Deputy, Commander, Lieutenant, Sergeant, or supervisor shall only approve requests for those employees under their command.

- Requests for presentations on the street gang phenomenon shall be approved with caution. Presenters should have received training in this sensitive area.

Programs requested of and conducted by the Sheriff-Coroner, Undersheriff, a Chief Deputy, or any unit whose function includes such programs are exempt from this policy.

- Sheriff's Office equipment, materials, or supplies are to be used only for approved programs or presentations.

Public Relations Affairs and Events

All public relations affairs and events for the Sheriff's Office will be coordinated through the Crime Prevention Unit. Authority, control, and responsibility for these types of activities (i.e., law enforcement community affairs, expositions, open houses, etc.) will be assumed by the Crime Prevention Coordinator.

PROCEDURE

Any member receiving a request for a program or presentation will:

- Complete a "Request for Sheriff's Program" form;
- Forward the request to the appropriate supervisor, Sergeant, Lieutenant, Commander, Chief Deputy, Undersheriff, or Sheriff-Coroner.

The appropriate supervisor, Sergeant, Lieutenant, Commander, Chief Deputy, Undersheriff, or Sheriff-Coroner will:

- Approve the request and assign personnel accordingly, or;
- Deny the request and notify the person making the request;
- Send one copy of an approved request to the assigned presenter so they are aware of their assignment.

NOTE: Copies of the "Request for Sheriff's Program" are available through the Crime Prevention Unit or in the Sheriff's Office Policy and Procedures Manual. The form can be duplicated as needed.

Coordination of Public Relations Fairs and Special Events

Upon receiving a request for an event that entails the participation of several groups or special units of the Sheriff's Office, the Crime Prevention Coordinator will fill out a "Sheriff's Request for Program" for each of the units requested, have them approved by Administration and then ensure that copies are sent to the various division commanders. The division commanders will review the requests and determine the availability of resources to fulfill the request. The division commanders will give a copy of the form to the presenter or participant assigned to the event, and return a copy of the "Sheriff's Request for Program" form to the Crime Prevention Coordinator as approved or disapproved. The division commander will identify the person that has been assigned to the event, and the contact person within their division (if different than the presenter) will be noted.

J-600-2

EFFECTIVE: November 10, 1990	REVIEWED: 06/01/2018	REVISED: 03/01/2007	UPDATED: 06/01/2018
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Kern County Sheriff's Office

Policies and Procedures

TITLE: DEPARTMENT PARTICIPATION IN COMMUNITY TASK FORCES/ACTION GROUPS/COMMITTEES		NO: J-610	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: September 26, 1996	REVIEWED: 06/01/2018	REVISED: 03/01/2007	UPDATED: 06/01/2018

POLICY

It shall be the policy of the Sheriff's Office that all participation in outside task forces/action groups/committees will be identified and monitored. Due to their expertise or interest, members of this agency may be asked or assigned to participate in various activities as representatives of the Kern County Sheriff's Office. In an effort to better utilize resources and standardize the involvement of Sheriff's Office personnel in outside task forces/action groups/committees, a mechanism has been developed to monitor these projects. The General Investigations Division, Crime Prevention Unit will be the clearinghouse for all requests seeking the Sheriff's Office participation in or support of task forces/action groups/committees, and will maintain a Master Project File on all proposed and ongoing involvement.

Any member of the Sheriff's Office, when asked by any individual or organization to participate in an outside task force/action group/committee, shall not commit themselves or any Sheriff's Office resources until a determination is made by the Administration regarding the feasibility and fitness of our agency's involvement.

All outside committee/action group/task force involvement requires the advance approval of the Sheriff-Coroner, Undersheriff, a Chief Deputy or a Division Commander. It is their responsibility to evaluate a request and if approval is granted, to assign an appropriate Sheriff's Office representative.

PROCEDURE

PROPOSED INVOLVEMENT IN A NEW COMMITTEE / TASK FORCE / ACTION GROUP

Any Sheriff's Office member contacted about participation in an outside committee/action group/task force will:

- Forward the request to the General Investigations Division Commander so it can be thoroughly researched for submission to Sheriff's Administration for consideration or;
- Advise the requesting party to contact the General Investigations Division Commander for assistance.

The General Investigations Division will evaluate the initial request. The General Investigations Commander will then assign the request to the Crime Prevention Coordinator or other designee.

The Crime Prevention Coordinator or designee will:

- Direct the requesting party to submit in writing a request for participation by the Sheriff's Office.
- Re-contact the requesting party after a written request is received and ask them to provide information about their committee/action group/task force to include but not limited to: the name of group, contact person/chairperson for group, mailing address for group, phone number for contact person; length the group has been in existence; list of other individuals/organizations involved in group; mission statement of group; how often the group meets and length of meetings; identification of funding source for group; availability of monetary compensation for participation of Sheriff's Office; will there be a request for a formal operational agreement or agreement of understanding between the group and the Sheriff's Office and if so what are the terms of the agreement to be; a list of specific activities being requested of the Sheriff's Office (i.e., directed patrols, subcommittee work, meetings), and a narrative outlining how participation by the Kern County Sheriff's Office will benefit the group.
- Log and review request to ensure all pertinent information has been supplied by requesting group.
- Research and prepare a staff report that outlines specific Sheriff's Office resources being requested, current commitment level of resources that might impact further outside committee/task force/action group involvement, and any special information known to the Crime Prevention Coordinator that is pertinent.
- All requests will then be forwarded to the appropriate Division Commander(s) for consideration.

The Division Commander(s) will:

- After receiving a request for participation from the General Investigations Division, the Division Commander(s) will review the request and assign an employee from their area of responsibility to participate or deny the request.
- If denied, the reason for denial will be noted and the request returned to the General Investigations Division for archiving. The General Investigations Division will re-contact the requesting party in writing and inform them of the decision.
- If the request is approved, the affected Division Commander(s) will identify which staff member has been assigned, notify the staff member and forward pertinent information to them. In addition, the Division Commander(s) will notify the General Investigations Division regarding the assignment.

J610-2

EFFECTIVE: September 26, 1996	REVIEWED: 06/01/2018	REVISED: 03/01/2007	UPDATED: 06/01/2018
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MONITORING OF CURRENT / ONGOING COMMITTEE/TASK FORCE/ACTION GROUPS

All outside committee/task force/action group assignments will be monitored. Any employee or volunteer who in the course of their duties is assigned to work with one of these groups will be responsible for forwarding information to the General Investigations Division, Crime Prevention Unit regarding the group. A Master File on each project will be developed and maintained within the General Investigations Division, Crime Prevention Unit.

Any Sheriff's Office member assigned to an outside committee/task force/action group will:

- Inform the General Investigations Division, Crime Prevention Unit regarding the assignment.
- Assist General Investigations Division, Crime Prevention Unit with the development of a Master Project File for assignment.
- Forward pertinent information regarding the group to Crime Prevention for filing as the group progresses (to include meeting minutes, subcommittee activity, progress reports, etc.)
- Provide periodic evaluations on the status of the group to Crime Prevention as requested.
- Inform the General Investigations Division regarding the dissolution of group or any change in the status of assignment to the group.

The General Investigations Division representative will:

- Act as the contact point and central repository of information on all outside departmental committee/task force/action group assignments.
- Communicate with departmental committee/task force/action group assignees regarding project status and activities.
- Maintain a file on each committee/task force/action group that involves Sheriff's Office participation.
- Prepare quarterly progress reports from information contained in files on each identified project and forward to the appropriate Division Commander(s) and Administration.
- Archive, review and update all operational agreements or memorandums of understanding developed in conjunction with identified master projects. Forward agreements to appropriate Chief Deputy, Undersheriff, or Sheriff for consideration and necessary signatures.
- Apprise Division Commanders, Chief Deputies, Undersheriff, and Sheriff regarding progress of projects and any pertinent information relative to status of project through the chain of command.
- Archive files on all projects for two years after completion or disassociation with group.

J6103

EFFECTIVE: September 26, 1996	REVIEWED: 06/01/2018	REVISED: 03/01/2007	UPDATED: 06/01/2018
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Kern County Sheriff's Office

Policies and Procedures

TITLE: SECRET WITNESS/KERN'S MOST WANTED		NO: J-620	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: April 12, 2000	REVIEWED: 06/01/2018	REVISED: 06/26/2000	UPDATED: 06/01/2018

POLICY

The Secret Witness Program was formed as a public benefit, non-profit corporation in 1982. It has since absorbed the Kern's Most Wanted Program. It is a collaborative effort between law enforcement and the community to involve the public in the criminal justice system by removing the fear of reprisal for assisting law enforcement through a guarantee that those providing information will never be identified by the Secret Witness Program. Rewards are available for those who provide information and are administered by the Secret Witness Board of Directors. All funding to the Secret Witness Program comes from community donations. The Sheriff's Office will support the Secret Witness Program and utilize it as a valuable tool to solve crimes and apprehend wanted persons.

DEFINITIONS

Secret Witness: This program exists to assist law enforcement in solving crimes when all investigative leads have been exhausted or the crime is serious and a quick resolution is necessary to protect public safety. It maintains a 24-hour hotline for the receipt of information provided by members of the public. The information may be in response to a law enforcement agency's request for assistance on unsolved crimes, or it may be unsolicited information about a crime or a wanted person. The caller is given a code name and number. The hotline documents the information and faxes it to the appropriate law enforcement agency. When the information is successful in solving a crime, or locates a wanted person, the Secret Witness Board of Directors will determine the significance of the information. The Board of Directors has sole discretion to authorize a reward and set the value of the reward. The caller is then asked to contact the hotline to arrange for the collection of the reward.

Kern's Most Wanted: This program is utilized to seek the public's assistance in locating known wanted persons by publicizing the information in the local media outlets.

DIRECTIVE 1

Administrative responsibility for the program will rotate between the Sheriff's Office and the Bakersfield Police Department. Each agency will retain such responsibility for two years. Administrative responsibility includes providing a location for meetings of the Board of Directors; one of the department's representatives will be the President of the Board of Directors; oversight of the program's telephone system and dissemination of information; providing a

department member to act as the program's bookkeeper.

DIRECTIVE 2

The by-laws of the Secret Witness Program restrict the Sheriff's Office to two members on the Board of Directors. The Sheriff's Office's representatives will be the Communications Division Commander and the Detective Division Commander. The agency will also provide a member of the Financial Services Division to attend meetings and act as the program's bookkeeper when the agency has administrative responsibility for the program. This person will not sit on the Board of Directors.

PROCEDURE A: Submitting Information to the Secret Witness Program

DIRECTIVE A-1

Unit supervisors (including substations) must approve the information submitted to the Secret Witness Program to ensure that individuals are not endangered and/or the investigation is not compromised.

Officers submitting an investigation or suspect to Secret Witness will:

- Prepare a memo or bulletin containing the information to be released.
 - Include photos if available and/or appropriate.
- Submit the document to the unit supervisor.

The Unit Supervisor will:

- Approve or deny the Secret Witness Program request;
- Submit the approved documents to the Detective Division Commander;
 - In his absence, submit the request to the Communications Division Commander.

The Detective Division Commander or the Communications Center Commander will:

- Approve or deny the program request. If the designated commander denies the request, he/she will inform the unit supervisor the reasons for the denial.

J-620-2

EFFECTIVE: April 12, 2000	REVIEWED: 06/01/2018	REVISED: 06/26/2000	UPDATED: 06/01/2018
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If approved, the Commander will:

- Fax the document to:

Bakersfield Californian 395-7519

KGET Channel 17 283-1855

KERO Channel 23 323-5538

KBAK Channel 29 861-9810

- If the document contains photographs that cannot be faxed, arrange delivery of the document to the above listed outlets.

PROCEDURE B: Receipt of Information

DIRECTIVE B-1

Information received by the Secret Witness hotline is faxed to the appropriate law enforcement agency. If the information should be acted on immediately, it is sent to that agency's Communications Center to initiate action on the information. In these circumstances, the Communications Center for the Sheriff's Office will also fax the information to the Detective Division Commander. Non-urgent information for the Sheriff's Office is faxed to the Detective Division Commander by the Secret Witness hotline. He/she will route the information to the appropriate person/work unit for action.

DIRECTIVE B-2

The Detective Division Commander will maintain a log of all information sent to the Sheriff's Office from the Secret Witness hotline. At a minimum the log will contain the Secret Witness log number; date received by the Sheriff's Office; type of crime or incident alleged; unit the information was assigned to for action, and the disposition of that information. A copy of the information received will be attached to the log sheet. He/she is also responsible for reporting successful dispositions to the Secret Witness Board of Directors.

J-620-3

EFFECTIVE: April 12, 2000	REVIEWED: 06/01/2018	REVISED: 06/26/2000	UPDATED: 06/01/2018
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Kern County Sheriff's Office
Policies and Procedures

TITLE: HISTORICAL PRESERVATION COMMITTEE		NO: J-630	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: July 5, 2011	REVIEWED: 06/01/2018	REVISED:	UPDATED: 06/01/2018

POLICY

The mission of the Historical Preservation Committee (HPC) is to preserve the history and heritage of the Kern County Sheriff's Office and to share that history with members of the Sheriff's Office and the community.

Historical items are obtained by the HPC in a number of different ways. Sources include non-serviceable items owned by the Kern County Sheriff's Office and transferred to the HPC. Other items may be given or loaned to the HPC by members of the public. Others may be items of evidence previously booked into the Property Room which have been converted to Sheriff's Office use and transferred to the HPC.

Regardless of how the items are collected, they must be cataloged, inventoried, tracked and monitored to ensure they do not become lost or stolen. Those items having little monetary value such as photographs and documents will be stored in the HPC office. However, items of significant monetary or historical value, including all firearms, shall be stored in the Property Room when not on display. These items will be tracked using the PRIMUS Property Management System.

No property which is controlled by this policy shall be taken to any location other than those controlled or approved by the HPC, the Sheriff-Coroner or his/her designee.

DIRECTIVE A - ITEM STORAGE

All items of significant monetary or historical value, including all firearms assigned to the Kern County Sheriff's Office HPC will be inventoried, tracked and monitored using the PRIMUS Property Management System. The HPC items will be listed under "Agency Number" HISTORY. All items will be stored in the BASEMENT ARMORY while at the Property Room.

All items booked into the Property Room for the HPC will be assigned a barcode. This barcode will remain on the item while it is assigned to the HPC. Items loaned to the HPC will be assigned a barcode as well. Care shall be taken to ensure the barcode is placed on the item so the item is not devalued.

- Firearms shall have a gun tag attached with a string. The barcode shall be placed on the tag.

PROCEDURE A- ENTERING KCSO-OWNED ITEMS INTO PRIMUS

Personnel who enter non-serviceable, but historically valuable items owned by the Kern County Sheriff's Office into PRIMUS will:

- Transfer the item to the Historical Preservation Committee instead of having it auctioned or destroyed.
- Give the item a bar code and book it into PRIMUS under "Agency Number" HISTORY.
- Enter the item's complete description, including brand name, model, serial number and all other pertinent descriptive information in the "Description" box and other applicable boxes.
- Make the "Current Location" Basement Armory.
- In the "Comment Box" type "Non-serviceable KCSO property transferred to Historical Preservation Committee on (enter date) authorized by Commander (enter name of Commander)."

PROCEDURE B – ENTERING EVIDENCE ITEMS INTO PRIMUS

The following procedure will be utilized when items that were originally booked into the Property Room as evidence or property and are later converted to Sheriff's Office use by the HPC. Extra care and diligence shall be used to ensure all reasonable efforts are made to return an item to its lawful owner prior to the item being converted to Sheriff's Office use.

- The item will be given a bar code and booked into PRIMUS under "Agency Number" HISTORY.
- Enter the complete description of the item including brand name, model, serial number and all other pertinent descriptive information in the Description box and other applicable boxes.
- Make the "Current Location" Basement Armory.
- In the "Comment Box" type "Converted to Department Use" on (enter date) from case number (enter the case number the item was originally booked under) authorized by Commander (enter name of authorizing commander).
- Under the item's original case number, change current location to "Department Use". In the comment box, type "Converted to Department use on (enter date). Conversion authorized by Commander (enter name of authorizing Commander). Item assigned to the Historical Preservation Committee".

Only items that fit the following criteria can be converted to Sheriff's Office use and assigned to the HPC:

- The item is ordered "converted or destroyed" by a judge.
 - If an item is ordered destroyed, a court order must be obtained to allow its use by the HPC.
 - Items that will be converted to Sheriff's Office use and assigned to the Historical

J-630-2J-630

EFFECTIVE: July 5, 2011	REVIEWED: 6/1/2018	REVISED:	UPDATED: 6/1/2018
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Preservation Committee instead of being auctioned or destroyed require the completion of a “Conversion of Property/Evidence for Department Use” form.

- The item is ordered “disposed” by the investigating officer.
- The item is ordered “to be returned to the owner” by the investigating officer and the Property Room has been unable to locate the owner or the owner has failed to claim the item within the statutory time limits.
 - It should be noted that although an item is converted to Sheriff’s Office use, it will remain available for return to the owner if he or she makes a claim after the statutory time limits have expired. This option is not available if the item is auctioned or destroyed.

PROCEDURE C- ENTERING DONATED ITEMS INTO PRIMUS

The HPC will follow County Policy as described in Administrative Bulletin No. 13 when any item is donated or loaned to the Historical Preservation Committee by a member of the public. Additionally, the following procedure will be utilized under such circumstances:

- The item will be given a bar code and booked into PRIMUS under “Agency Number” HISTORY.
- Enter the complete description of the item including brand name, model, serial number and all other pertinent descriptive information in the Description box and other applicable boxes.
- Make the “Current Location” Basement Armory.
- If the item is permanently given to the Historical Preservation Committee type the following in the “Comment” box, “Donated to the KCSO Historical Preservation Committee by (donor’s name) for permanent use. (Enter donor’s phone number)”
- If the item is given to the HPC for temporary use, type the following in the “Comment” box, “Loaned to the KCSO Historical Preservation Committee by (donor’s name) for temporary use. (Name) expects return of the property no later than (enter date owner expects return of the property). (Enter phone number and address of the owner)”.

PROCEDURE D – CHECKING HPC ITEMS OUT OF THE PROPERTY ROOM

The “Item Transfer Receipt” process will be utilized whenever an HPC item is checked out of the Property Room.

- The deputy or HPC member to whom the item is released will sign the item transfer receipt.
- The item transfer receipt will show the new location the item will be housed while outside the Property Room.
- Possible temporary locations will include “Building A Display”, “Building B Display” etc.
- Make necessary notations to ensure proper accountability in the “Comment” box.

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EFFECTIVE: July 5, 2011	REVIEWED: 6/1/2018	REVISED:	UPDATED: 6/1/2018
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Once an item is no longer needed in its temporary location, it shall be checked back into the Property Room.

- PRIMUS records will be updated to show the “Current Location” as Basement Armory and the item will be stored in the Basement Armory.

PROCEDURE E-HPC DIRECTOR

The existence and continued operation of the HPC is crucial to the preservation of the historical items possessed by the KCSO. Because of its importance, the person selected to oversee the committee shall be the rank of commander.

The chosen commander will have the following responsibilities:

- Ensuring that the HPC is operational
- Ensuring the HPC meets monthly
- Ensuring there is a continued effort to preserve and display KCSO artifacts and that the artifacts are preserved in a safe and secure location.
- Reporting any significant issues related to the HPC directly to the Chief Deputy in charge of the Administrative Service Bureau.

J-630-4J-630

EFFECTIVE: July 5, 2011	REVIEWED: 6/1/2018	REVISED:	UPDATED: 6/1/2018
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Kern County Sheriff's Office
Policies and Procedures

TITLE: TERMINAL VACATION		NO: J-700	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: March 4, 2002	REVIEWED: 6/1/2018	REVISED: 4/22/2014	UPDATED: 6/1/2018

POLICY

Terminal vacation is a special pay status established by Chapter 1; Section 120.8 of the Kern County Administrative Policies and Procedures, available for employees as they transition into retirement. Eligible employees may voluntarily elect to enter into this special status. Employees on terminal vacation status are employees of the County of Kern only for the purposes of exhausting accrued vacation earned but not taken. Their position is deemed vacant on the date of commencement of the terminal vacation.

Procedure A: Election of terminal vacation pay status

An employee electing to enter into terminal vacation status will:

- Complete and sign the “Terminal Vacation” form (see attached);
- Submit the form to the Personnel Division Commander;
- Turn in all county-owned or issued equipment to the proper authority prior to commencement of terminal vacation;
- Contact the Personnel Division to schedule an appointment to process necessary paperwork;
 - Appointment must occur prior to commencement of terminal vacation.

The Personnel Division Commander will:

- Distribute a copy of the completed Terminal Vacation form to:
 - Employee’s Chief Deputy;
 - Financial Services Section, Payroll;

Personnel Division;

KCERA (Retirement)

- Place the original in the employee's personnel file.

Directive #A-1:

Completion of the Terminal Vacation form does not relieve the employee from completing any other documents or requirements associated with retirement or leaving county service.

PLEASE ADDRESS ALL COMMUNICATIONS TO THE SHERIFF



1350 Norris Road
Bakersfield, California 93308-2231

Kern County Sheriff's Office
1350 Norris Road
Bakersfield, California 93308

Attention: Personnel Division Commander

Re: Terminal Vacation Administrative P&P Manual-Chapter 1, Section 120.8

Effective at the end of my shift on _____, I have chosen to commence terminal vacation. I understand that upon the commencement of terminal vacation the following conditions will apply:

1. I will be an employee of the County of Kern for the purposes of exhausting my accrued terminal vacation earned but not taken, and, except for the payment of compensation owed to me during such terminal vacation, my position shall be deemed vacant on the date of the commencement of the terminal vacation.
2. I will no longer possess the peace officer powers associated with my vacated position through the Kern County Sheriff's Office while on terminal vacation. Whether or not a peace officer, I will no longer possess any power associated with my duties with the Kern County Sheriff's Office while on terminal vacation.
3. If a peace officer, I will be provided with a "retired" Kern County Sheriff's Office identification certificate (card) subject to the conditions of Penal Code Section 12027 by the Kern County Sheriff's Office.

I will turn in **all** county-owned or issued equipment prior to the commencement of the terminal vacation.

Print Name: _____

Social Security Number: _____

Signature: _____

Dated: _____

cc: Employee's Personnel File



Kern County Sheriff's Office
Policies and Procedures

TITLE: Separation from Service		NO: J-0710	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: April 24, 2013	REVIEWED: 6/1/2018	REVISED: 7/28/2014	UPDATED: 6/1/2018

POLICY

This policy is intended to provide Sheriff's Office employees and volunteers an orderly, efficient procedure by which they can go through the steps involved in separating from service. This policy shall apply to separations (service retirements, resignations, terminations, and dismissals) from service only.

PROCEDURE A- SEPARATION FROM SERVICE-RETIREMENT

Employees who are retiring from service with the Sheriff's Office shall:

- Contact the Kern County Employees Retirement Association to establish an appropriate retirement date and obtain relevant information regarding health benefits, etc.
- Contact the Sheriff's Office Human Resources Section and announce their intention to retire, along with the date of separation.
- Contact the Sheriff's Office Payroll Unit to verify sufficient accrual balances when terminal vacation will be used prior to the retirement effective date.
- Inform their immediate supervisor of the intention to retire.
- Employees who are retiring and wish to purchase their service weapon must complete the firearm transfer forms forty five (45) days prior to the effective date of terminal vacation or retirement date (as per Policy & Procedures Manuel section G-1020-Firearm Transfer).

PROCEDURE B- SEPARATION FROM SERVICE-RESIGNATION

Employees who are resigning from service with the Sheriff's Office shall report to HR to:

- Complete Resignation Form.
- Complete the Exit Questionnaire with the Human Resources Sergeant.
- Complete Employee Exit Form.
- Complete the Change of Employee Status Form

PROCEDURE C- SEPARATION FROM SERVICE-TERMINATION

Employees who are terminated from service with the Sheriff's Office shall report to HR to:

- Complete the Change of Employee Status Form.

PROCEDURE D- SEPARATION FROM SERVICE-DISMISSAL

Employees who are dismissed from service with the Sheriff’s Office shall report to HR to:

- Complete the Change of Employee Status Form

PROCEDURE E- SEPARATION FROM SERVICE- VOLUNTEER

Volunteers who are resigning from service with the Sheriff’s Office shall:

- Contact the Sheriff’s Volunteer Services Section and announce their intention to resign, along with the date of separation.
- Complete any exit forms with the Volunteer Services Sergeant.

HUMAN RESOURCES AND VOLUNTEER SERVICES STAFF WILL NOTIFY THE FOLLOWING UNITS OF THE EMPLOYEE’S INTENTION TO SEPARATE (AS APPLICABLE TO PROCEDURE A, B, C, D & E):

- Communications Center Staff will inactive the employee’s CAD ID on the separation date.
- Technology Services Staff will deactivate the employee’s email and other electronic accounts on the separation date.
 - TSS staff will make arrangements to retrieve the employee’s issued cellular telephone, IPAD, pager etc. as applicable.
- Property Room staff will be notified that the employee will be coming in to return all issued equipment.
- Training Section staff will deactivate the employee’s training file on the separation date.
- The Sheriff’s Office Fleet Manager will retrieve the employee’s issued vehicle and fuel cards, (if applicable).
- The Sheriff’s Office Risk Management Analyst will deactivate the employee’s medical and worker’s compensation files.
- The Sheriff’s Benefit Association will receive a courtesy notification of the separation.
- Financial Services Section staff will be notified to deactivate purchase cards, if applicable.
- HR staff will give the employee information on gift badges and firearm purchase (if applicable).

Human Resources and Volunteer Services Staff will direct the employee to go to the Sheriff’s Property Room, and other applicable locations, and return all County equipment prior to the employee’s last day of work.

Once the employee returns all issued equipment (as reflected on the property card maintained at the Property Room), Property Room staff will give the employee the Property Verification Form. The Property Verification Form must be turned in to Sheriff ‘s Office Human Resources or

EFFECTIVE: April 24, 2013	REVIEWED: 6/1/2018	REVISED: 7/28/2014	UPDATED: 6/1/2018
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Volunteer Services in order to complete the separation process.

The employee will return to the Human Resources Section on his/her last day of work and provide HR Staff with the verification form. Human Resources Staff will then:

- Complete the Change of Employee Status (CES) form.
- Complete the Retirement/Separation Exit form.
- Issue the employee (if a peace officer) a retired identification card (if applicable).
- Issue the volunteer (if a reserve deputy) a retired identification card (if applicable).

Exiting employees are advised that the Auditor Controller will not process a direct deposit transaction when an employee separates from County service. A check will be issued and delivered to the address on file upon separation.

EFFECTIVE: April 24, 2013	REVIEWED: 6/1/2018	REVISED: 7/28/2014	UPDATED: 6/1/2018
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Kern County Sheriff's Office
Policies and Procedures

TITLE: SHERIFF'S SPECIAL FUND		NO: J-800	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: August 1, 1990	REVIEWED: 6/1/2018	REVISED: 3/17/2011	UPDATED: 6/1/2018

POLICY

Pursuant to Government Code Section 29430 et. seq., the Board of Supervisors established the Sheriff's Special Appropriation Fund. The Sheriff-Coroner may use the funds for:

- Expenses incurred in criminal cases arising in the county.
- Expenses necessarily incurred by the Sheriff-Coroner in the preservation of peace.
- Expenses necessarily incurred by the Sheriff-Coroner in the suppression of crime.

ALLOWABLE EXPENDITURES:

The expenses that require cash outlays related to criminal cases, the preservation of peace and the suppression of crime will include, but will not be limited to:

- Payments to, or on behalf of, informants.
- Purchase of evidence.
- Expenses incurred for investigative activities.
- Purchase of emergency supplies that would otherwise impede an activity.

EXCLUDED EXPENDITURES:

In general, expenses of a nature that can be anticipated are not of the type described above and are a regular function of the County Purchasing Agent will be excluded from disbursement by the Special Fund.

FINANCIAL SERVICES SECTION ACCOUNTABILITY:

The Financial Services Section Administrative Services Officer (or designee) will be the custodian of the Special Fund. The locking cash box will be kept in the section safe. The key to the cash box will be in the possession of the Administrative Services Officer (or designee).

Financial Services will maintain the Control Log (Exhibit A) which will show the date, name and amount disbursed to the officer. The remaining balance column will serve as a reminder to the custodian of the fund that the fund should be replenished.

REPLENISHMENT OF SPECIAL FUND:

When the cash balance on hand in the Special Fund is low, the Administrative Services Officer (or designee) will call the Auditor-Controller and request a withdrawal of funds. This request must be to one of the following individuals:

- Auditor-Controller
- Assistant Auditor-Controller
- Chief, General Accounting Division

A "Claim for Payment" will be prepared requesting that the Auditor-Controller issue a warrant.

The Administrative Services Officer (or designee) will call the Treasurer-Tax Collector's Office to ensure that they have sufficient cash on hand to cash the requested warrant.

The "Claim for Payment" will be faxed to the Auditor-Controller's Office so that a hand-typed warrant can be prepared. The original form will be hand-delivered at the time the warrant is picked up. The warrant will then be converted to cash at the Treasurer-Tax Collector's Office. The original "Claim for Payment" will be retained by the Auditor-Controller's Office.

In the event a change occurs which results in the money not being needed, a memo will be sent to the Auditor-Controller requesting that the warrant be canceled.

ISSUANCE OF SPECIAL FUND MONIES TO UNIT SUPERVISORS:

Funds requested by unit supervisors will be authorized by their Division Commanders or Section Lieutenants.

- Lieutenants may authorize the withdrawal of funds up to a maximum of \$10,000.
- Commanders may authorize the withdrawal of funds up to a maximum of \$25,000.
- Amounts over \$25,000 will require the approval of a Chief.

Division Commanders or Section Lieutenants will notify Financial Services that they will be signing for funds for their division/section. Financial Services will prepare a Special Fund Receipt (Exhibit B) with the unit supervisor's name printed on the receipt indicating the amount of Special Fund monies to be issued to the unit supervisor and the date the funds will be withdrawn. The Division Commander or Section Lieutenant authorizing the Special Fund money will sign and print their name and CAD identification number on the receipt.

The Administrative Services Officer (or designee) will ensure the Special Fund Receipt is complete, will disburse the specified amount of funds and have the officer receiving the cash sign the receipt.

J-800-2J-800

EFFECTIVE: August 1, 1990	REVIEWED: 6/1/2018	REVISED: 3/17/2011	UPDATED: 6/1/2018
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ISSUANCE OF SPECIAL FUND MONIES FROM UNIT SUPERVISORS TO THEIR UNITS:

Funds issued to unit supervisors are only to be re-issued from unit supervisors to deputies assigned to their units. Unit supervisors will not issue funds to deputies assigned to any other unit as this will create an inconsistency in the audit trail and cause inaccurate accounting of funds.

The person to whom Special Fund money is disbursed by Financial Services must be the same person who deposits the remaining money back to Financial Services. Therefore, it is not permissible for one-unit supervisor to transfer Special Fund money to another unit supervisor, not even in the case where one supervisor is transferring out of the unit and the other supervisor is transferring in. In this case the supervisor leaving the unit will collect all distributed money and return it to Financial Services. The new supervisor will then be issued money from Financial Services. This will ensure the audit trail remains unbroken.

Unit supervisors receiving funds from Financial Services will document receiving the funds on their Individual Special Fund Accounting Form. (Exhibit C) This same form will be utilized by all deputies who receive funds from their supervisors.

Unit supervisors will issue the needed funds to deputies within their unit and have them sign a County of Kern Sheriff-Coroner Receipt (Exhibit D) for receiving the funds.

EXPENDITURES:

The expenditure of all funds will be documented on the Individual Special Fund Accounting Form (Exhibit C) and will include the date, receipt number, transaction description (whether the expenditure was for Evidence, Investigative Expense, Informant Fee, or Other), the dollar amount of the funds expended and the balance of funds on hand.

Funds expended will also be documented on the Special Fund Form (Exhibit E) which will include the case number, receipt number and dollar amount expended. The form will be completed giving a description of what the funds were expended for and a result of the expenditure.

Example:

CRI was paid \$100.00 for his assistance in an ongoing narcotics investigation.

Result of Activity:

Three suspects were arrested and charged with possession of methamphetamine for sale. Two pounds of methamphetamine were seized during the investigation.

J-800-3J-800

EFFECTIVE: August 1, 1990	REVIEWED: 6/1/2018	REVISED: 3/17/2011	UPDATED: 6/1/2018
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The form will be signed by the officer and his/her name and CAD identification number will be printed under his/her signature. The approving supervisor will also sign his/her name and will print his/her name and CAD identification number under the signature.

Payments to informants will be documented on the Informant Receipt for Information or Evidence (Exhibit F) in conjunction with Exhibits C and E. The Informant Receipt for Information or Evidence is utilized when payment is made to an informant for information or assistance on a case.

Example:

CRI assisted the Wasco Substation in a lengthy narcotics investigation which resulted in the seizure of one ounce of cocaine.

The Informant Receipt for Information or Evidence will indicate the amount of funds paid to the informant, the deputy's name, the date of payment and the informant's number. This transaction will be witnessed by a second officer and both the witnessing officer and the officer paying the informant will sign and print their name on the form.

SPECIAL FUND EXPENDITURES FOR INVESTIGATIVE PURPOSES BY CREDIT CARD:

There are a few occasions when Special Fund monies are utilized to further a police investigation or for investigative purposes in which a credit card is required for the transaction. On these occasions, the supervisor will complete and document the transaction on the Special Fund Form (Exhibit E) and complete the online Credit Card Purchase Form in Budget Master. A Special Fund budget authorization number has been set up for the utilization of funds for investigative purposes via credit card. A copy of the budget master purchase card form will be attached to the Special Fund Form and turned in with the monthly reports. As this is not a cash transaction, it will not need to be logged on the Individual Special Fund Accounting Form (Exhibit C) or the Monthly Special Fund Accounting Form (Exhibit G).

When the Law Enforcement Bureau Chief's Sheriff Senior Support Specialist (Bureau SSSS) receives documentation for a credit card transaction, he/she will retain that documentation in the Bureau files, and will not include it in the monthly packet that is prepared and turned in to Financial Services.

MONTHLY REPORTING:

All funds expended must be reported each month on the Monthly Special Fund Accounting Form (Exhibit G). Unit supervisors are responsible for collecting all Special Fund forms and receipts from deputies assigned to their unit(s). The unit supervisor is responsible for auditing their unit's Individual Special Fund Accounting Forms prepared by each deputy to ensure they are correct and conform to the documentation each deputy turns in. Unit supervisors will also ensure that all expenditure fund forms are complete and attached to their accounting forms. After the unit supervisor has collected all the Special Fund forms and receipts from deputies assigned to their unit, the supervisor is responsible for completing the Monthly Special Fund Accounting Form.

J-800-4J-800

EFFECTIVE: August 1, 1990	REVIEWED: 6/1/2018	REVISED: 3/17/2011	UPDATED: 6/1/2018
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The Monthly Special Fund Accounting Form must properly account for how all funds are spent, such as the purchase of evidence, investigative expense, informant fees, or other expenditures; and must accurately reflect the Individual Special Fund Accounting Forms completed by each deputy. Once the unit supervisor has approved all the forms, he/she will ensure the forms and receipts are turned in to the person responsible for collecting the division's Special Fund forms and receipts no later than the fifth of the month.

Special Investigations Division:

- The units assigned to the Special Investigations Division (SID) will turn their Special Fund forms and receipts in to the SID Administrative Sergeant no later than the fifth of the month. The SID Administrative Sergeant will review all forms to ensure they are correct. The SID Administrative Sergeant will be responsible for ensuring the forms and receipts are turned in for the entire division to the Bureau SSSS no later than the tenth of the month.

Substation Divisions:

- All substation supervisors will be responsible to complete all the same forms as the SID supervisors. These forms will be completed and reviewed by the unit supervisors, and turned in to their Section Lieutenant no later than the fifth of the month. Substation Divisions Lieutenants will review all forms to ensure they are correct. Substation Divisions Lieutenants will be responsible for ensuring the monthly accounting forms and receipts are turned in for their divisions to the Bureau SSSS no later than the tenth of the month.

Patrol Division:

- Patrol supervisors who issue funds to deputies assigned to their squads will ensure all the appropriate forms are completed and turned in to the Patrol Division Administrative Sergeant no later than the fifth of the month. The Patrol Division Administrative Sergeant will review all forms to ensure they are correct. The Patrol Division Administrative Sergeant will be responsible for ensuring the forms and receipts are turned in for the entire division to the Bureau SSSS no later than the tenth of the month.

General Investigations Division:

- Supervisors assigned to the General Investigations Division will ensure all the appropriate forms are completed and turned in to the General Investigations Division Commander (or designee) no later than the fifth of the month. The General Investigations Division Commander (or designee) will review all forms to ensure they are correct. The General Investigations Division Commander (or designee) will be responsible for ensuring the forms and receipts are turned in for the entire division to the Bureau SSSS no later than the tenth of the month.

The Bureau SSSS will reconcile the reports and forward a copy of the accounting, with copies of all Special Fund Forms attached, to Financial Services no later than the fifteenth of the month.

RANDOM AUDITS:

Unit supervisors will be responsible for conducting random audits of deputies assigned to their unit to ensure funds are not being comingled with personal monies. This can be done monthly

J-800-5J-800

EFFECTIVE: August 1, 1990	REVIEWED: 6/1/2018	REVISED: 3/17/2011	UPDATED: 6/1/2018
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when the Special Fund Accounting forms and receipts are due, or at any other time during the month. The random audits will include asking deputies to show their supervisor the funds they have on hand.

This same random auditing process will be conducted by Division Commanders or Section Lieutenants (or their designee) of unit supervisors assigned to their divisions.

FISCAL YEAR-END AUDIT AND RETURN OF FUNDS TO FINANCIAL SERVICES:

To ensure compliance with Government Code Section 29437, and to ensure consistency and accurate accounting, the following procedure for returning funds to Financial Services at the fiscal year-end will be followed:

- In the first week of June, Financial Services will notify the Bureau SSSS that all Special Fund monies must be returned to Financial Services for auditing purposes. The Bureau SSSS will ensure this information is passed down the chain of command to unit supervisors.
- Each unit supervisor will collect funds assigned out to deputies in their units. The unit supervisor will issue a County of Kern Sheriff-Coroner Receipt (Exhibit D) to each deputy they collect unspent funds from indicating the deputy has returned his/her unspent funds. The deputies and the supervisors will update their Individual Special Fund Accounting Forms accordingly.
- Each unit supervisor will be responsible for returning their unit’s money to Financial Services by the due date. Financial Services will use the original receipt showing where funds were withdrawn from Financial Services to indicate the unit supervisors have returned their unit’s unspent funds. The unit supervisor will update their Individual Special Fund Accounting Form and their unit’s Monthly Special Fund Accounting Form accordingly.
- All Special Fund Accounting forms and receipts will be turned in to the Bureau SSSS, who will reconcile the accounting and turn the completed accounting in to Financial Services.
- Financial Services will deposit all Special Fund monies back into the County Treasury.

Under the rare circumstance in which Special Fund “buy” money has been booked into the Property Room as evidence, the “buy” money will be returned to Financial Services for deposit upon release from the Property Room. This money will not be redistributed but will be deposited to the General Fund and abated back to the Special Fund Key 7709.

At the end of the fiscal year, a report will be filed with the Auditor-Controller in accordance with Government Code Section 29437. This report will show the purpose, in detail, for which the money was expended. This report will be filed by the Financial Services Section.

As soon as the fiscal year-end auditing process is complete, Financial Services will notify the Bureau SSSS that Special Fund monies are once again available and the process for issuing funds will begin again.

J-800-6J-800

EFFECTIVE: August 1, 1990	REVIEWED: 6/1/2018	REVISED: 3/17/2011	UPDATED: 6/1/2018
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SHERIFF-CORONER'S SPECIAL FUND
FINANCIAL SERVICES CONTROL LOG

FY 2011-2012

Disb. Date	Name	Expenditure Description	Deposit (+)	Withdrawal (-)	Cash on Hand
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					

KERN COUNTY SHERIFF'S OFFICE
Special Fund Receipt

Date: _____

1234567890*

_____ may withdraw \$ _____

Authorized by _____ (Print Name and CAD ID#) _____

Disbursed by _____ (Print Name and CAD ID#) _____

Received by _____ (Print Name and CAD ID#) _____

Funds returned \$ _____

Date: _____

Returned by _____ (Print Name and CAD ID#) _____

Received by _____ (Print Name and CAD ID#) _____

**this is the receipt number and it must be preprinted*
This will be a quadruplicate form (white, yellow, pink, green)

CIB 1113

**COUNTY OF KERN
SHERIFF-CORONER**

CASH RECEIPT Date 093901

Received From _____

Address _____ Dollars \$ _____

For _____

ACCOUNT		HOW PAID	
AMT OF ACCOUNT		CASH	
AMT PAID		CHECK	
BALANCE DUE		MONEY ORDER <input type="checkbox"/>	
		CREDIT CARD <input type="checkbox"/>	

By _____

**KERN COUNTY SHERIFF'S OFFICE
LAW ENFORCEMENT BUREAU
INFORMANT RECEIPT FOR INFORMATION OR EVIDENCE**

Exhibit F

Case # _____ Receipt # _____

For and in consideration of the sale and delivery to the Kern County Sheriff's Office, County of Kern, for information or evidence identified as follows:

I hereby acknowledge receipt of \$ _____ paid to me by _____,
an officer of the Kern County Sheriff's Office, County of Kern on this date, _____.

Informant # _____ Signature _____

(Issuing Deputy's Signature)

(Print Name and CAD ID#)

(Witnessing Deputy's Signature)

(Print Name and CAD ID#)

**KERN COUNTY SHERIFF'S OFFICE
LAW ENFORCEMENT BUREAU
MONTHLY SPECIAL FUND ACCOUNTING**

INSERT UNIT, SECTION, OR DIVISION NAME HERE

Month, Year

SUMMARY OF EXPENDITURES

Evidence:	\$0.00
Investigative Expenses:	\$0.00
Informant Fees:	\$0.00
Other:	<u>\$0.00</u>

TOTAL EXPENDED: \$0.00

BALANCE OF CASH ON HAND

Name	\$0.00
Name	\$0.00
Name	\$0.00
Name	\$0.00
Name	\$0.00

TOTAL CASH ON HAND: \$0.00

PREVIOUS MONTH'S CASH ON HAND BALANCE: \$0.00

FUNDS WITHDRAWN FROM FINANCIAL SERVICES: \$0.00

SUBTOTAL: \$0.00

TOTAL EXPENDED THIS MONTH: \$0.00

FUNDS RETURNED TO FINANCIAL SERVICES: \$0.00

TOTAL CASH ON HAND: \$0.00

Preparer's Name and CAD ID#:

Preparer's Signature:

Date:



Kern County Sheriff's Office

Policies and Procedures

TITLE: CIVIL LITIGATION COORDINATOR PROTOCOL NO: J-900			
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: June 16, 1998	REVIEWED: 1/16/2019	REVISED: 1/16/2019	UPDATED: 1/16/2019

POLICY

The Kern County Sheriff's Office recognizes that litigation is common to the provision of law enforcement services. Therefore, the Sheriff's Office has taken a proactive position on potential litigation matters.

Whenever practical, the Personnel Division Commander or their designee and the Civil Litigation Coordinator will respond to all critical incidents with high potential for third party exposure, including but not limited to, officer involved use of deadly force.

DIRECTIVE

When requested and available, the Sheriff's Office Personnel Division Commander or their designee and the Civil Litigation Coordinator shall respond to all critical incidents regarding third party exposure, including but not limited to, officer involved use of deadly force and major accidents.

The duties of the civil litigation coordinator, when feasible, shall include:

- Consulting with the on-scene commander/lieutenant in order to identify mitigating or contributing factors;
- Assembling reports and documentation related to civil claims filed against the Sheriff's Office;
- Making available those documents to County Counsel in response to demands and discovery requests;
- Assisting County Counsel with trial and deposition preparation, arranging witness appearances, advising County Counsel on Sheriff's Office practices, policies and procedures;
- Appearing with County Counsel as Custodian of Records on all Pitchess Motions; protect the confidentiality of peace officer files through the Pitchess and subpoena processes;
- Consulting with the Sheriff-Coroner and administrative staff on the status of cases and communicates to County Counsel the Sheriff's Office's assessment and position on the handling and disposition of specific cases;

- Making recommendations to management on the development of Sheriff's Office policies and procedures regarding officer training programs;
- Giving the Sheriff's Office an early assessment, on the scene, of critical incidents regarding third party exposure, as to the risk of potential claims and protracted litigation, and shall, when possible, attempt an early resolution of all potential claims with advice and consent from County Counsel, Risk Management and appropriate Sheriff's Office management personnel. (Whenever practical, all early resolution of potential claims should be voice recorded.) The recordings will be made with the consent of the potential claimant.

J-900-2

EFFECTIVE: June 16, 1998	REVIEWED: 6/1/2018	REVISED: 07/15/2013	UPDATED: 6/1/2018
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Kern County SHERIFF

FLAT BADGE ORDER AUTHORIZATION FORM

1. Name: _____ Rank: _____ Badge Number: _____

2. Status:

Sheriff	
Undersheriff	
Chief Deputy	
Commander	

Lieutenant	
Sergeant	
Senior Deputy	
Deputy	

3. Badge Request:

Flat Badge Only

Flat Badge with Slim Case

Gold Leaf Lettering

Lettering to read: _____
(24 characters limit)

4. I affirm that I am authorized to possess a flat badge and that I am currently commissioned as indicated. I agree that I will not use the badge for any unlawful purpose, regardless of my status with the Kern County Sheriff's Office including, but not limited to, California Penal Code §146, impersonating a peace officer. I also understand that the Kern County Sheriff's Office will seek prosecution to the fullest extent of the law if I use the above item(s) unlawfully.

Employee Signature: _____ Date: _____

5. Vendor:

Code 3 Uniforms

Hope's Uniforms

Mike's Uniforms

Sun Badge

DO NOT INVOICE THE KERN COUNTY SHERIFF'S OFFICE. The above employee is responsible for payment.

Employee contact number: _____

6.

Status Verified By: _____ Date: _____

7.

Approved

Denied

Signature: _____ Date: _____

(Sheriff, Undersheriff, Chief Deputy, or Support Services Division Commander)

FLAT BADGE ORDER AUTHORIZATION FORM



Policies and Procedures

TITLE: FLAT BADGE			NO: J 1000
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: August 1, 1990	REVIEWED: 12/19/2022	REVISED: 6/13/022	UPDATED: 12/19/2022

POLICY

Any permanent Deputy Sheriff of any rank or permanent Sheriff's Detentions Lieutenant of the Kern County Sheriff's Office wishing to purchase a flat badge must first request a letter of authorization from the Personnel Division Commander. A signed letter of authorization to purchase the flat badge must accompany the purchase order sent to the manufacturer.

PROCEDURE

Deputy Sheriffs of any rank and Sheriff's Detentions Lieutenants, with written approval, may purchase, at their own expense, a flat badge capable of being carried in a wallet. The use of the flat badge is subject to all the same provisions of the departmental policy as the uniform badge. Any authorized member wishing to purchase a flat badge may do so through one of the Sheriff's Office approved vendors. If the member is purchasing the flat badge with their current rank upon retirement, the flat badge will include the "Honorably Retired" banner pursuant to the retired badge policy K-301. To obtain the required letter of authorization, the authorized member must:

- Complete sections 1, 2, 3, 4, and 5 of the "Flat Badge Order Authorization Form."
 - Detailed instructions for completing the form are located on page 2 of the authorization letter.
- Forward the form to the Personnel Division Commander.

The Personnel Division Commander or designee will:

- Confirm the member meets the authorization criteria pursuant to this policy.
 - Deputy Sheriffs of any rank are eligible.
 - Sheriff's Detentions Lieutenants are eligible.
 - Members on probation are not eligible.
- Complete sections 6 and 7 on the submitted "Flat Badge Order Authorization Form."

If the request is denied, the Personnel Division Commander will indicate the reason for the denial on the form, sign the form, and have a copy of the completed form sent to the requesting member.

If the request is approved, the Personnel Division Commander will indicate the request is approved on the form, sign the form, and have a copy of the completed form sent to:

- The member's personnel file.
- The Property Room supervisor or designee.

Note: Letters of authorization shall only be signed by the Personnel Division Commander, a Chief Deputy, the Undersheriff, or the Sheriff-Coroner.

J-1000-1

EFFECTIVE: August 1, 1990	REVIEWED: 12/19/2022	REVISED: 6/13/2022	UPDATED: 12/19/2022
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Kern County Sheriff's Office

Policies and Procedures

TITLE: FLAT BADGE			NO: J 1000
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: August 1, 1990	REVIEWED: 12/19/2022	REVISED: 6/13/022	UPDATED: 12/19/2022

The Property Room supervisor or designee shall, upon receipt of the authorization:

- Notify the requesting member of the approved form.
- Advise the member of the required payment to the designated vendor.
- Place the order once payment has been confirmed or coordinated.
- Upon receiving the ordered item(s), notify the member.

Note: Upon separation or retirement:

Any former employee who willfully wears, exhibits, or uses the flat badge with the intent of fraudulently impersonating a peace officer or of fraudulently inducing the belief that he or she is a peace officer will be committing a misdemeanor in violation of California Penal Code Section 538d.

J-1000-2

EFFECTIVE: August 1, 1990	REVIEWED: 12/19/2022	REVISED: 6/13/2022	UPDATED: 12/19/2022
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Kern County Sheriff's Office

Policies and Procedures

TITLE: BADGE AND CAP DEVICE GIFT/PURCHASE		NO: J-1010	
APPROVED: Donny Youngblood, Sheriff-Coroner			
REFERENCE: California Government Code Section 26206 Resolution by Board of Supervisors dated April 5, 2005			
EFFECTIVE: April 5, 2005	REVIEWED: 05/24/2022	REVISED: 05/24/2022	UPDATED: 05/24/2022

POLICY

It shall be the policy of the Kern County Sheriff's Office to gift to personnel retiring in good standing their assigned badge and cap device in commendation and recognition for their honorable service to the Sheriff's Office. This gift shall apply to all persons retiring with 20 or more years of Sheriff's Office service. This policy shall extend to both compensated and volunteer personnel.

Members with less than 20 years of Sheriff's Office service may purchase their badge and cap device upon their honorable retirement from service. Retiring members may also purchase additional badges and cap devices denoting each rank held during their career with the Sheriff's Office. Any honorably retired personnel, who have not previously done so, may purchase their former badge and cap device by following the procedures established in this policy.

Members who promote within the Sheriff's Office may purchase their badge and cap device from their previous rank held upon promotion.

DIRECTIVE A: GIFTING BADGES

The Sheriff, Undersheriff, Chief Deputy, or their representative may authorize any retiring member to retain their assigned badge and cap device as their personal property in commendation and recognition of 20 years, or more, of honorable Sheriff's Office service. The badge will be pursuant to the Honorably Retired badge policy established in the Sheriff's Office Insignia policy K-301.

The Sheriff reserves the right to gift the badge and cap device to a retiring member with less than 20 years of Sheriff's Office service in special recognition of a member's commendable career achievements.

- The command personnel authorizing the transfer shall notify the Personnel Division Commander of the gift as soon as practical.
- The Personnel Division Commander, or their designee, shall:
 - Note in the retiring member's personnel record that the member was allowed to retain their badge and cap device as their personal property;
 - Notify the Property Room staff of the gift;

- The retiring member will give the Property Room Sheriff's Aide the badge to be mailed to the badge vendor and provide a personal phone number and/or email address.
- The vendor will apply the "Honorably Retired" banner pursuant to the Honorably Retired badge policy established in the Sheriff's Office Insignia Policy K-301 and mail the badge back to the property room.

The Property Room Sheriff's Aide will make the necessary notations on the member's permanent property record once the badge is received at the property room;

- The member will be notified their badge is ready to be gifted to them.
- The member will not be charged for the badge and cap device.

DIRECTIVE B: PURCHASING BADGES

An honorably retiring member with less than 20 years of Sheriff's Office service, or honorably retired member, or promoting member may purchase their badge and cap device by preparing a "Request to Purchase Badge" form (J-1010-4) and returning it to the Human Resources Section. "Request to Purchase Badge" forms will not be accepted more than six (6) months prior to the members projected date of retirement. "Request to Purchase Badge" forms will be available at the Sheriff's Property Room, the Human Resources Section and on SheriffNet.

The "Request to Purchase Badge" form shall include the following information:

- Employee's Name;
- Employee's Current Rank or Position;
- Badge Number;
- Additional badges requested and rank of each badge/cap device.
 - Members purchase one badge and cap piece for each rank held;
 - Exceptions may be made if the member has been assigned badges of different ranks under a different assigned badge number.
- Current assignment (if applicable)
- A telephone number where the member can be reached in the event that they are no longer working (4850, terminal leave, etc.)

When a completed "Request to Purchase Badge" is received, the Personnel Division Commander or his/her designee will:

- Confirm the status of the member;
- Indicate approval or disapproval in the place provided on the form;
- Forward the "Request to Purchase Badge" to a Chief Deputy, the Undersheriff, or Sheriff for approval and signature. Once administratively approved or disapproved, the form will be returned to the Personnel Division Commander.

J-1010-2

EFFECTIVE: April 5, 2005	REVIEWED: 05/24/2022	REVISED: 05/24/2022	UPDATED: 05/24/2022
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Upon return of the signed, "Request to Purchase Badge", the Personnel Division Commander or his/her designee shall:

- File the original form in the member's personnel file;
- Notify the member if their request has been approved or disapproved and arrange for the member to receive a copy of the completed form;
- Forward a copy of approved form to the Personnel Division Commander who will, if necessary, have the Property Room staff order the appropriate item(s).

When the member receives a copy of the approved form, and if no additional badge(s) or cap device(s) have been ordered on the member's behalf, the member may go to the Property Room and complete their purchase.

If badges and cap devices were ordered for the member, when they arrive at the Property Room from the vendor:

- Property Room staff shall notify the member that the item(s) have arrived and advise them of the amount due on their order.
 - The price of the badge(s)/cap device(s) shall be the current contract price that the Sheriff's Office pays the county authorized vendor.

When the member arrives at the Property Room the Property Room Sheriff's Aide or his/her designee will complete the sale by:

- Confirming the number of items received in order to collect the appropriate amount due;
- Accept full payment from the member;
- Prepare a receipt and provide it to the member;
- Release the items to the member and attach a copy of the receipt to the member's property record;
- Forward the payment and completed receipt to the Financial Services Section for deposit.

DIRECTIVE C:

All members retaining badges and cap devices gifted under this policy will sign a declaration (J-1010-5) that states the following:

"I acknowledge and understand that it is a violation of state and federal law to use the badge(s) I am receiving for the purpose of impersonating a peace officer or public officer, to arrest, detain, threaten to arrest or detain, intimidate any person, search any person or their property, or for the purposes of obtaining money, property, or other thing of value."

The Personnel Division Commander, or their designee, will file the signed declaration in the member's permanent personnel record.

Members purchasing badges will sign a similar declaration on the "Request to Purchase Badge"

J-1010-3

EFFECTIVE: April 5, 2005	REVIEWED: 05/24/2022	REVISED: 05/24/2022	UPDATED: 05/24/2022
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form (J-1010-4) prior to the sale being approved.

J-1010-4

EFFECTIVE: April 5, 2005	REVIEWED: 05/24/2022	REVISED: 05/24/2022	UPDATED: 05/24/2022
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Kern County

SHERIFF

REQUEST TO PURCHASE BADGE

(DPPM J-1010)

NAME: _____ PHONE #: _____

RANK: _____ BADGE NUMBER: _____

CURRENT ASSIGNMENT: _____

Do you wish to purchase a cap device in addition to your badge? **YES** **NO**

ADDITIONAL BADGE(S)/CAP DEVICE(S) DESIRED

Please list below the rank and badge numbers of any additional badges and cap devices you wish to purchase.

RANK	BADGE # (if different than above)	CAP DEVICE (Y or N)

APPROVED _____ DISSAPROVED _____ DATE: _____

HUMAN RESOURCES DIV. COMMANDER _____

APPROVED _____ DISSAPROVED _____ DATE: _____

SHERIFF/UNDERSHERIFF/CHIEF DEPUTY: _____

DECLARATION:

I acknowledge and understand that it is a violation of state and federal law to use the badge(s) I am receiving for the purpose of impersonating a peace officer, or public officer, to arrest, detain, threaten to arrest or detain, intimidate any person, search any person or their property, or for the purposes of obtaining money, property or other thing of value.

SIGNATURE: _____ DATE: _____



GIFT BADGE DECLARATION
(DPPM J-1010)

NAME: _____ BADGE NUMBER: _____

"I acknowledge and understand that it is a violation of state and federal law to use the badge(s) I am receiving for the purpose of impersonating a peace officer, or public officer, to arrest, detain, threaten to arrest or detain, intimidate any person, search any person or their property, or for the purposes of obtaining money, property, or other thing of value"

SIGNATURE: _____ DATE: _____



Kern County Sheriff's Office
Policies and Procedures

TITLE: CIVIL CLAIMS		NO: J-1100	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: August 1, 1990	REVIEWED: 6/1/2018	REVISED: 4/1/1996	UPDATED: 6/1/2018

POLICY

Personnel employed by the Kern County Sheriff's Office will not encourage claims against the County of Kern or the Sheriff's Office. Further, Sheriff's personnel will not express to the public, opinions or comments regarding the validity, content, size or settlement of claims or pending litigation.

PROCEDURE

Any member who receives a request for information from any person regarding filing a civil claim against the Sheriff's Office or the County of Kern will provide the following:

- Claims must generally be filed within specified time limits;
 - Within six (6) months after the accrual of the cause of a claim relating to a death, injury to a person, injury to personal property, or growing crops;
 - Within one (1) year after the accrual of the cause of action for a claim relating to any cause of action.
- Claims must be filed with the Clerk of the Board of Supervisors at:

1115 Truxtun Avenue
Bakersfield, California 93301
- The claim must be presented by the claimant or by a person acting on his/her behalf and must show:
 - The name and post office address of claimant;
 - The post office address to which the person presenting the claim desires notice to be sent;
 - The date, place and other circumstances of the occurrence of transaction which gave rise to the claim asserted;
- A general description of the indebtedness, obligation, injury, damage or loss incurred insofar as it may be known at the time of presentation of the claim;

- The name or names of the public employee or employees causing the injury, damage, or loss, if known;
- The amount claimed as of the date of presentation of the claim, including the estimated amount of any prospective injury, damage, or loss, insofar as it may be known at the time of the presentation of the claim, together with the basis of computation of the amount claimed;
- The Sheriff's Office does not accept, deny, nor otherwise judge legality of any possible claims. This information is offered as general information on claims and is not designed to encompass all circumstances. For legal advice, please consult an attorney.

J-1100-2

EFFECTIVE: August 1, 1990	REVIEWED: 6/1/2018	REVISED: 4/1/1996	UPDATED: 6/1/2018
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KERN COUNTY SHERIFF'S OFFICE RIDE ALONG PROGRAM REQUEST

AIR SUPPORT
 UNIFORM PATROL
 OTHER _____

NAME (LAST, FIRST, MIDDLE)			DATE OF BIRTH
ADDRESS (NUMBER, STREET, CITY)			DAY TELEPHONE NUMBER
OCCUPATION	HEIGHT	WEIGHT	OTHER TELEPHONE NUMBER
	*	*	
REASON FOR REQUESTING A RIDE ALONG:			
HAVE YOU PREVIOUSLY PARTICIPATED IN A RIDE - ALONG?			DATE OF LAST RIDE - ALONG

Attach photocopy of your governmental picture identification card.

* Required only for aircraft ride-along.

AGREEMENT

AGREEMENT ASSUMING RISK OF INJURY, DEATH OR DAMAGE WAIVER AND RELEASE OF CLAIMS AND INDEMNITY AGREEMENT. **CAUTION: PLEASE READ THIS DOCUMENT IN FULL BEFORE SIGNING!!!**

I, _____, not being a member of the Sheriff's Office of the County of Kern, have made a voluntary request to ride as a guest in an aircraft or vehicle assigned to the Kern County Sheriff's Office during the performance of their official duties. No member of the Sheriff's Office took the initiative respecting my opportunity for such ride. I freely contacted the Sheriff's Office and am under no compulsion from any source to ride in a Sheriff's aircraft or vehicle. I have not received compensation nor have I provided compensation to any charity, event, or entity, public or private, to participate in the ride along program. I know it has been emphasized to me that the work of the Sheriff's Office is inherently dangerous for any number of reasons, some of which are foreseeable and some of which are not, and that I may be subjected to the risk of death or personal injury or damage to my property by accompanying a member or members of the Sheriff's Office during the performance of their official duties. **I UNDERSTAND THAT CIVILIANS ARE PROHIBITED FROM CARRYING WEAPONS WHILE RIDING AS AN OBSERVER.** I freely, voluntarily, with such knowledge assume the risk of death, personal injury, or property damage arising from or in any way connected with any cause or causes including, but not limited to the use of weapons, unlawful acts or forcible resistance by law violators, assault, riot, breach of the peace, fire, explosion, aircraft accidents or collisions, gas, electrocution, or the escape of radioactive substances while accompanying a member or members of the Sheriff's Office during the performance of their official duties. I furthermore am aware of the risk and freely and voluntarily assume the risk of **ANY PERSONAL INJURY, OR DEATH, OR PROPERTY DAMAGE CAUSED IN WHOLE OR IN ANY PART OR DEGREE BY THE NEGLIGENCE, ACTIVE OR PASSIVE, OF THE COUNTY, ITS OFFICERS, AGENTS OR EMPLOYEES, INCLUDING SPECIFICALLY ANY MEMBER OF THE KERN COUNTY SHERIFF'S OFFICE PURSUANT TO MY REQUEST.**

KERN COUNTY SHERIFF'S OFFICE RIDE ALONG PROGRAM REQUEST

NAME (LAST, FIRST, MIDDLE)	DATE OF BIRTH

I AGREE THAT:

1. At all times I am participating as an observer of the Sheriff's Office. I shall obey the instructions of any of its members.

2. The County of Kern, its officers, agents, and employees, Donny Youngblood, Sheriff of the County of Kern, his sureties, all members of the Sheriff's Office of the County of Kern, their sureties, and each of them, shall not be responsible or liable for and I hereby release each and all from any responsibility or liability for any death, damage, loss or expense, either to me or my property, incurred or occurring while riding in any aircraft or vehicle assigned to the Kern County Sheriff's Office or while accompanying any member or members of said Sheriff's Office during the performance of their official duties **CAUSED IN WHOLE OR IN ANY PART OR DEGREE BY THE NEGLIGENCE, ACTIVE OR PASSIVE, OF THE COUNTY, ITS OFFICERS, AGENTS OR EMPLOYEES, INCLUDING SPECIFICALLY ANY MEMBER OF THE KERN COUNTY SHERIFF'S OFFICE AND COUNTY PERSONNEL WHO MAINTAIN COUNTY VEHICLES.**

3. I, my heirs, executors, administrators and assigns will defend and indemnify the County of Kern, its officers, agents and employees, Donny Youngblood, Sheriff of Kern County, all members of the Kern County Sheriff's Office, their sureties and each of them, against all manner of actions, causes of actions, suits, debts, claims, demands, or damages or liability or expense of every kind of nature incurred or arising by reason of any actual or claimed negligent or wrongful act or omission of mine while riding in any aircraft or vehicle assigned to the Kern County Sheriff's Office or while accompanying any member or members of said Sheriff's Office during the performance of their official duties.

CAUTION

READ THIS DOCUMENT IN FULL BEFORE SIGNING

I hereby represent that I have carefully read and understand the contents of this document and sign the same of my own free will.

SIGNATURE

DATE SIGNED

WITNESS

DATE SIGNED

FOR OFFICE USE ONLY

DATE RECEIVED	APPROVED BY (SHERIFF/ CHIEF DEPUTY/COMMANDER OR ASU OIC)
DATE CONTACTED	DATE APPROVED
DATE SCHEDULED	DATE PARTICIPATED



Kern County Sheriff's Office
Policies and Procedures

TITLE: RIDE ALONG PROGRAM		NO: J-1200	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: August 1, 1990	REVIEWED: 6/1/2018	REVISED: 5/18/2004	UPDATED: 6/1/2018

POLICY

The Kern County Sheriff's Office will provide certain individuals the opportunity to observe the operation of the Sheriff's Office through the Ride-Along Program. The level or type of observation allowed will be defined by the approving authority. Participation in this program is a privilege. Persons who have provided compensation, as consideration or preference for a ride along, to any charity, event, or entity, public or private are ineligible to participate in the Ride-Along Program. A supervisor may terminate an individual's participation at any time for inappropriate behavior on the part of the participant or for operational requirements of the Sheriff's Office. Individuals accepted for this program will only be allowed to observe and will not perform tasks or otherwise involve themselves in any activity, nor will they possess any firearm, weapon, or other device which is used to incapacitate (i.e., pepper spray, mace, etc.). Peace officers as defined by Penal Code Section 830.1 are exempted from the weapon prohibition.

DIRECTIVE A

The Sheriff, Undersheriff, Chief Deputies, Commanders (for their division), Officer-in-Charge of the Air Support Unit (for aircraft observation), or Sheriff's Office Watch Commanders are designated as approving authorities for this program.

DIRECTIVE B

Participants in the program must be at least 18 years old and/or fall under one of the following:

- Members of the Sheriff's Office
 - Members of the Sheriff's Office Explorer Post must be at least 16 years old to participate in the Patrol Ride-Along Program, and must be at least 18 years old to participate in the Air Support Unit Ride-Along Program.
- Other Government, Business, Media, or Sheriff's Office related personnel
 - Personnel from governmental agencies;
 - Individuals requiring orientation to law enforcement when fulfilling the needs of the Sheriff's Office or the county;

- Visiting law enforcement officers;
- Spouse or relative of a member of the Sheriff's Office;
- Members of the news media;
- Civilian personnel
 - General public with a reason for participation.

DIRECTIVE B-1

Generally civilian personnel will be limited to one (1) Patrol ride along per calendar year and/or one (1) Air Support ride along every three (3) calendar years. Exceptions will be approved and noted by the approval authority. Circumstances regarding a ride along not addressed in this policy will be reviewed and evaluated for approval at the sole discretion of the Sheriff.

DIRECTIVE C

Special flights will not be arranged for the news media. News gathering activity will be limited to regularly scheduled Air Support Unit activity. News coverage is the responsibility of the news organization member. Sheriff's Office personnel shall not interfere in the news coverage as long as the coverage does not alter or endanger aircraft operations or the law enforcement mission. Members of the news media will adhere to all flight related directives issued by the flight crew.

DIRECTIVE D

Requests for this program from the general public will require that individuals to be checked through C.J.I.S., C.L.E.T.S. Criminal History System, or other information sources to evaluate their suitability for the program. Individuals will not be allowed to participate in the program if they have a criminal history involving any felony, narcotic offenses, crimes of violence, sexual assault or abuse, or any other offense or activity deemed disqualifying by the approving authority.

DIRECTIVE E

Program waiver forms will be retained within the affected division for five years and will be destroyed in accordance with state law and county ordinance.

PROCEDURE A: Program Requests

Sheriff's Office members receiving a program request will:

- Determine eligibility to participate in the program based on the provisions of Directive B and B-1.

J-1200-2

EFFECTIVE: August 1, 1990	REVIEWED: 6/1/2018	REVISED: 5/18/2004	UPDATED: 6/1/2018
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- Ensure a photocopy of a governmental picture identification card of the requestor is attached to the request form.
- Forward the request to an approving authority with any pertinent information attached.
 - The request may be made verbally if authorized by the approving authority.

The approving authority will:

- Review the request to ensure compliance with this policy;
- Conduct a check of the requesting individual as outlined in Directive D.
 - Denied requests will be sent back to the Sheriff’s Office member who received the request and they will notify the requesting individual of the denial.
- Route the request to the affected Division Commander or work unit supervisor.

The Division Commander, work unit supervisor, or their designee will:

- Notify the requesting individual of the program request approval.
- Schedule a time and place for participation in the program;
- Ensure the program participant completes and signs the appropriate program waiver form prior to the participation.

DIRECTIVE F

The program request form asks for weight and height information that is necessary for the safe operation of aircraft. Refusal to provide this information will result in denial of the request. A requesting individual will complete the top portion of the form. Prior to participation, the remainder of the form will be completed and signed.

DIRECTIVE G

Program participants will adhere to a dress code policy because they have an impact upon our image. If improperly dressed, they may be mistaken by other citizens and/or officers for other than program participants. All clothing worn must be clean and in good condition. Supervisors may reject participants that are improperly dressed or require inappropriate apparel items (i.e., jewelry, chains, etc.) be removed. The dress code is:

- Button front shirt with collar. No logos or printed wording of any kind.

J-1200-3

EFFECTIVE: August 1, 1990	REVIEWED: 6/1/2018	REVISED: 5/18/2004	UPDATED: 6/1/2018
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- Dress pants. No jeans, baggy pants, skirts or dresses.
- Dress or casual shoes. No sandals or athletic footwear.
- Jackets or sweaters may be worn but must be free of logos or printed wording.
- No hats.
- Members of the Sheriff's Office Citizen Service Unit and Explorer Post will wear their appropriate uniform.

J-1200-4

EFFECTIVE: August 1, 1990	REVIEWED: 6/1/2018	REVISED: 5/18/2004	UPDATED: 6/1/2018
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KERN COUNTY SHERIFF'S OFFICE RIDE ALONG PROGRAM

This document contains instructions for submitting a request to participate in the Ride Along Program with a deputy or with our Air Support Unit. You may keep this cover sheet following the completion of the Request/Agreement form (attached).

Attached is a copy of the Request for Ride Along Program form.

REQUEST SUBMISSION PROCEDURE

You may pick up a Ride Along Program Request/Agreement from the Kern County Sheriff's Office, 1350 Norris Road, Bakersfield, California during regular office hours (Mon-Fri, 8:00 A.M. – 5:00 P.M.). Once you have completed the attached form, return the completed form to the Sheriff's Office. Information about your height and weight is only required for requests to ride in one of our aircraft and is necessary for the safe operation of the aircraft, so please be accurate. Due to the volume of requests we receive, we will only make a limited number of attempts to contact you for your ride along, so make sure you leave us a telephone number where we can reach you. A photocopy of your governmental identification must be attached to your ride along request form. Generally civilian personnel will be limited to one (1) Patrol ride along per calendar year and/or one (1) Air Support ride along every three (3) calendar years.

RIDE ALONG SCHEDULING

Once you have submitted the Ride Along Request/Agreement and it has been approved, you will be scheduled for a ride along. Due to a number of factors, there may be a substantial waiting period. For aircraft ride alongs, weather, temperature, and qualified aircraft availability impact our ability to carry passengers. For these reasons, you may be "bumped" at the last minute. In these cases, you will be re-scheduled without having to submit another request.

SHERIFF'S OFFICE RIDE ALONG POLICY

The Kern County Sheriff's Office will provide certain individuals the opportunity to observe the operation of the agency through the Ride Along Program. The level or type of observation allowed will be defined by the approving authority. Participation in this program is a privilege and a supervisor may terminate an individual's participation at any time for inappropriate behavior on the part of the participant or for operational requirements of the Sheriff's Office. Participants must follow the instructions of the deputy. Individuals accepted for this program will only be allowed to observe and will not perform tasks or otherwise involve themselves in any activity, nor will they possess any firearm, weapon, or other device which is used to incapacitate (i.e., pepper spray, mace, etc.). Peace officers as defined by Penal Code Section 830.1 are exempt from this weapon prohibition. Peace officers carrying weapons aboard Sheriff's aircraft must inform the Flight Crew prior to boarding.

Program participants will adhere to a dress code policy because they have an impact upon our image. If improperly dressed, they may be mistaken by other citizens and/or officers for other than program participants. All clothing worn must be clean and in good condition. Supervisors may reject participants who are improperly dressed or require inappropriate apparel items (i.e., jewelry, chains, etc.) be removed. The dress code is button front shirt with collar with no logos or printed wording of any kind. Dress pants. No jeans, baggy pants, skirts or dresses. Dress or casual shoes. No sandals or athletic footwear. Jackets or sweaters may be worn but must be free of logos or printed wording. No hats. Members of the Sheriff's Office Citizen Service Unit and Explorer Post will wear their appropriate uniform.

J-1200-5

EFFECTIVE: August 1, 1990	REVIEWED: 6/1/2018	REVISED: 5/18/2004	UPDATED: 6/1/2018
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Kern County Sheriff's Office

Policies and Procedures

TITLE: SMOKING POLICY		NO: J-1300	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: August 1, 1990	REVIEWED: 06/08/2018	REVISED: 04/01/1996	UPDATED: 06/08/2018

POLICY

The Kern County Sheriff's Office, in compliance with Kern County Board Resolution No. 91-062, recognizes the following:

- The Surgeon General of the United States has concluded that exposure to "second-hand" smoke by nonsmokers creates a health risk to nonsmokers.
- County employees are entitled to work in an environment that does not subject them to the health risks associated with second-hand smoke.
- Individuals who choose not to smoke should be able to enter County Buildings and conduct their business without exposing themselves to the health risks associated with second-hand smoke.
- County employees are entitled to work in an environment that does not expose them to tobacco spittle caused from the use of snuff or chewing tobacco.

Buildings: Smoking or the use of snuff or chewing tobacco is prohibited in all County Buildings.

Vehicles: Smoking or the use of snuff or chewing tobacco is prohibited in all County Vehicles.

In Public: Members of the Sheriff's Office will refrain from using tobacco products while contacting citizens, suspects, or inmates, in the course of their duties.



Kern County Sheriff's Office
Policies and Procedures

TITLE: VOLUNTARY TRANSFERS		NO: J-1400	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: August 1, 1990	REVIEWED: 06/08/2018	REVISED: 02/22/2008	UPDATED: 06/08/2018

POLICY

Deputy Sheriff Employees:

Voluntary transfers for Deputy Sheriffs shall be made in accordance with Article IX of the Memorandum of Understanding between the County of Kern and the Kern Law Enforcement Association. The following procedure will be applied in the submission of voluntary transfer requests.

General Service Employees:

Voluntary transfers by general service employees of the Kern County Sheriff's Office shall generally be made in accordance with Article IX of the Kern Law Enforcement Association Memorandum of Understanding. Nothing shall be binding on the part of the Kern County Sheriff's Office to continue this practice which may be discontinued upon reasonable notice to the Service Employee's International Union. The following procedure will be applied in the submission of voluntary transfer requests.

PROCEDURE

Voluntary transfer requests may be submitted by employees at any time. In order to assist in the timely filing of such requests, the following procedure will be employed:

1. Complete the "Kern County Sheriff's Office Request for Transfer" form in duplicate. (Supervisors' signatures are not required).
2. The employee shall deliver in person, mail, or electronically the request to the Sheriff's Office Human Resources Section at 1350 Norris Road, Bakersfield, California 93308.
3. The request shall be time stamped immediately upon receipt by the Human Resources Section and a copy shall be returned to the employee requesting the

transfer. If the employee has delivered the request in person, a copy will be returned to the employee as soon as it is time stamped. All other requests will be returned to the employee in the same manner in which they were received.

4. A request shall be considered officially on file upon receiving a time stamp.
5. Only requests which are officially on file shall be considered for selection during the transfer decision process.
6. Employees are reminded that transfer requests are purged every six (6) months. New requests must be filed on or after January 1st and July 1st each year in order to remain officially on file.
7. The Personnel Division will notify all Department staff of a scheduled transfer meeting 10 days before a transfer meeting is to occur.
8. Detentions Deputies who have submitted a completed Kern County Sheriff's Office Request for Transfer form shall be given priority consideration over new hires when requesting a transfer from or to Ridgecrest or Mojave assignments, if they have completed 12 months of continuous employment in their original assignment.
 - In the event of a Detentions Deputy vacancy in Ridgecrest or Mojave, an email notification will be sent to all Detentions Deputies serving as official notice of the available position.
 - Detentions Deputy positions in Ridgecrest and Mojave shall be filled based on seniority.

J-1400-2

EFFECTIVE: August 1, 1990	REVIEWED: 06/08/2018	REVISED: 02/22/2008	UPDATED: 06/08/2018
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Kern County Sheriff's Office
Policies and Procedures

TITLE: PERSONNEL SYSTEM		NO: J-1500	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: September 16, 1991	REVIEWED: 06/08/2018	REVISED: 03/10/2006	UPDATED: 06/08/2018

POLICY

The Human Resources Section is charged with input and maintenance of all employee information into the Sheriff's Office Personnel Listing System. It will be the Human Resources Section Commander's responsibility to monitor and control distribution of information contained in the system.

All members of the Sheriff's Office are required to apprise the Human Resources Section of any changes in personal or professional status by the following procedure.

PROCEDURE

Each employee is responsible for notifying the Human Resources Section upon any change in personal status as follows:

- Change of address or telephone:
 - A memo directed to the Human Resources Section will be acceptable
- Change in marital status or birth of a child:
 - The employee must come to the Sheriff's Human Resources Section to complete a Change in Employee Status form.

Division Commanders are responsible for notifying the Human Resources Section Commander of any movement of personnel under their command.

- This includes any TDY assignments within a Division.
- Notification must take place at the time of, or before the move occurs. A "Notification of Personnel Change" form must be forwarded to the Human Resources Section Commander with the required information regarding the change.
- Verbal notification via telephone is acceptable when time is of the essence, however, a completed "Notification of Personnel Change" must be sent as soon as possible after verbal notification.
- In the event that the Human Resources Section Commander is not available, leave the information in a message with the clerical support personnel.



Kern County Sheriff's Office

Policies and Procedures

TITLE: PERSONNEL RECORDS CONFIDENTIALITY		NO: J-1600	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: May 25, 1992	REVIEWED: 06/08/2018	REVISED: 03/01/2007	UPDATED: 06/08/2018

POLICY

The California Penal Code provides that peace officers' records are confidential. Further, for non-peace officer personnel of a department, personnel records are protected under Government Code 62548 and Code of Civil Procedure Section 1985.4 and 1985.6.

Thus, the personnel records of all members are deemed confidential and shall not be released or information disclosed therefrom except as prescribed below.

This policy and procedure will apply to all employees, past and current.

DEFINITIONS

PERSONNEL: All members of the Sheriff's Office, whether officers or employees, sworn or non-sworn, permanent, part-time, extra-help or volunteer.

PERSONNEL RECORDS: Any file maintained under that individual's name by his or her employing agency and containing records relating to any of the following:

- a) Personal data, including marital status, family members, educational and employment history, home addresses, or similar information;
- b) Medical or psychological history;
- c) Election of employee benefits or affiliations;
- d) Employee advancement, appraisal, discipline, training, or employee performance reports;
- e) Complaints or investigation of complaints against the employee alleging misconduct or performance deficiencies, whether filed by a citizen, another agency, or department. Any dispositions of such complaints.
- f) Any other information of which the disclosure would constitute an unwarranted invasion of personal privacy.

PROCEDURE

Information from personnel files may be released only by the following methods and the information released will be held strictly to that which is specified and nothing more.

- **For peace officers only:**
 - Pursuant to competent state court order under Evidence Code 1043 – 1047, or Federal Rules of Disclosure when appropriate;
 - Pursuant to any competent federal court order.
- **For non-peace officers only:**
 - Any order or deposition subpoena from a competent court done in compliance with the law as prescribed in the Code of Civil Procedure 1985.4.
- **For all members of the Sheriff's Office:**
 - Any employee files or records gathered during the course of an investigation may be made available to the employee after a finding is made in the investigation. Thereafter, all employee files concerning the investigation will be made available to the employee;
 - Upon signed waiver for release by the affected employee and if so approved by the Sheriff-Coroner, Undersheriff, or Chief Deputy of Support Services Bureau, or the Custodian of Personnel Records;
 - Upon written request of the concerned employee, the employee's representative may review said employee's personnel file with a signed waiver. Such waiver will be retained in the employee's file;
 - Employee file information may be released when and if an emergency is deemed to exist by the Sheriff-Coroner, Undersheriff, or the Chief Deputy of the Support Services Bureau. Information so released must be made pursuant to and/or in relation to the existence of an actual emergency. An emergency is defined as the existence of circumstances that might affect life or injury to persons or property;
 - Upon need of information for personnel appraisal or discipline, a sergeant or non-sworn equivalent supervisor responsible for said employee may review original relevant personnel material with the approval of the Custodian of Personnel Records, the Sheriff-Coroner, Undersheriff, or a Chief Deputy. No copies of the material shall be made for this purpose.
 - Any Commander or Chief Deputy, with an operational necessity may review any and all records;

J-1600-2

EFFECTIVE: May 25, 1992	REVIEWED: 06/08/2018	REVISED: 03/01/2007	UPDATED: 06/08/2018
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- Personnel records may be released to County Counsel (including Risk Management) or other attorney representative of the Sheriff's Office upon a showing of legitimate business need to the Custodian of Personnel Records;
- Pursuant to the settlement of U.S. vs. County of Kern, the findings of "sustained", "not sustained", "exonerated", or "unfounded" in any racial or sexual discrimination or harassment complaint shall be released to any employee complainant as to each allegation. The disposition or any punitive steps shall not be divulged. Such release shall apply only to cases filed after the settlement date of October 1, 1991.
- Any matter deemed confidential under the attorney-client privilege shall not be released by any method;
- Any pre-employment letters of reference are protected and may not be released by any method;
- Pre-employment letters of reference are protected and may not be reviewed. (CLC 1198.5).
- Pending criminal investigations of an employee are protected and an employee has no right of access to the information in such cases until the investigation is completed. (CLC 1198.5).
- Certain medical or psychological information relevant to an employee's ability to perform their job may be classified confidential by the Sheriff's Office and may only be reviewed by the employee, the Sheriff-Coroner, Undersheriff, a Chief Deputy, or the Custodian of Records. Any employee wishing to review such information must specifically request the material. It will not be provided in a general records review.
- All lists of employees' home addresses and/or phone numbers compiled by the Sheriff's Office are considered personnel records and only those persons or work units approved by the Sheriff-Coroner, Undersheriff, or a Chief Deputy shall be given copies. No person shall make unauthorized copies of such lists.
- Any Federal, California State or Kern County auditor may review personnel files for the express purpose of examining for improprieties or proper records maintenance with the approval of the Sheriff-Coroner, Undersheriff, a Chief Deputy, or the Custodian of Personnel Records.
- Records requested by a District Attorney, the Attorney General, the U.S. Attorney or a Grand Jury conducting an official investigation into the conduct of the employee or the agency, pursuant to Penal Code Section 832.7 will be provided upon written request.

J-1600-3

EFFECTIVE: May 25, 1992	REVIEWED: 06/08/2018	REVISED: 03/01/2007	UPDATED: 06/08/2018
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- Inquiries of news media about personnel information of members will be limited to:
 - Full name of employee;
 - Age or date of birth;
 - Duty Assignment;
 - Duty status (only “on duty” or “off duty”);
 - Employment status (employed, never employed or no longer employed);
 - Date of employment if ever employed and date of separation if no longer employed;
 - If separated, no reason for separation shall be given;
 - Otherwise as required by law.

DIRECTIVE “A”

Any member of the Sheriff’s Office who comes into possession of, or knowledge of contents of, any other member’s personnel files shall maintain the confidentiality of that information in accordance with the above procedures. Any release of personnel information by any other method will be considered a violation of the confidentiality provisions of D.P.P.M. C-100 and insubordination under B-100 and will subject violators to disciplinary action.

DIRECTIVE “B”

Requests for personnel records by legal process shall be forwarded to County Counsel for appropriate handling at the discretion of the Custodian of Personnel Records.

J-1600-4

EFFECTIVE: May 25, 1992	REVIEWED: 06/08/2018	REVISED: 03/01/2007	UPDATED: 06/08/2018
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EXHIBIT A
KERN COUNTY SHERIFF'S OFFICE
EMPLOYEE STATEMENT FORM

As an employee of the Kern County Sheriff's Office you may have access to confidential information on individuals including, but not limited to; criminal records, Department of Motor Vehicle records, and law enforcement data which is controlled by statute and Sheriff's Office policy. Any misuse of such data or the authority to retrieve it may adversely affect an individual's civil rights and is a violation of the law.

Penal Code Section 502 prescribes felony and misdemeanor penalties relating to computer crimes.

Penal Code Section 11105 and 13300 identify who has access to criminal history information and under what circumstances it may be released. Penal Code Sections 11140-11144 and 13301-13305 prescribe penalties for misuse of criminal history information. Government Code Section 6200 prescribes the felony penalties for misuse of public record and CLETS information. Penal Code Sections 11142 and 13303 state:

“Any person authorized by law to receive a record or information obtained from a record who knowingly furnishes the record or information to a person not authorized by law to receive the record or information is guilty of a misdemeanor.”

California Vehicle Code Section 1808.45 prescribes the penalties relating to misuse of Department of Motor Vehicles record information.

Kern County Sheriff's Office Policies and Procedures Section J-1610 governs the use of computer systems and data.

YOUR RIGHT TO KNOW AND NEED TO KNOW MUST GOVERN YOUR ACCESS AND USE OF LAW ENFORCEMENT RELATED INFORMATION. ACCESSING ANY LAW ENFORCEMENT DATA AND/OR DISSEMINATING CONFIDENTIAL INFORMATION TO ANY UNAUTHORIZED PARTY IS A VIOLATION OF THE LAW. ANY EMPLOYEE WHO IS RESPONSIBLE FOR SUCH MISUSE IS SUBJECT TO IMMEDIATE SHERIFF'S OFFICE DISCIPLINARY ACTION UP TO AND INCLUDING DISMISSAL AND POSSIBLE CRIMINAL AND/OR CIVIL ACTION.

I have read the above paragraph and understand the policy regarding misuse of law enforcement data.

Signed _____

Date _____

Print Name _____

Social Security Number _____



Kern County Sheriff's Office

Policies and Procedures

TITLE: USE OF COMPUTER SYSTEMS AND DATA		NO: J-1610	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: February 1, 1996	REVIEWED: 06/08/2018	REVISED: 07/20/2015	UPDATED: 06/08/2018

POLICY

The Kern County Sheriff's Office recognizes that access, use, and maintenance of confidential data contained in law enforcement related databases and computer systems are essential to meet various law enforcement needs.

The rapid expansion and proliferation of computer systems containing confidential data increases the responsibilities of all personnel who have the authorization and ability to view or access those systems. Misuse of the systems or data adversely affects the civil rights of the individuals concerned and violates the law.

It is the responsibility of all personnel who access, use, or maintain this data to do so in accordance with the law. Any unauthorized or misuse of those systems or data will not be tolerated.

Any employee who is responsible for such misuse is subject to disciplinary action including suspension, dismissal, or other disciplinary action. Violations of the law may also result in criminal and/or civil action.

In addition to administrative action, criminal prosecution or other civil remedies available, the owner or lessee of the computer, computer system, computer network, computer program, or data may bring a civil action against any person convicted under Penal Code Section 502 for compensatory damages, including any expenditure reasonably and necessarily incurred by the owner or lessee to verify that a computer system, computer network, computer program, or data was or was not altered, damaged, or deleted by the access.

DEFINITIONS:

PERSONNEL: All members of the Sheriff's Office whether officers or employees, sworn or non-sworn, permanent, part-time, extra help, volunteer, or under contract.

DATA: A representation of ALL information, knowledge, facts, concepts, computer software, computer programs or instructions which includes, but is not limited to data maintained in NCIC, CLETS, CJIS, CAD, INMATE MANAGEMENT, CAL GANG, IAPRO, PAROLE LEADS, COPLINK, SMART JUSTICE, CAL PHOTO and IDENTIX systems.

RIGHT TO KNOW: The right to obtain data from any law enforcement computer network, computer software, computer program, computer service or computer system, pursuant to court order, statute, or law.

NEED TO KNOW: A compelling need is established when the Sheriff's Office or individual employee needs the information in the course of their official authorized duties and there is no other practical way that they can obtain it.

ACCESS:

DIRECTIVE A

Only those persons authorized by nature of their duties and having a right and need to know shall access or be allowed to access any law enforcement computer systems or manual databases.

DIRECTIVE B

All personnel shall, upon completion of needed access to any law enforcement computer system, immediately sign off from the system and not leave the system unattended.

DIRECTIVE C

All personnel shall maintain confidentiality of their password and not share or divulge the password to other employees.

DIRECTIVE D

All employees shall restrict the use of their password to their own authorized use.

CONFIDENTIALITY:

DIRECTIVE A

Information contained in the various law enforcement related databases and computer systems are considered to be confidential and shall only be used in the scope of the employee's official authorized duties.

DIRECTIVE B

Employees shall not access, use, or maintain any computer databases or manual records for other than official authorized legitimate law enforcement purposes.

DIRECTIVE C

Persons who access and misuse the various systems or data risk disciplinary action up to and including dismissal, criminal prosecution, and civil liability. Penal Code 502 contains subsections defining computer crimes as either a misdemeanor or felony. For instance, a violation may be punishable by a fine not exceeding \$10,000 or by imprisonment in the state for up to 3 years or both fine and imprisonment.

DIRECTIVE D

Personnel who witness or have knowledge of the misuse of any law enforcement computer system, database, or manual records shall report the misuse to their immediate supervisor.

J-1610-2

EFFECTIVE: February 1, 1996	REVIEWED: 06/08/2018	REVISED: 07/20/2015	UPDATED: 06/08/2018
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TRAINING:

DIRECTIVE A

No employee will be granted access to any law enforcement related databases or computer systems without first receiving prior training. Training will only be conducted by authorized personnel as designated by the Sheriff's Office CLETS and CJIS coordinators in conjunction with the Training Section.

DIRECTIVE B

No employee will be granted access to the CLETS, CJIS, INMATE MANAGEMENT, CAL GANG, IAPRO, COPLINK, OR SMART JUSTICE systems until they have successfully completed a record or background check and have it on file in the Training Section.

DIRECTIVE C

The Sheriff's Office CLETS and CJIS coordinators will be responsible for entry and deletion of employee's access into the various systems covered under this procedure.

DIRECTIVE D

Following the established training each employee will read and sign an **Employee Statement Form** acknowledging that they are familiar with the policies, laws and regulations concerning the access, use, and maintenance of confidential data contained in the various law enforcement related data bases and computer systems. (See Exhibit A).

DIRECTIVE E

The original or electronically signed copy of the **Employee Statement Form** will be maintained in the employee's personnel file.

J-1610-3

EFFECTIVE: February 1, 1996	REVIEWED: 06/15/2018	REVISED: 07/20/2015	UPDATED: 06/15/2018
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Kern County Sheriff's Office
Policies and Procedures

TITLE: SheriffNet SharePoint		NO: J-1611	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: April 30, 2007	REVIEWED: 06/08/2018	REVISED: 06/27/2007	UPDATED: 06/08/2018

APPLICABILITY

This policy applies to all employees of the Kern County Sheriff's Office in relation to use of the SheriffNet SharePoint website.

POLICY

Minimum Content: Each Division is required to maintain a minimum amount of content on their page as outlined below:

- **Divisions and Units**
 - Contact Information for Division/Unit/Sub – a contact list that has phone numbers, locations and important contact personnel.
 - Shift Schedule– Excel spreadsheet or scanned in PDF files are preferred.
 - Calendar of events for that Division/Unit/Sub Station
 - Volunteers List– a list of the Division's/Unit's volunteers (e.g. Citizen Volunteers and Reserves)
 - Directory of Files and Documents –Directory may include Division/Unit policies and other Division specific items.
 - Webpage Caretaker – the name and contact information for the primary person who maintains the webpage.

Optional Content: Personnel assigned as a Committee Chairperson or Project Coordinator may create a page and include the following for Committees and Projects:

- Directory of Files and Documents – May include meeting minutes, agendas and other work-in-progress files.
- Calendar of events/meetings– Events or meetings that pertain to the committee or project.

- List of members on the committee or project – listing of the people on the project/committee with contact information

Sheriff Net Main Page: The main page will be maintained by the Sheriff's Assistant. Information or a link requested to be on the main page will be approved by the Administrative Services Bureau Chief Deputy and coordinated through the Sheriff's Assistant.

Security: Each Division Commander/Manager will have one or more personnel granted permission (administrator) to add and modify content on their respective pages. These users must attend a training class prior to receiving the advanced permissions.

Standards: Each Division Commander/Manager will ensure proper content is posted per the Sheriff's Office Policies and in accordance with the Kern County Electronic Communications Usage policy.

J-1611-2

EFFECTIVE: April 30, 2007	REVIEWED: 06/08/2018	REVISED: 06/27/2007	UPDATED: 06/08/2018
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Kern County Sheriff's Office

Policies and Procedures

TITLE: PERSONAL COMPUTER SYSTEMS		NO: J-1615	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: November 4, 1997	REVIEWED: 06/08/2018	REVISED: 03/10/2006	UPDATED: 06/08/2018

POLICY

The Kern County Sheriff's Office recognizes the continuing need to automate job functions to allow for more efficient operation. Personnel are encouraged to review their job functions and recommend ways to automate those functions with personal computers.

DIRECTIVE A

Personnel preparing budget requests for computer equipment must keep in mind the deadlines for submission of budget requests as established by the board of Supervisors and the Sheriff's Office each year. Personnel must submit their requests with sufficient time for the Technology Services Section to properly evaluate the request prior to the deadline.

PROCEDURE A:

Budgeting for New Equipment, Software and Cable

Personnel budgeting for new equipment will:

- Prepare their budget request on the proper form;
- Submit in writing a request through the chain of command to their Division Commander.

The Division Commander will:

- Review the budget request and approve or disapprove;
- If approved, send the request to the Technology Services Section.

The Technology Services section will:

- Review the budget request;
- Determine exact equipment and software requirements to support the requested items;
- When Technology Services determines any of the requested items are not needed, they will notify the submitting Division Commander in writing and explain why;

- Price the request, if needed, and return the request to the submitting Division Commander.
- Upon adoption of the final budget by the Board of Supervisors, Technology Services will set a cut-off date for all divisions to submit requisitions for all approved items.
- Technology Services will consolidate all approved requisitions, place the orders, and monitor delivery.

MID YEAR REQUESTS WILL BE PROCESSED AS ABOVE WITH THE EXCEPTION OF BOARD OF SUPERVISORS' APPROVAL.

DIRECTIVE B

The Technology Services Section will coordinate the installation of all computer equipment, software and cabling. If the user of a stand-alone personal computer (not connected to the Network System) is capable of installing Sheriff's Office approved software, they may do so after coordinating with Technology Services.

Under no circumstances will personnel modify existing software or install any non-departmentally owned software on a county owned personal computer without written authorization of the Technology Services Section.

Personnel are not allowed to install Sheriff's Office owned software on non-agency owned personal computer systems which are not being used for Sheriff's Office purposes.

PROCEDURE B

Moving Personal Computer

Personnel wanting to move a personal computer will:

- Obtain approval through their appropriate chain of command;
- If approved, contact the Technology Services Section.

The Technology Services Section will:

- Review the request;
- Determine the electrical or networking requirements to support the move;
- Assist the requesting personnel with the move.

DIRECTIVE C

J-1615-2

EFFECTIVE: November 4, 1997	REVIEWED: 06/08/2018	REVISED: 03/10/2006	UPDATED: 06/08/2018
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Personnel requiring hardware or software support or repair on a personal computer shall contact the Technology Services Help Line at 391-7663.

PROCEDURE C

Personal Computer Help or Repair Request

Personnel needing a personal computer or cable repaired will contact the Technology Services Help Line at 391-7663. If the Help Line is answered by Audix, leave a voice mail message identifying your name, telephone number, and a brief description of your problem or request.

The Technology Services Section will:

- Respond to the caller as soon as possible;
- Determine the repair requirements and costs;
 - If problem is minor in nature, falling into category of normal maintenance, the problem will be resolved as quickly as possible.
 - If problem is major in nature, requiring major expense or replacement, the appropriate commander or supervisor will be notified so appropriate budgetary action can be taken.
- If problem is caused by apparent abuse or mis-use by the employee, the appropriate commander or supervisor will be notified.

J-1615-3

EFFECTIVE: November 4, 1997	REVIEWED: 06/08/2018	REVISED: 03/10/2006	UPDATED: 06/08/2018
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Kern County Sheriff's Office

Policies and Procedures

TITLE: DESTRUCTION OF PERSONNEL COMPLAINT FILES		NO: J-1620	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: February 1, 1996	REVIEWED: 06/08/2018	REVISED: 03/01/2007	UPDATED: 06/08/2018

POLICY

California Penal Code Sections 832.7(a) and 832.8(e) provide that peace officer records maintained pursuant to Section 832.5 or information obtained from these records, are confidential and shall not be disclosed in any criminal or civil proceeding, except by discovery pursuant to Sections 1043 and 1046 of the Evidence Code.

Further, for non-peace officer personnel of a department, personnel records are protected under Government Code Section 6254(c) and Code of Civil Procedure Sections 1985.4 and 1985.6.

Evidence Code Section 1045(b)(1) excludes from disclosure information consisting of complaints concerning conduct occurring more than five (5) years before the event or transaction which is the subject of the litigation.

Penal Code Section 832.5(b) requires that any citizen's complaints against personnel and any reports or findings relating thereto shall be retained for a period of at least five years.

Once citizens' complaints against personnel of a law enforcement agency have been retained for a period of five (5) years, they can be destroyed, but must comply with Government Code Section 26202 and such destruction must be authorized by the Board of Supervisors.

It is the policy of the Sheriff's Office to seek destruction of all citizens' complaint files which are more than five (5) years old from the date of the complaint and not subject to pending litigation or any other official or departmental inquiry.

PROCEDURE A: REQUEST FOR DESTRUCTION

On an annual basis, the Commander of the Human Resources Section will:

- Identify the citizens' complaint files which are eligible for destruction.
- Verify through the Sheriff's Office Litigation Specialist that no litigation is pending.
- Submit a request to the Undersheriff to destroy the records.
- If approved, prepare an "Authorization to Destroy Records" form. (County Form Adm. #46).
- Follow procedures and routing as outlined in the General Instructions on Form Adm. #46.

PROCEDURE B: ACTUAL DESTRUCTION

Upon receipt of authorization for destruction, the Human Resources Section Commander will:

- Cause the citizen’s complaint file, index cards, and any tape recordings to be purged and destroyed.
- The destruction will be accomplished by maintaining confidentiality of the files by shredding written documentation and erasing recorded statements.
- Retain the authorization form in a file designated for “Authorization to Destroy Records.”

DIRECTIVE A:

Destruction of citizens’ complaint files should be avoided while a criminal or civil case is pending or on appeal even if the complained conduct occurred more than five (5) years ago.

DIRECTIVE B:

Nothing in this procedure authorizes the removal, purging, or destruction of any records from an employee’s actual personnel file. No such record shall be destroyed. An employee’s personnel file is part of the employee’s permanent personnel record and is to be maintained intact throughout the course of the employee’s public service. (Government Code Section 31011 and Labor Code Section 1198.5).

J-1620-2

EFFECTIVE: February 1, 1996	REVIEWED: 06/08/2018	REVISED: 03/01/2007	UPDATED: 06/08/2018
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Kern County Sheriff's Office
Policies and Procedures

TITLE: VEHICLES – HOME RETENTION		NO: J-1700	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: September 7, 1992	REVIEWED: 06/08/2018	REVISED: 03/03/2014	UPDATED: 06/08/2018

POLICY

The Sheriff's Office reserves the right to assign home retention vehicles to certain employees pursuant to Section 1116 of the Kern County Administrative Procedures Manual. The Home Retention Vehicle (HRV) program is intended to provide driver accountability and be a cost efficient alternative to conventional fleet management. The Sheriff's HRV program is based on the operational need of the assignment and the benefit to the residents and visitors of Kern County as deemed by the Sheriff-Coroner. The Sheriff-Coroner reserves the right to expand or restrict the HRV program based on budgetary restrictions with reasonable notice to the participating employees.

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

The Sheriff-Coroner is obligated to provide the Kern County Auditor/Controller with the list of employees who participate in the HRV program because it is categorized as a taxable benefit.

DIRECTIVE A. HRV DEFINED

A Home Retention Vehicle (HRV) is defined as a non-emergency response vehicle owned or leased by the Sheriff's Office. An HRV should not be equipped with Code 3 emergency lights or siren. Home Retention Vehicles include, but are not limited to:

- All vehicles used by detention deputies for the purposes of HRV.
- All vehicles used by civilian personnel.
- All undercover vehicles operated by undercover deputies.
- All vehicles used by deputy coroners.

DIRECTIVE B. ELIGIBILITY

- a. The employee, as a consequence of his or her assignment or duties, is subject to emergency call back. This describes an employee who would be expected to return to duty to work after normal working hours as a result of a serious and/or urgent matter that demands immediate action.
- b. The employee consistently uses a County vehicle for official business in areas closer to the employee's home than a County vehicle storage area. Such an employee may be granted authorization to participate in the HRV program for economical purposes.
- c. The Sheriff shall have discretion to authorize home retention where it is shown to be advantageous for the Sheriff's Office to have an employee respond directly from home rather than from a County vehicle storage area.
- d. A home retention assignment may be authorized by the Sheriff for an employee who is required to attend frequent after normal working hour meetings (which would not qualify as after-hours "emergency" duties).
- e. The assignment of home retention vehicles is at the discretion of the Sheriff-Coroner. Assigned vehicles may be changed at any time and/or permission to take home a vehicle may be withdrawn at any time.
- f. Subject to approval of the Sheriff and justified by particular job assignment, a home retention vehicle may be assigned to an employee who is responsible for the continuous twenty-four hours per day, seven days per week, management or supervision of a major work unit having law enforcement emergency response or detention functions.
- g. All participants will be required to authorize a payroll deduction each pay period. The Administration will review the amount of the deduction in January as part of the mid-year budget review and again in May prior to the end of the fiscal year. The amount of the deputy's payroll deduction will be dependent on budgetary requirements.
- h. Lieutenants and above shall have the authority to approve overnight home retention when it is necessary for the accomplishment of the Sheriff-Coroner's mission.

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

J-1700-2

EFFECTIVE: September 7, 1992	REVIEWED: 06/08/2018	REVISED: 03/03/2014	UPDATED: 06/08/2018
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DIRECTIVE C. VEHICLE USE:

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

- a. Kern County Ordinance Code section 2.78.050 makes it unlawful for any individual to use, drive, employ, or operate any County vehicle for any purpose other than for official County business.
- b. Employees shall obey traffic laws and take proper safety precautions while driving a County vehicle.
- c. Travel shall be limited to the actual business destination only, except as necessary to secure lodging and meals.
- d. County officers and employees shall not carry a spouse or any other person not engaged in official County business as a passenger in a County vehicle, unless the passenger is accompanying the employee to a meeting, conference or seminar with the approval of the employee's department head.
- e. The use of any tobacco product is prohibited in all County owned or leased vehicles.
- f. When the employee assigned to a home retention vehicle is on vacation, sick leave, or other extended absences for more than five (5) working days, the home retention vehicle will be parked at the employee's work assignment.
- g. Home retention vehicles shall be locked at all times when unattended. Weapons stored in vehicles will be locked. Portable radios will not be stored in County vehicles unless they are locked in the trunk.
- h. Assigned employees shall complete all forms and accurately maintain all vehicle records deemed necessary by the Sheriff's Office.
- i. The employee will complete and submit the Departmental compliance form each month to the Sheriff or designee, which will be made available for annual audit.
- j. Employees involved in a traffic accident with a home retention vehicle will notify their section lieutenant, division commander or the on duty Watch Commander immediately. The existing policy for vehicle accidents will then be followed.

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

J-1700-3

EFFECTIVE: September 7, 1992	REVIEWED: 06/08/2018	REVISED: 03/03/2014	UPDATED: 06/08/2018
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DIRECTIVE D. CARE & MAINTENANCE

- a. County vehicles will be regularly serviced, properly maintained and kept in the best possible operating condition. Vehicle servicing and repairs are the responsibility of the assigned employee. Leased vehicles shall be serviced as specified in the lease agreement.
- b. Routine preventive maintenance shall be periodically performed by the employee assigned to the home retention vehicle.
- c. The assigned employee of a home retention vehicle is responsible for arranging routine maintenance and repair through the appropriate channels. Receipts shall be delivered to the Fleet Manager.
- d. Preventive maintenance will be performed on the home retention vehicle as recommended.
- e. Overtime is not authorized for arranging preventive maintenance. Fleet personnel can handle arrangements for vehicles in the metropolitan patrol area. Substation sergeants should make arrangements to facilitate the service of cars assigned to their areas.
- f. Assigned employees shall maintain a clean vehicle, exterior and interior, at all times.
- g. Any theft of equipment or vehicle damage shall be reported to the Sheriff's Office immediately.

Home retention vehicles left parked at an employee's assignment will be parked in an area designated by the section lieutenant.

DIRECTIVE E. VEHICLE INSPECTION

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

J-1700-4

EFFECTIVE: September 7, 1992	REVIEWED: 06/08/2018	REVISED: 03/03/2014	UPDATED: 06/08/2018
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Kern County Sheriff's Office

Policies and Procedures

TITLE: PROPERTY STORAGE/RETRIEVAL		NO: J-1800	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: February 18, 2003	REVIEWED: 06/08/2018	REVISED: 03/10/2006	UPDATED: 06/08/2018

POLICY

The Kern County Sheriff's Office maintains a Property Room for the express purpose of storing property in accordance with all applicable laws and ordinances, protecting the public safety, and to accomplish our law enforcement mission.

Property stored in the Kern County Sheriff's Office Property Room is classified as follows:

- Evidence: Any property that comes into the custody of the Sheriff's Office that may tend to prove or disprove the commission of a crime or the identity of a suspect, pursuant to an official criminal investigation.
- Found Property: Non-evidentiary property coming into the custody of the Sheriff's Office and whose owner may or may not be known. Property that has been determined to be lost or abandoned and is not suspected to be connected with any criminal offense.
- Property Held for Safekeeping: Property of no evidentiary value that is in the custody of the Sheriff's Office for temporary protection on behalf of the owner.
- Property for Disposal: Any property, including firearms and ammunition that has been seized from or surrendered by a citizen to the Sheriff's Office for disposal.

PROCEDURE

DIRECTIVE A: SECURITY OF PROPERTY STORAGE AREAS

- The business hours for the Property Room shall be from 8:00 A.M. to 4:00 P.M., Monday, Tuesday, Thursday and Friday, holidays excluded.
- All property storage areas shall be secured during non-business hours.
- Entry to property storage areas by unauthorized personnel is prohibited:
 - a) Except under the supervision of the Property Room staff; or,
 - b) An emergency exists; and,
 - c) A supervisor is present.

Any afterhours entry into the secure areas of the Property Room by personnel not assigned to the Civil Section/Property Room Unit shall be documented on a Crime or Incident report. This report shall include the date and time of the entry, all personnel who entered the restricted areas, and the reason for entering. A copy of this report shall be forwarded to the Support Services Division Commander.

DIRECTIVE B: PACKAGING OF PROPERTY

Narcotics

- Narcotics or suspected narcotics shall be packaged separately, in a Narcotics Evidence Lab Envelope, from other items. Narcotics or suspected narcotics and paraphernalia containing an obvious drug residue shall be packaged in a heat-sealed K-Pak bag. Marijuana and large items such as scales are excepted.
- These items should be listed on the same Property Record as other items for the same case.
- Narcotics requiring lab analysis should be placed in a Narcotics Evidence Lab Envelope or an appropriate sized container with a completed lab envelope attached to the outside.

Money

- A currency label must be used, in addition to the evidence label, for the booking of money.
- Money must be separated from other property or evidence and must be packaged separately. For example, a found or seized wallet containing money would be booked as two separate items:
 1. The money
 2. The wallet
- All money will be placed in a heat sealing, K-Pak bag.
 - Paper currency will be packaged flat, not rolled or wadded.
 - Coin will be packaged loose or rolled.
 - Neither type of currency should be put in the K-Pak bag in a quantity that might cause the bag to rupture. If the quantity of money is too large for one bag, use additional bags as needed.
 - The K-Pak bag will be heat-sealed and evidence tape will be placed across the seal. The officer's name and badge number should be written on the evidence tape.

J-1800-2

EFFECTIVE: February 18, 2003	REVIEWED: 06/08/2018	REVISED: 03/10/2006	UPDATED: 06/08/2018
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Firearms

- Firearms must be rendered safe prior to deposit into the Property Room. Cartridges, clips and magazines shall be removed from guns, and cartridges removed from clips and magazines. The empty clips or magazines shall be placed in a small evidence bag and the bag shall be attached to the firearm. Upon receipt, the Property Control Officer shall make sure the firearms have been rendered safe and may reinsert the magazine into the weapon for storage if necessary.
- Firearms shall be kept separate from other property; however, firearms may be listed on the same Property Card as other case items.
- Ammunition, discharged bullets and casings shall be packaged and listed separately.
- Firearms shall have a completed Property Tag attached to the trigger guard.
- Under most circumstances, firearms should not be placed in envelopes or bags. If a firearm has blood or other similar body fluids on it, the firearm should be rendered safe and packaged as any other biohazard evidence. The bag shall clearly indicate that a firearm is enclosed.

Property Requiring Refrigeration

- Only evidence that requires laboratory analysis or contains perishable evidence shall be booked into the Property Room evidence refrigerator. All such evidence shall be accompanied by a properly completed “Request for Analysis” form (form CL2200-006).
- In the event evidence is booked into the refrigerator without a lab analysis request, it will be the responsibility of the officer assigned to investigate the case to properly complete a lab analysis request as soon as practical. The officer shall forward the completed request to the Property Room immediately. If a lab request is not received within one calendar week of the evidence booking date, a memo will be directed from the Property Room to the investigating officer’s unit supervisor requesting further instructions regarding the evidence. In the event there is no response to the aforementioned memo, the Support Services Division Commander shall forward a disposition request to the investigating officer’s Division Commander, via the appropriate Bureau Chief Deputy.
- If no lab analysis of the evidence is required, it will be the responsibility of the investigating officer assigned to the case to make a determination whether or not the evidence needs to continue to be prepared by refrigeration. If not, the investigating officer shall direct the Property Control Officer to remove the evidence from cold storage.

J-1800-3

EFFECTIVE: February 18, 2003	REVIEWED: 06/08/2018	REVISED: 03/10/2006	UPDATED: 06/08/2018
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- Sex Crimes Kits and Narcotics Envelopes booked into the Property Room refrigerator are exempt from the above stated procedure.

Other Physical Evidence

- Physical Evidence shall be packaged in an appropriate envelope or bag whenever possible.
- Items too large for envelopes or bags shall have a tag attached to each item.

DIRECTIVE C: PROCEDURES FOR DEPOSITING PROPERTY

All property booked into the Sheriff’s Office Property Room shall be entered into Evidence on Q Property and Evidence System. A barcode label shall be affixed to each item of property.

All property obtained, during the course of a work shift, will be placed in the Sheriff’s Office property system prior to going off duty. Property not delivered to the Property Room will only be stored in authorized locations.

Property booked at locations other than the Property Room shall be delivered to the Property Room as soon as possible. Property held in substation areas may continue to be held at the substation pending resolution of the court case for which it was seized. Evidence so held shall be delivered to the Property Room no later than thirty (30) days after adjudication of the case. All property will be released from the Property Room.

Special Handling Procedures

- Personnel shall place small items with a barcode label attached in the appropriate sized temporary storage locker.
- Personnel shall place large items, (bicycles, lawn mowers, etc.) in the designated area by the temporary storage lockers.
- For items too large for a regular evidence container, but deposited in the Property Room, a Property Tag shall be prepared and attached to the item. The barcode label shall be attached to the Property Tag.
- Items too large for deposit into the Property Room can be secured in a designated outside storage area with the Property Tag attached. The Property Record shall be put in temporary storage locker for small envelopes.
- Items containing flammable substances, such as gasoline, kerosene, or diesel fuel, should be documented and returned to the owner whenever possible. In the event the owner is not known, or the item is not returnable, the tank containing the flammable substance should be thoroughly sealed to prevent leakage prior to delivery to the Property Room. Care should be taken not to leave the evidence near anything that would be considered a likely ignition source. The investigating officer should make

J-1800-4

EFFECTIVE: February 18, 2003	REVIEWED: 06/08/2018	REVISED: 03/10/2006	UPDATED: 06/08/2018
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every effort to find the owner of the property and have it returned as soon as possible. Gas cans and other similar containers containing flammable liquids shall be placed in the flammable liquid storage locker located in the Property Room lobby.

Improperly Packaged or Submitted Property

Improperly submitted property includes any property or evidence not packaged or documented in accordance with the minimum guidelines set forth by this policy.

When property is delivered in person to the Property Room staff and the property is improperly packaged or submitted, the Property Room staff will:

- Refuse to accept the property.
- Clearly articulate to the reason for refusal to the delivering agent.
- Accept the property once the necessary corrections have been made.

When improperly packaged property is submitted to the Property Room via the secure property lockers and is not inspected by the Property Room staff prior to the departure of the submitting officer, immediately upon discovery of such property, the Property Room staff shall:

- Not further process the property/evidence and set the property aside in a secure location.
- E-mail a form letter to the work location/supervisor of the submitting officer, detailing the error and a final date for pick up and correction of the submitted property.
 - The date for final pick up and correct resubmission of the property shall not exceed seven (7) calendar days from the original date of submission.
- In the event the property has not been resubmitted properly packaged by the expiration of the final date for pick up, the Property Room staff will:
 - Arrange for the collection and return of the improperly submitted property to the submitting officer, through that officer's supervisor.
 - In substations, the arrangements will be made with the substation Sergeant or their designee.
 - In Detentions Facilities, arrangements will be made with the facility Administrative Sergeant or, in his/her absence, the on-duty shift supervisor or their designee.
 - In Metropolitan Patrol, the arrangements will be made with the Division Administrative Sergeant or in his/her absence, the on-duty Patrol Sergeant or their designee.

J-1800-5

EFFECTIVE: February 18, 2003	REVIEWED: 06/08/2018	REVISED: 03/10/2006	UPDATED: 06/08/2018
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- When notified of the existence of improperly packaged property by the Property Room, it shall be the responsibility of the submitting officer's supervisor to ensure the officer re-submits the property in proper form and format. This will be done as soon as practical after supervisor notification.

When property is returned to a work unit pursuant to this section, the Property Room staff shall prepare a report to the Support Services Division Commander documenting the circumstances. The Support Services Division Commander will forward a copy of this report to the affected employee's Division Commander for informational purposes.

DIRECTIVE D: WITHDRAWAL AND RETURN OF PROPERTY

Withdrawal of Property

- Only the officer assigned to investigate a case or persons authorized by the investigating officer may withdraw property related to the case from the Property Room.
- Property Room personnel will indicate in Evidence on Q, the necessary information to document the withdrawal of the property. Withdrawing personnel will electronically sign acknowledging receipt of the property.
- Individual items generally will not be removed from bags of property and checked out. In the event an investigator or other authorized person needs an individual item out of a bag of multiple items, investigator must:
 1. Check out the entire evidence bag/package;
 2. Open the evidence bag/package and remove needed item;
 3. Repackage and secure the remaining items and change item number listing to reflect correct contents of the evidence bag/package.
 4. Check the package containing items not needed back into the Property Room.
 5. Items taken must be re-packaged according to the original guidelines upon return to the Property Room. The personnel withdrawing the item shall complete a supplemental report indicating they removed the item from the Property Room and the item was returned to the Property Room in accordance to this policy.
- Any investigating officer who withdraws, or authorizes the withdrawal, of property or evidence from the Property Room shall be held responsible for the safety and security of the property during the time the property/evidence is outside of the Property Room.

J-1800-6

EFFECTIVE: February 18, 2003	REVIEWED: 06/08/2018	REVISED: 03/10/2006	UPDATED: 06/08/2018
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- Property/Evidence withdrawn from the Property Room shall be returned to the Property Room as soon as possible. The investigating officer shall notify Property Room personnel if they intend to keep the property or evidence out longer than 24 hours. If so, the investigating officer shall immediately direct a memo to the Property Control Officer indicating how long they expect to retain the property/evidence. The memo shall be retained as part of the Chain of Custody for the withdrawn property/evidence.
- The Property Room Sergeant shall be present for the withdrawal of narcotic evidence.

Property withdrawn and Not Returned

- There are circumstances wherein property is withdrawn from the Property Room and not returned. This is especially common when the court keeps seized evidence in its Evidence Room pending some judicial action. It shall be the withdrawing officer’s responsibility to secure a receipt for the property from the court, or other entity that has the lawful authority to retain the evidence, and return the receipt as soon as practical to the Property Room. Property Room personnel receiving such a receipt shall make the appropriate entries into the Property Room records documenting the transfer of the property.

Return of Property

- Property shall be returned to the Property Room packaged according to packaging guidelines.
- The person returning the property shall sign his or her name in the space provided on the back of the property record.
- Property Room personnel will make the necessary Evidence on Q entries for all property returned.

DIRECTIVE E: VIEWING OF PROPERTY

Individuals Authorized to View Property

Only the following are authorized to open property containers to view items contained therein:

- The investigating officer,
- Deputy District Attorney or DA’s Investigators
- Persons authorized by a Magistrate
- Persons authorized by the Sheriff

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EFFECTIVE: February 18, 2003	REVIEWED: 06/08/2018	REVISED: 03/10/2006	UPDATED: 06/08/2018
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- Property Room staff.

All other parties shall have the authorization of the investigating officer or their designee to view property.

The investigating officer or their designee shall be in attendance when other parties view property.

Entire packages of property must be checked out for viewing. Individual items will not be removed from packages for viewing.

Property shall be signed out and signed in under same guidelines as withdrawal of property.

Property Room staff shall direct the signing of the Property Record but will not be a part of the viewing process.

Viewing of narcotics will be supervised by the Property Room Sergeant.

Property returned shall be packaged the same as it was when withdrawn.

DIRECTIVE F: DISPOSAL OF PROPERTY

Disposal of Property – General

Authorized methods of Property Disposal

- Return to owner
- Release to finder
- Auction
- Sheriff’s Office or another agency use
- Destruction
- Donation

Procedures applicable to all methods of property disposal:

- No item of property held by the Sheriff’s Office shall be disposed of until authorization to do so has been received by the Property Control Officer.
- When there are two or more defendants involved, property will be kept until all defendants’ trials have been concluded.
 - Property shall not be disposed of until the period for appeals has passed and all appeals have been concluded.

J-1800-8

EFFECTIVE: February 18, 2003	REVIEWED: 06/08/2018	REVISED: 03/10/2006	UPDATED: 06/08/2018
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Release of Firearms

- In the event the property is a firearm, as defined in Penal Code Section 16520, the Law Enforcement Gun Release procedure set forth in PC 33850 shall be followed.
- All provisions as set forth in Penal Code 33850 in regard to the lawful transfer of ownership of firearms shall be complied with prior to the release of any firearm pursuant to a finder's claim.

Disposal by written documents:

- Disposal/return of items will be conducted upon receipt of a request entered by the investigating officer or his/her designee in Evidence on Q.

Court Ordered Disposition

- The Court Order shall be reviewed to determine its validity
 - (a) The order must be in legal form
 - (b) The order must be signed by a judge
 - (c) The order must be confirmed (stamped) by the Court Clerk
- The Court Order will be matched to the Property Record to verify that items listed on the Court Order are in our possession.
- Court Orders received at the Property Room window will be examined for evidence they have been approved by the DA's office. If a Court Order has not been approved by the DA's office, the Property Room staff will attempt to contact the appropriate DA for authorization to release property. If we are unable to obtain authorization from the DA, the property will not be released.
- Upon approval of the Property Control Officer, items may be delivered to and signed for by the party of the order.

Disposition by Seizing /Investigating Officer

- Requests for disposition of property items held in the Property Room will be periodically sent to seizing/investigating officers. Officers will be asked to indicate if items should be Held, Returned or Disposal by choosing the appropriate in Evidence on Q.

J-1800-9

EFFECTIVE: February 18, 2003	REVIEWED: 06/08/2018	REVISED: 03/10/2006	UPDATED: 06/08/2018
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- The following dispositions apply to Evidence on Q:

Hold:

If items are from a misdemeanor case and have been held for 90 days or from a felony case and have been held for 1 year, a reason to retain the items and a tentative disposition date must be given.

Return:

When items are marked for return, the name and address of the receiving party must be provided.

Disposal:

When items are marked for disposal, they will be pulled from property storage and will be disposed of in the appropriate manner.

- If the officer receiving the request for disposition is no longer assigned to the case, the officer shall notify the Property Room so the record can be updated in Evidence on Q.
- Disposition requests should be completed as soon as possible. If requests for dispositions are not completed within one (1) month of the date they are sent, a second request will be sent. If the second request is not returned within 10 working days, the Support Services Division Commander will forward a new request for disposition to the officer's Division Commander.

DIRECTIVE G: CONVERSION OF PROPERTY

The purpose of this section is to provide clear and consistent guidelines to provide for the legal conversion of property marked for disposal to Sheriff's Office use. Disposal of property may be accomplished by destroying the property pursuant to court orders or instructions, returning the property to its rightful owner or finder, sold at public auction, donated, or converted to Sheriff's Office use.

Any item, which has been designated by a court or any other lawful entity to be "**destroyed**" due to its pernicious nature must be, in fact, destroyed. Destroy, by definition, means to ruin completely, to demolish, to injure or mutilate beyond possibility of use (Black's, 6th Edition, 1990); to reduce to useless fragments, to render useless (Webster's Unabridged, 1989).

Any item designated to be "**disposed**" may be disposed of in any of the above-mentioned processes, including conversion to Sheriff's Office use.

The act of converting property is that in which an item in the Sheriff's Office custody, which was formerly evidence, recovered, abandoned or surrendered property, and has either been seized by or entrusted to the Sheriff's Office and has been released by proper authority for disposal, is used by the agency to further the official duties of the Sheriff's Office.

J-1800-10

EFFECTIVE: February 18, 2003	REVIEWED: 06/08/2018	REVISED: 03/10/2006	UPDATED: 06/08/2018
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The storage, maintenance and utilization of seized or surrendered properties to the Sheriff's Office are a matter of public trust. Any misuse, abuse, negligence of care, or inappropriate diversion of such property is a violation of the public trust. Such violations can result in anything from embarrassment to criminal prosecution. Therefore, any conversion of property must be done prudently and lawfully.

PROCEDURE A: Forms of Conversion

Property in the custody of the Sheriff's Office may be converted for the following uses:

- Placements of a piece of equipment into direct use (i.e., a vehicle, computer, firearm, videocassette recorder, or hand tools, etc.). Such use would be in direct utility to work performed whether by law enforcement or auxiliary staff.
- Enhancement of existing equipment (i.e., computer monitors, firearm parts, vehicle parts, etc.). Such conversions would be used to maintain or enhance existing Sheriff's Office equipment.
- Use as decoy or bait in a law enforcement operation (i.e., cash, narcotics, weapons, stolen property, etc.). Such property would be used to provide apparent illegitimacy to a person with criminal intent in consummating a criminal investigation.
- Public education and law enforcement training or professionalization (i.e., DVD players, DVDs, printed materials, narcotics, illegal weapons, other devices or items which might be useful in training or education). Such items would be maintained as examples of dangerous or unlawful things shown for the purpose of education for the public or for professional training of Sheriff's personnel.

DIRECTIVE G-1

No property in the custody of the Sheriff's Office will be converted to the personal use of any person, nor shall it be given as a gift to any person. Any person who misappropriates or diverts any property shall be considered to have committed embezzlement and will be subject to misconduct charges (DPPM B-100, C-100 or C-200) or criminal prosecution (California Penal Code Section 504, Kern County Ordinance Code Section 2.80.030).

PROCEDURE B: How to convert property to departmental use

To assure that any and all property that is converted to departmental use is done so properly, ethically and lawfully, the following procedure will be followed:

An employee who determines a need for an item of converted property will request approval from their Division Commander or Chief Deputy in writing.

- The requesting Division Commander or Chief Deputy will:

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EFFECTIVE: February 18, 2003	REVIEWED: 06/08/2018	REVISED: 03/10/2006	UPDATED: 06/08/2018
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- Approve or deny the request based upon need, practicality and their own discretion, and
- If approved, so indicate on the written request and forward the request to the Property Control Officer.
- The Property Control Officer will:
 - Review the request and determine if:
 - The requested property is available, and
 - If the property can be legally converted.
 - If the property is not available and cannot be released, the Property Control Officer will return the request to the requesting Division Commander or Chief Deputy.
 - If the property is available and releasable, the Property Control Officer will forward the request to the Support Services Division Commander, via the Civil Section Sergeant, for final approval for conversion and release.
- The Support Services Division Commander will:
 - Review the request for legality and appropriateness; and
 - If the conversion appears proper, give final approval and return the request to the Property Control Officer.
- The Property Control Officer will:
 - Contact the original requestor and make arrangements for the requestor to pick up the property.
 - The Property Control Officer will have the requestor sign for custody of the item on the property card; and
 - Attach the approved request to a copy of the property card as a documentary record and place into a permanent file as approved by the Support Services Division Commander.

DIRECTIVE G-2

No property will be converted and released from the Sheriff’s Office Property Room without the final approval of the Support Services Division Commander or in his/her absence the Administrative Services Bureau Chief Deputy.

J-1800-12

EFFECTIVE: February 18, 2003	REVIEWED: 06/08/2018	REVISED: 03/10/2006	UPDATED: 06/08/2018
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DIRECTIVE G-3

No conversions of property will be accomplished from substations or other satellite property holding facilities. All items must be booked into the Property Room prior to conversion.

PROCEDURE C: Conversion of Property Marked for Destruction

Any employee who perceives a need for conversion of an item which has been designated to be destroyed may contact the original authority (investigating officer or agency, deputy district attorney or judge) to determine if the item can be converted rather than destroyed and if the original authority will so permit. Such authorization must be delivered in writing to the Property Control Officer before any conversion can occur. Such documentation will also be attached to the property card as a permanent documentary record.

J-1800-13

EFFECTIVE: February 18, 2003	REVIEWED: 06/08/2018	REVISED: 03/10/2006	UPDATED: 06/08/2018
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Kern County Sheriff's Office
Policies and Procedures

TITLE: Syringe Transfer Policy		NO: J-1805	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: July 14, 2004	REVIEWED: 06/15/2018	REVISED: 3/10/2015	UPDATED: 06/15/2018

POLICY

The Kern County Crime Lab does not normally analyze the contents of syringes seized as evidence for controlled substances, except in cases of violent crimes such as homicide or rape.

It will be the policy of the Kern County Sheriff's Office that only specified, qualified Sheriff's personnel transfer the contents of syringes when appropriate.

DIRECTIVE A-AUTHORIZED PERSONS

In order to safely transfer the contents of syringes for examination, the Coroner's staff will train specified Sheriff's personnel in the proper method of transferring syringe contents and protecting themselves from blood borne pathogens.

Civil Section Sergeants from the Support Services Division will receive the training and will be responsible for all transfers of syringe contents. Only those Sheriff's personnel, who are trained and authorized, will make transfers of syringe contents for examination by the Crime Lab.

PROCEDURE A- REQUESTS FOR ANALYSIS

When applicable, Sheriff's personnel must submit a request for the transfer of a syringe's contents for the purposes of having it analyzed as evidence. Syringe transfers will only be conducted in felony cases such as H&S 11378, H&S 11351, and P.C. 4573, or when a suspect has other felony charges in addition to misdemeanor possession drug charges as described under Proposition 47. The Crime Lab will not test the narcotics unless it is a felony case, and requires a minimum of 1/10th ml. to conduct a laboratory test. An amount less than that will be considered residue only and will not be tested. The booking deputy is responsible for completing and attaching the Crime Lab request (IPreLog) to the narcotics evidence upon booking.

- Requests for the transfer of a syringe's contents for analysis will be made by sending an email to:

Propertyroom@kernsheriff.org and the current Civil Section Sergeants

The email must include the associated case number.

Note: Any syringe transfer request for a District Attorney authorized Presumptive Narcotic Testing on misdemeanor cases can be made by sending an email to the above listed email addresses.

PROCEDURE B – REQUEST FOR MISDEMEANOR ANALYSIS

Occasionally, Property Room staff receives requests from the Kern County District Attorney’s Office regarding syringe transfers for lab analysis on misdemeanor narcotics cases. In such cases, the Property Room Sergeant is responsible for completing the syringe transfer and Crime Lab request.

Note: All evidence must be booked into the property room in accordance with DPPM J-1800.

PROCEDURE C-TRANSFERRING SYRINGE CONTENTS

When a narcotics bag is received containing a syringe, Property Room staff will notify the Property Room Sergeant. If the Property Room Sergeant is unavailable, the Property Room staff will notify the Civil Unit Sergeant. Upon being notified, the sergeant will familiarize him/herself with the items contained in the Crime Laboratory envelope.

If the Crime Laboratory envelope contains a narcotic-filled syringe, the following procedures will be followed:

- The sergeant will verify the narcotics were seized as evidence and are associated with a criminal filing. If the syringe is not associated with a criminal case, the item will be accepted into the property room as evidence and later destroyed following established guidelines.
- If the narcotics inside the syringe will be submitted to the laboratory for analysis, the sergeant will wear the following protective equipment:
 - Protective mask, goggles, gown, hair and shoe covers, and two pair of latex or puncture proof gloves. All of these materials will be obtained from the Coroner’s Division.
- The sergeant will place an uncapped micro-centrifuge tube in a test tube rack; carefully remove the syringe from the property room packing, taking care not to place his or her hands near the syringe needle, and remove the syringe needle cap, if present, with a pair of forceps. The sergeant will release between 1 ml. and 2 ml. of the syringe’s contents into the centrifuge tube by depressing the plunger on the syringe. The sergeant will replace the syringe needle cap using the forceps.
- If the contents of the syringe cannot be removed in the above manner, the plunger may be removed and the contents of the syringe poured into the centrifuge tube.
- The sergeant will cap the centrifuge tube and mark it as evidence pursuant to DPPM J-1800. The sergeant will package and seal the tube in an approved plastic evidence bag and affix a biohazard tag on the outside of the bag. He or she will complete an additional Property Room card and a Kern Regional Criminalistics Laboratory Narcotics Envelope

J-1805-2

EFFECTIVE: 7/14/ 2004	REVIEWED: 06/15/2018	REVISED: 03/10/2015	UPDATED: 06/15/2018
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for the centrifuge tube and place the sealed plastic evidence bag into the narcotic envelope.

- A supplemental report, using the same case number, will be completed by the assigned deputy explaining the transfer process.
- Prior to leaving the area, transfer personnel will repackage the syringe by placing it back into the syringe tube and sealing it with evidence tape. Transfer personnel will also ensure the work area is cleaned and all protective garments properly disposed of.
 - The sergeant will ensure all evidence is booked into the Property Room and all original evidence is rebooked into the Property Room.
 - The Property Room staff will transfer the sealed narcotics envelope to the Crime Lab.

J-1805-3

EFFECTIVE: 7/14/2004	REVIEWED: 06/15/2018	REVISED: 03/10/2015	UPDATED: 06/15/2018
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1350 Norris Road
Bakersfield, California 93308-2231

AFFIDAVIT OF FINDER

Reference: California Civil Code Section 2080.1

DATE: _____

TO: The Sheriff of the County of Kern County

I, _____, found on _____, at the

following location: _____

the below described property which was placed in the keeping of the Sheriff:

I further declare the following facts:

1. The owner of the property is unknown to me;
2. and, I have not secreted, withheld, or previously disposed of any part of this property.

I declare under penalty of perjury that the above statements are true and correct, and that these items were not found in the course of employment as an employee of any public agency (California Civil Code Section 2080.2).

CLAIMANT'S SIGNATURE: _____

Affidavit of Finder

Page 2

Please print or type the following information:

Claimant's Name: _____

Address: _____

Type of Identification: _____ Identification Number: _____

Sheriff's Office Case Number: _____

Releasing Officer's Name: _____

Releasing Officer's Signature: _____

**ATTACH PHOTOSTATIC COPY OF IDENTIFICATION TO THIS AFFIDAVIT PRIOR TO
RELEASING THE DESCRIBED PROPERTY.**



Kern County Sheriff's Office

Policies and Procedures

TITLE: FINDER'S CLAIM ON SEIZED PROPERTY		NO: J-1810	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: November 11, 1996	REVIEWED: 06/15/2018	REVISED: 05/12/2003	UPDATED: 06/15/2018

POLICY

The California Civil Code establishes procedures by which property found by the public is held by the Sheriff's Office and disposed of. All property seized subject to a subsequent finder's claim shall be handled in the manner as prescribed by existing state law. The release of found property to any claimant under a finder's claim shall be handled in accordance with the following procedure.

PROCEDURE:

Any finder's claim for property stored in the Sheriff's Property Room shall be reviewed on a divisional level by the Sergeant of the Civil Unit. Final approval of all finder's claims will be made by the Commander of the Support Services Division.

DIRECTIVE A

General Rules for Release of Property Pursuant to a Finder's Claim

- No property shall be released pursuant to a finder's claim until such time as a diligent effort is made to find the lawful owner of the property.
- Any and all property with an estimated value of \$250.00 or more shall be publicized pursuant to California Civil Code Section 2080.3(a) prior to release of the property under a finder's claim. The claimant shall pay the costs of said publication prior to the property being released. It shall be the duty of the Property Control Officer or his/her agent to make publication pursuant to this section. Fees will be paid to the Sheriff's Civil Unit.
- Pursuant to California Civil Code Section 2080.1, all persons seeking the release of property under a finder's claim shall file an "Affidavit of Finder" with the Property Control Officer of the Sheriff's Office (attachment "A"). Property will not be released to a claimant if no affidavit is on file with the Property Room.
- It shall be the duty of the person releasing property to confirm the identity of the claimant. This will be accomplished by the releasing person personally viewing the claimant's identification. For the purposes of this section, valid identification shall be any identification card issued by a governmental entity which contains a photograph of the bearer and the bearer's personal information, including, but not

limited to, legal name, date of birth, address, physical description, and an identification number (i.e., California Driver's License number or similar). This information will be noted in the appropriate boxes on the claimant's affidavit and a photostatic copy of the identification will be attached to the affidavit for filing.

- Property released under a finder's claim will not be released to any person other than the finder. No property will be released to a third-party claimant or the claimant's agent except in the event that the claimant is the successful bidder in a public auction as referenced in California Penal Code Section 2080.3.
- Once property is released to a claimant, the Property Control Officer shall note on the back of the property card that the item was released and to whom it was released. A copy of the card shall be made and attached to the claimant's affidavit. The affidavit and attachment shall be kept on file in the Property Room. These files shall be made available for review by any person who has authority to view such files.

DIRECTIVE B

Release of Firearms Pursuant to a Finder's Claim

- In the event the property is a firearm, as defined in Penal Code Section 16520, the Law Enforcement Gun Release procedure set forth in PC 33850 shall be followed.
- All provisions as set forth in Penal Code 33850 in regard to the lawful transfer of ownership of firearms shall be complied with prior to the release of any firearm pursuant to a finder's claim.
- No firearm shall be released under a finder's claim without the review and written approval of the Commander in charge of the Support Services Division.

J-1810-2

EFFECTIVE: November 11, 1996	REVIEWED: 06/15/2018	REVISED: 05/12/2003	UPDATED: 06/15/2018
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Kern County Sheriff's Office

Policies and Procedures

TITLE: PATCH COLLECTORS		NO: J-1820	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: April 15, 1998	REVIEWED: 06/15/2018	REVISED: 00/00/00	UPDATED: 06/15/2018

POLICY

Occasionally the Kern County Sheriff's Office receives requests from members of the public for Sheriffs uniform patches for their personal collections. The Sheriff's Office recognizes that, for the most part, these are honest collectors of law enforcement memorabilia and usually supporters of law enforcement in general. Thus, the Sheriff's Office views providing a patch to such requestors as a healthy public relations tool and, when possible, will try to accommodate such requests.

PROCEDURE A: Receiving Requests

Any member of the Sheriff's Office who receives a request for a Kern County Sheriff's Office uniform patch, regardless of what particular uniform it is for, should send the request to the commander of the Support Services Division. The Support Services Division Commander will then determine which is the proper division to handle the request.

If the request should properly be handled by another division, the Support Services Division Commander will forward the request to that division's commander.

If the request is for a patch normally issued by the Sheriff's Property Room, the Support Services Division Commander will determine the appropriateness of the request and either deny the request or approve it and forward the request to the Sheriff's Office Property Control Officer to have the patch sent to the requestor.

PROCEDURE B: Proper Authority

If the patch requested is for any of the volunteer groups which issue their own patches, the Support Services Division Commander will forward the request to the commander of the Special Investigations Division for consideration.

If the request is for a detention officer patch, the Support Services Division Commander will forward the request to the Downtown Services Division Commander for consideration.

If the request is for a Special Weapons Tactics Team patch, the Support Services Division Commander will forward the request to the SWAT Commander for consideration.

If the request is for a Sheriff's Emergency Response Team patch, the Support Services Division Commander will forward the request to the Lerdo Facilities Division Commander for

consideration.

If the request is for a Communications Specialist patch, the Support Services Division Commander will forward the request to the Patrol Division Commander for consideration.

PROCEDURE C: Granting or Denying Requests

In deciding whether to issue a patch to a patch collector, the responsible commander should consider:

- the request be in writing;
- the requestor appears to be bonafide law enforcement memorabilia collector and not a dealer or an unscrupulous person, and the requestor give complete name and address; and,
- whether the division has an adequate supply of patches and can spare one, and whether issuing patches to collectors will have any significant negative impact on their current budget situation.

DIRECTIVE:

- No patch shall be given to a requestor if the criteria in Procedure C, above, has not been met.
- No more than one patch shall be given to an individual requestor.
- The issuing party shall establish a file to keep the request permanently, whether a patch was issued or not.
- Generally, patches will be given free of charge, however, those volunteer groups which purchase their own patches with their own funds may recover the cost of the patch, if they so choose.

J-1820-2

EFFECTIVE: April 15, 1998	REVIEWED: 06/15/2018	REVISED: 00/00/00	UPDATED: 06/15/2018
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Kern County Sheriff's Office
Policies and Procedures

TITLE: CELLULAR COMMUNICATION DEVICES			NO: J-1900
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: October 9, 1992	REVIEWED: October 4, 2023	REVISED: October 4, 2023	UPDATED: October 4, 2023

POLICY

The Kern County Sheriff's Office maintains agency-issued cellular communication devices for the purpose of enhancing the law enforcement mission and conducting official business when regular telephones and computers are not readily available. A cellular communication device may also be utilized to provide superior communications in the management of field or special operations.

Employees assigned a cellular communication device shall ensure the safety of the equipment from theft, damage, and unauthorized use. Failure to care for the equipment may result in disciplinary action and reimbursement for the cost of its replacement or repair.

Employees shall have no expectation of privacy in any communication created, received, or sent using the Sheriff's Office-issued device. Employees shall not assume that communications or messages of any type are confidential because a private password is used. Electronic communications are "public records" under Government Code sections 7922.570-7922.585 and may be subject to disclosure under California law. In addition, all employees will be in compliance with the County's Electronic Communications Usage Policy.

DEFINITION

CELLULAR COMMUNICATION DEVICE: Is any portable communication device that is designed to be carried by a person to connect to a telecommunications network in order to transmit and receive voice, video, or other data. The devices may include mobile telephones and smartphone devices, similar wireless two-way communication devices, tablets, and any other portable devices with the capability to connect to a globally connected network system (i.e., the internet).

DIRECTIVE A –CELLULAR COMMUNICATION DEVICE ISSUANCE

As a general rule, depending on assignments and the needs of the position, a cellular communication device will be issued only to Sheriff’s Office personnel whose official duties necessitate the use of the requested device. The following assignments are examples of jobs that require the issuance of a cellular communication device:

- Management personnel with full-time responsibility for a section, division, or bureau of the Sheriff’s Office.
- Supervisory personnel who require a cellular communication device to maintain contact with their subordinates in order to provide effective supervision.
- Personnel assigned to specialized units that entail duties requiring the enhanced communication capabilities provided by a cellular communication device.
- Field assignments requiring the use of a body worn camera.

Lieutenants or civilian managers of other units who believe their personnel’s duties require the use of a cellular communication device may contact the Technology Services Section (TSS) Manager to authorize the issuance of a cellular communication device.

DIRECTIVE B – CELLULAR COMMUNICATION DEVICE RETURN

Employees whose official duties no longer necessitate the use of a cellular communication device shall return the device, along with all issued accessories, only to the TSS and without delay. Cellular communication device accessories may include the charger and protective case. The employee shall ensure the cellular communication device is physically clean and reset to factory settings.

DIRECTIVE C – CELLULAR COMMUNICATION DEVICE PROTECTION

The following protocols shall apply to all Sheriff’s Office-issued cellular communication devices:

- All cellular communication devices shall be carried in the approved carrier/case issued by the TSS.
- All cellular communication devices that access any Kern County Sheriff’s Office systems are required to be password protected and approved by the TSS Manager.

EFFECTIVE: October 9, 1992	REVIEWED: October 4, 2023	REVISED: October 4, 2023	UPDATED: October 4, 2023
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DIRECTIVE D – MOBILE DEVICE MANAGEMENT

All Sheriff's Office devices will be managed by our internally owned Mobile Device Management (MDM) solution. This will allow the Sheriff's Office to maintain FBI/CJIS security compliance. The MDM is used to set policies as well as monitor device update levels. All settings implemented by the MDM are a direct result of the FBI/CJIS security policy.

- Employees are prohibited from downloading third-party applications to their devices. If an employee would like to install a third-party application, they will need to seek approval from their lieutenant or civilian manager via the chain of command. If approval is granted, then a TSS helpdesk ticket will need to be opened. TSS will then verify that the third-party application will not compromise Sheriff's Office data or conflict with FBI/CJIS security policy. If the third-party application is determined to be safe to install, TSS will deploy the approved application to the requested device(s). The ticket will need to include the approving lieutenant/civilian manager, which device(s) it needs to be installed on, and the purpose for the requested third-party application.
- Employees are responsible for updating the software on their cellular communication devices. TSS will send out email reminders to staff whose device(s) are not up to date. Failure to update a device can result in service disruption or device lock out. If an employee needs assistance updating a device, they can open a TSS helpdesk ticket.

DIRECTIVE E – CELLULAR COMMUNICATION DEVICE USAGE

As a cost savings measure, the TSS will periodically collect an overview usage of assigned cellular communication devices to ensure the Sheriff's Office is not funding cellular plans for devices that are not being regularly used by the assigned employees. The TSS will consult with Section managers to determine if unused or minimally used devices need to remain assigned to their employees or returned to the TSS.

EFFECTIVE: October 9, 1992	REVIEWED: October 4, 2023	REVISED: October 4, 2023	UPDATED: October 4, 2023
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Kern County Sheriff's Office

Policies and Procedures

TITLE: PUBLIC DISCLOSURE OF REGISTERED SEX OFFENDERS		NO: J-1920	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: September 4, 1997	REVIEWED: 06/15/2018	REVISED: 08/16/1999	UPDATED: 06/15/2018

REFERENCES: PC 290, 290.4

POLICY

The California Legislature passed Megan's Law (AB 1562) requiring specified law enforcement agencies to disseminate information on certain sex offenders to the public. The legislative intent was to provide information in order to protect the public from sexual predators. The Sheriff's Office will adhere to this legislation and disseminate or make available the information prepared by the Department of Justice. Members of the Sheriff's Office shall not give legal advice to the public or media concerning the provisions of this legislation.

Information can be released by four methods: Disclosure of information on high risk offenders by any means, including the media, television, radio, etc., to any person (Procedure A); disclosure of information on high risk and serious offenders to specified members of the public through CD-ROM files provided by the Department of Justice (Procedure B); group/geographic disclosure of sex offender information (Procedure C); field disclosure of sex offender information (Procedure D).

A Megan's Law Coordinator will be assigned to the General Investigations Division. The coordinator will conduct the dissemination of information for sex offenders living in or frequenting the Sheriff's Office jurisdiction of Bakersfield, or coordinate the release of information on these offenders for substation areas. It will be the responsibility of the substation personnel to conduct the dissemination of information under the direction of the Megan's Law Coordinator.

Directive #1:

The determining factor in deciding what category of offender a person is for purposes of releasing information on that person will be the status determined by D.O.J. and contained in the CD-ROM files, the C.L.E.T.S. Violent Crime Information Network/Supervised Release File, or by contacting D.O.J. directly. PC 290.4 does not allow information to be released on those who fall within the "other" registered sex offender category as defined in this policy.

Directive #2:

Absent justification, the method of disclosure must be uniform for each category of sex offender.

Directive #3:

Disclosure cannot occur over the telephone. Refer callers or inquiries to the CD-ROM files or to the D.O.J. Hotline at 1-900-463-0400. The caller will be charged a fee by D.O.J. for the Hotline access.

DEFINITIONS

Serious Sex Offenders - A registrant convicted of a felony sex offense (except those listed in the “other” category) or of misdemeanor child molestation.

High Risk Sex Offenders - Serious sex offenders who have been identified by D.O.J. as having a higher risk of re-offending and who may pose a greater danger to the public. Reference PC 290 (n) (1)(A) for criteria for this category.

Other Registered Sex Offenders - Misdemeanants (except those convicted of PC 288(c) (17) and PC 647.6) and those felons convicted of repeated indecent exposure, spousal rape, and pornography and related offenses. This information may not be released to the public.

Reasonably Suspects - A suspicion based on information provided by another peace officer or a member of the public that a child or other person may be at risk of becoming the victim of a sex offense by a serious sex offender.

Likely to Encounter - The entity or individual is in a location close to where the offender lives or is employed, or that the offender visits or is likely to visit on a regular basis, and contact with the offender is reasonably probable.

PROCEDURE A: Release of Information on High-Risk Offenders

The Registration Unit of Arrest Records will:

- Notify the Sexual Assault and Abuse Investigations Unit (S.A.A.I.U.) when a high-risk offender living in the Sheriff’s Office jurisdiction registers by routing a copy of the registration card to the Megan’s Law Coordinator;

The Megan’s Law Coordinator will:

- Go to the offender's registered addresses to verify their validity;
 - The coordinator may assign this task to Substation or Patrol Division personnel;
 - If the offender is in violation of PC 290 registration requirements, write a crime/incident report to initiate an investigation;

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- Obtain approval from the S.A.A.I.U. supervisor or General Investigations Division Commander to disclose the information to the public;
- Request Crime Report Records Section to prepare a high-risk offender bulletin developed by D.O.J. and obtained from the CD-ROM files;
- Review the bulletin for completeness and accuracy;

The bulletin will include at least the following:

- The offender's full name
- The offender's known aliases
- The offender's gender
- The offender's race
- The offender's physical description
- The offender's photograph
- The offender's date of birth
- Crime(s) resulting in registration under PC 290
- Relevant parole or probation conditions
- If not releasing an address or vehicle descriptions, a statement that we are not doing so.

As a general rule, the offender's address(es) and vehicle description(s) will not be released. In the event a circumstance arises in which the offender's address needs to be released, prior approval must be obtained from a Commander.

- Make sufficient copies of the bulletin to be distributed around the offenders known residence and business addresses;
- Notify the Commander(s) of the geographic area(s) where the high-risk offender lives/works prior to dissemination;
 - In the event the offender lives in the Sheriff's Office jurisdiction but works in or frequents another jurisdiction, that jurisdiction will be notified; however, the Kern County Sheriff's Office will not distribute bulletins in that jurisdiction;
- Deliver the high-risk offender bulletins to the appropriate substation area or Patrol Division Commander for distribution to the public;

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- Citizen Service Unit members or other department volunteers may be utilized for the actual distribution;
- Release the high-risk offender bulletin to both the Kern County news media and the public;
 - Send the bulletin out on the Fax-Net system designated for this purpose;
 - All Kern County schools, the Megan’s Law District Liaison for each school district, commercial day care centers, Sheriff’s Office Communications Center and substations, and all Kern County law enforcement agencies will be included on the Fax-Net system.
 - Bulletins should be disseminated to schools in the vicinity of the offender’s address and they are to be delivered to the administration office.
 - Deliver ten bulletins to the Kern County Economic Opportunity Corporation Head Start office at 300 19th Street, Bakersfield, for distribution to affected centers around the distribution area.

Directive A-1:

As a general rule, when bulletins are proactively disseminated to the public, they will be distributed in a one-block radius around the offender's residence, or when necessary, to business addresses or locations frequented by the offender. This area may be expanded as necessary if unusual circumstances warrant it, but the reason must be documented on the Megan’s Law Disclosure form filed in the Crime Report Records Section.

Directive A-2:

When the Sheriff’s Office disseminates information on a high-risk offender, it must maintain a record of the means and dates of dissemination for a minimum of five years. The Supervised Release File in C.L.E.T.S. will be utilized for this purpose. The Megan’s Law Coordinator will complete the Megan's Law Disclosure form and forward it to Crime Report Records Section for entry into the Supervised Release File. The form will be filed in the Crime Report Records Section.

PROCEDURE B: Release of Information via CD-ROM Files

Directive B-1:

Computers containing or capable of accessing the CD-ROM files compiled by the Department of Justice regarding sex offenders will be available to the public at the Headquarters Facility (Crime Reports), Wasco Substation and Mojave Substation. Hours of operation generally will be 0800-1600, Monday through Friday, holidays excepted.

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Directive B-2:

Pursuant to PC 290, et seq., access to the CD-ROM files shall be governed by the following rules. Failure or refusal to comply with these rules will result in the denial of access to the CD-ROM files. No one other than the requestor will be permitted to view the files.

1. The requestor must be at least 18 years old;
2. The requestor must present their picture California driver's license or identification card;
3. The requestor must not be required to register per PC 290;
4. The requestor must read and then sign a completed request form;
5. No one shall be permitted to reproduce the CD-ROM files or to photograph or otherwise mechanically reproduce the files or information on the computer screen. Requestors may take notes of information contained in the CD-ROM files.

Additionally, the following rules will apply:

1. More than one person, i.e., members of the same family, may view the CD-ROM files at the same time if all comply with these rules;
2. Access will be limited to fifteen minutes for each request;
3. A requestor can only submit one Request to View form at a time.

Personnel at each CD-ROM access site will:

- Have each requestor read the back of Request to View form, complete the front of the form and sign the form;
- Ensure the form is completed;
- Compare the requestor's California driver's license or identification card to the person and the information on the Request to View form to ensure identity;
- Complete and file the Request to View form in the designated file;
- Occasionally monitor the requestor for compliance to the rules;
 - Terminate the access if there are violations of any rules;
- Cancel the access to the CD-ROM files after fifteen minutes.

Directive B-3:

Personnel not familiar with the CD-ROM files may refer inquiries about access to the CD-ROM files to the General Investigations Division clerks at 391-7585 or 391-7588. If after hours, a message can be left on their Audix system. The clerks **will not** release information from the CD-ROM files. They will only obtain a name and mailing address from the caller and mail them a

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pamphlet containing information about the CD-ROM files. They will not provide any other information about the CD-ROM files.

PROCEDURE C: Geographic/Group Disclosure of Sex Offender Information

Directive C-1:

In the event an officer receives information that a group of individuals or individuals in a geographic area may be at risk due to the presence of a high-risk or serious sex offender, information on that offender may be disclosed if those persons are likely to encounter the offender. All disclosures to a group of individuals or in a geographic area must be authorized by a Commander and conducted through the Megan’s Law Coordinator in the General Investigations Division. If the disclosure location(s) are in another agency’s jurisdiction, that agency will be notified and it will be their decision to disclose offender information.

Directive C-2:

Any law enforcement agency adjacent to our disclosure location will be notified of a group or geographic disclosure, i.e., Ridgecrest Substation to Ridgecrest P.D. and China Lake P.D., Wasco Substation to Delano P.D. and Shafter P.D., etc.

When an officer receives information that a person may be at risk, they will:

- Write a crime/incident report documenting the information;
- Notify their supervisor;
- Route a copy of the report to the Megan’s Law Coordinator;
 - If in a substation area, fax the report to the Megan’s Law Coordinator.

The Megan’s Law Coordinator will:

- Evaluate the report to determine if a disclosure is warranted;
- Establish the parameters for the disclosure;
- Obtain approval from the S.A.A.I.U. supervisor or General Investigations Division Commander for the disclosure;
- If approved, follow the Megan’s Law Coordinator duties in Procedure A, except that the bulletin will not be released on the Fax-Net system, to the media, or any other person outside of the established parameters for the disclosure;
 - Bulletins should be delivered to nearby schools and to the Megan’s Law District Liaison for the district office of any schools receiving a bulletin.
- Write a supplemental report if no disclosure occurs;

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- Submit a copy of the disclosure to Crime Reports for inclusion with the crime/incident report.

PROCEDURE D: Field Disclosure of Sex Offender Information

Directive D-1:

Occasionally an officer, through routine field contacts, will discover circumstances when one or more persons are in personal contact with a serious or high-risk sex offender. The officer should determine if there is a reasonable suspicion that the person(s) may be at risk of becoming the victim of a sex offense by the offender.

When an officer makes the determination that a person is at risk, the officer will:

- Complete a Megan’s Law Disclosure form;
- Give the information to the at-risk person and have them sign the disclosure form;
 - If the at-risk person is a juvenile, where practical, the disclosure must be made to the parent or guardian.
 - Determine if a report is necessary in accordance with Chapter 5 of the Report Writing Manual;
 - Submit the disclosure form to Crime Reports or the substation clerical personnel for entry of the disclosure information into the Supervised Release File of C.L.E.T.S.

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Kern County Sheriff's Office
Policies and Procedures

TITLE: CELLULAR PHONE, HANDS FREE USE		NO: J-1930	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: July 1, 2008	REVIEWED: 06/15/2018	REVISED: 06/20/2008	UPDATED: 06/26/2008

REFERENCES: California Wireless Telephone Automobile Safety Act of 2006,
California Vehicle Code Sections CVC 23123

POLICY

The Kern County Sheriff's Office maintains cellular telephones for the purpose of enhancing the law enforcement mission, conducting official business, the management of field operations, and operations requiring special tactics. The Sheriff's Office acknowledges the growing public concern regarding the safety implications of the widespread practice of using hand-held wireless telephones while driving and the need to establish uniform guidelines for the use of these devices while driving.

DIRECTIVE

Employees and volunteers of the Sheriff's Office are prohibited from driving any vehicle owned, leased, or under the control of the County of Kern while using a wireless telephone, unless the device is operated hands-free.

EXCEPTIONS

This section does not apply to an emergency services professional using a wireless telephone while operating an *authorized emergency vehicle*, as defined in California Vehicle Code, Section 165, when using the device for communication purposes only in response to what the deputy reasonably believes to be an emergency.

This section does not apply to any person using a wireless telephone for emergency purposes, including, but not limited to, an emergency call to a law enforcement agency, health care provider, fire department, or other emergency services agency or entity.



Kern County Sheriff's Office

Policies and Procedures

TITLE: PRE-EMPLOYMENT PSYCHOLOGICAL EXAMINATION		NO: J-2000	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: October 29, 1996	REVIEWED: 06/15/2018	REVISED: 03/10/2006	UPDATED: 06/15/2018

POLICY

It will be the policy of the Sheriff's Office to allow any Deputy Sheriff, Reserve Deputy Sheriff, Detentions Deputy, or Deputy Coroner candidate, who believes that an error has been made in the interpretation of his or her pre-employment psychological examination, to be re-examined, at the candidate's own expense, by another Department approved examiner. The examiner will be either a psychiatrist or psychologist.

In the event the result of the second examination contradicts the findings of the original County appointed examiner, the results of that examination will be forwarded to the Department Review Committee, which will be made up of the Chief Deputies, or the Sheriff's designees. It will be the responsibility of the Department Review Committee to review the submitted material and to advise the Sheriff or designee as to the suitability of the candidate for employment.

In such instances, the final decisions regarding the suitability of a candidate for employment will rest with the Sheriff or designee.

EXCEPTION:

This policy will not apply to those situations where it is determined by the examiner that the applicant has purposely attempted to anticipate the correct answers on the written portion of the exam and as a result the examiner is unable to accurately evaluate the results of the written examination. In such instances, the candidate will be deemed to have failed the psychological examination and there will be no appeal rights. Further, the applicant will not be allowed to repeat the written portion of the exam for a minimum of one (1) year.

PROCEDURES

A candidate must file the written request to appeal with the Commander of the Personnel Division within ten (10) days of the mailing of said notice to the candidate. Upon timely receipt of the appeal letter, the Commander of the Personnel Division will direct that a letter is sent to the applicant, outlining the following:

- The candidate will be given the names of the approved psychologists or psychiatrists authorized by the County to conduct such examinations. The choice of the examiner will be made by the candidate from the approved list.

- The candidate will be instructed that he or she will be responsible for any expenses of the examination.
- The candidate will be notified that if the second examination contradicts the findings of the original examination, a review will be conducted by the Department Review Committee. The Review Committee will make a recommendation to the Sheriff or the Sheriff's designee to continue or end the hiring process.
- The candidate must complete the appeal process within sixty (60) days of notification of the right to appeal by this Department.
- After the examination, the candidate will forward a copy of the examiner's report to the Commander of the Personnel Division.
- The Commander of the Personnel Division will provide copies of this report to the Department Review Committee.
- The Department Review Committee will review all information available on the candidate, including the report submitted by the candidate, and make a recommendation to the Sheriff or Sheriff's designee on the candidate's suitability for hiring.
- The final decision as to the candidate's psychological fitness for employment will be made by the Sheriff or Sheriff's designee after the review process.
- The candidate will be notified in writing of the final decision.

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Kern County Sheriff's Office

Policies and Procedures

TITLE: Blood Lead Level Testing for Rangemasters		NO: J-2010	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: June 12, 2006	REVIEWED: 06/15/2018	REVISED: 00/00/0000	UPDATED: 1/17/2018

POLICY:

It is the policy of the Kern County Sheriff's Office to obtain a baseline blood lead level test for all newly assigned range staff, as a precautionary measure. All range staff will be subsequently tested every six (6) months. If there is not a significant change in lead levels during the six (6) month test, the physician may choose to monitor levels on an annual basis. All blood lead level records will be managed and stored by Kern County Sheriff's Office Risk Management Unit.

The following medical facility will be used for all blood lead level testing:

Memorial Occupational Medicine
3838 San Dimas Street, Suite B-100
Bakersfield, CA, 93301
661-326-0088

It will be the responsibility of the Range Master to make arrangements with the medical facility for all testing.



Kern County Sheriff's Office

Policies and Procedures

TITLE: TRANSITION PROGRAM FOR KERN COUNTY SHERIFF'S OFFICE PERSONNEL TO DETENTIONS DEPUTY AND SHERIFF'S DEPUTY		NO: J-2100	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: July 25, 1998	REVIEWED: 06/27/2023	REVISED: 03/03/2020	UPDATED: 06/27/2023

POLICY

The Kern County Sheriff's Office is committed to being a regional training provider for law enforcement training. As such, it is the intent of the Sheriff's Office to offer the P.O.S.T. Basic Peace Officer Training Academy/S.T.C. Core Detentions Academy on a regular basis, with seats available for non-sponsored students. The Sheriff's Office recognizes that there are personnel within the Sheriff's Office who are highly motivated and have significant aptitude to become law enforcement officers. It also recognizes that it would be a grave burden for Kern County Sheriff's Office personnel to put themselves through the academy, while working full-time at their regular duty assignment. Therefore, the Sheriff's Office has adopted a transition program to assist highly motivated and qualified employees to become sworn peace officers in the Sheriff's Office.

PROCEDURE A

Any member of the Kern County Sheriff's Office with a minimum of two years, of full-time experience, with the Sheriff's Office (regardless of rank and/or assignment) who wishes to apply for entrance into the Basic Academy through the Department Transition Program will:

- Submit a completed resume and a memorandum indicating his/her desire to apply for the program to the Training Section Lieutenant.
 - The resume should include work experience, education, special assignments completed, community involvement, and a statement of their personal motivation and preparation for the position

The Training Section Lieutenant will:

- Consult with the Personnel Division Commander and Support Services Bureau Chief Deputy to determine how many seats will be available in the P.O.S.T. Basic Academy, as well as the S.T.C. Detentions Academy.
- This number may vary from one Academy to the next. This decision will be based on:
 - Budget considerations.
 - Number of seats needed for agency-sponsored cadets.
 - Other unanticipated considerations.

- Notify Sheriff’s Office personnel that the Training Section is accepting applications for the transition program.
- Establish and maintain a file on all applicants who have applied for the program.
 - Enter all documentation relative to this program into the applicant’s file.
- Ensure the applicant has been an employee a minimum 1 year of full-time service with the Kern County Sheriff’s Office. *(Candidates must have at least 1 year of service on the date testing commences).*
- Ensure there is nothing that disqualifies the candidate from the program.
- If the candidate does not meet the qualifications for the program,
 - Send written notification to the candidate that he/she does not meet the requirements for the program.
- If the candidate meets the qualifications for the program,
 - Send written notification to the candidate of the date and time for the Basic Academy testing process.
- Notify all candidates who participated in the Basic Academy/S.T.C. Academy Selection process of the results. *(See Procedure B)*

When all the above requirements have been met, The Training Section Lieutenant will:

- Review and assess all applicant files.
- Evaluate all candidates based on the criteria listed in the attachment, “Scoring Criteria for Kern County Sheriff’s Office Personnel Transition Program.” *(Procedure C)*
- Submit the written recommendation along with all applicant files to the Personnel Division Commander.

The Personnel Division Commander will:

- Assemble with the Sheriff’s Administration to review the recommendations.
- Approve or disapprove the applicant recommendations.

An applicant who qualifies for the program but is not selected may apply for the program again.

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PROCEDURE B: Selection Standards and Process

The selection criteria are necessarily structured to ensure candidates meet the qualifying criteria to be hired as a lateral deputy sheriff or lateral detentions deputy with the Kern County Sheriff's Office upon successful completion of the P.O.S.T. Basic Academy or S.T.C. Core Academy. The sole purpose for this program is to internally recruit qualified individuals with high potential for success as a Kern County Sheriff's Office Deputy or Kern County Sheriff's Office Detentions Deputy:

- The program consists of reassigning selected employees from their current position to the Training Section to attend the P.O.S.T. Academy/S.T.C. Academy.
 - The selected individual will maintain their current classification while attending the training.
 - The selected individual will receive compensation of their current classification.
- Upon successful completion of the Academy, the individual will return to their current assignment, pending the opportunity to take the lateral deputy or lateral detentions deputy test.
- When the lateral deputy or lateral detentions deputy test is scheduled, the individual would be expected to take it and, based on the rigorous selection and evaluation process to which the individual was subjected for acceptance into the program, would have the ability to place high enough to secure a position.

Minimum qualifying criteria for acceptance into the Kern County Sheriff's Office Personnel Transition Program includes:

- Must be eligible to own and possess a firearm.
- A rating of overall standard, or above, on EPRs for the prior two years.
- Not on promotional probation during any phase of the academy.
- No prior, unsuccessful attempts in a P.O.S.T. Basic Academy or S.T.C. Core Academy within the past 5 years.
 - If due to unusual, extenuating circumstances beyond the candidate's control, the Training Section Lieutenant may make an exception.

The selection process is intended to identify and select only the most qualified candidates. Therefore, the multi-faceted selection process is structured to assess the applicants. The selection process shall be based on specific, objective rating criteria as described in detail in Procedure C.

The P.O.S.T. Basic Academy and the S.T.C. Core Academy selection process can include:

- P.O.S.T. PELLET B Examination or the S.T.C. Adult Corrections Examination.

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- An oral examination

It will be the candidate's responsibility to purchase the required academy uniforms, but all other fees will be waived. It will also be the candidate's responsibility to follow all academy rules, regulations, and successfully complete all phases of the training.

Failure to complete the academy:

- Should a candidate fail to successfully complete the P.O.S.T. Basic Academy or the S.T.C. Core Academy under the provisions of this transition program, he/she will return to their prior assignment and remain in their current classification. The candidate will generally not be afforded another opportunity for entrance into this program for a period of five (5) years. However, if the individual's failure to complete the academy is due to circumstances beyond the individual's control, the department may offer a second opportunity for completion.

PROCEDURE C: Scoring Criteria

Personnel assigned to grade applicants in the Kern County Sheriff's Office Personnel Transition Program shall use the following method of rating candidates for the purpose of establishing an objective basis on which to make a recommendation for the selection into the P.O.S.T. Basic Academy or S.T.C. Core Academy. The procedure shall consist of scoring candidates in several areas, determining aptitude and potential for acquiring and maintaining the knowledge, skills and abilities needed to perform the essential functions of the job of deputy sheriff and detentions deputy.

The scoring process will be held to the same standards as the current entry level standards for Deputy Sheriff Trainee or Sheriff's Detentions Deputy Trainee. The components may include:

- Background/Experience/Work Performance
 - The Training Section Lieutenant will review the candidate's resume and evaluate his/her personal motivation to become a deputy sheriff or detentions deputy based on evidence of specific actions or activities to prepare for the position.
- P.O.S.T. Basic Academy Applicants:
 - The Basic Academy (student) selection process has 100 points possible.

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- P.O.S.T. Entry-Level Law Enforcement Test Battery (PELLETB): weighted at 50%
 - Oral Interview: weighted at 50%
 - EPR's are qualifying only. Candidates must have overall standard employee performance reports for two years preceding the testing date.
- S.T.C. Core Academy Applicants:
 - The Core Academy has 100 points possible.
 - Adult Correctional Officers Examination: weighted at 50%
 - Oral Interview: weighted at 50%
 - EPR's are qualifying only. Candidates must have overall standard employee performance reports for two years preceding the testing date.

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Kern County Sheriff's Office

Policies and Procedures

TITLE: TI/CRIME LAB SECURE VEHICLE STORAGE		NO: J-2200	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: June 3, 1999	REVIEWED: 06/15/2018	REVISED: 00/00/00	UPDATED: 02/26/2008

POLICY

Secure storage areas for vehicles are available at Technical Investigations, and in limited cases, at the Crime Lab. The storage area at Technical Investigations is located on the west side of Building "G" (Technical Investigations) at the Headquarters Facility. These storage areas provide secure storage for vehicles that need to be processed for evidence by Kern County Sheriff's Office Evidence Technicians and/or the Crime Lab.

Officers may place vehicles in the storage lot when it is determined that the vehicle cannot adequately be processed at the scene. The vehicle must be the object of a felony investigation unless approved by a sergeant or above, and the report documenting the seizure of the vehicle must be marked for investigation for assignment to an investigator.

PROCEDURE A. STORING VEHICLES AT TECHNICAL INVESTIGATIONS

Directive A-1:

To prevent the lot from becoming congested, investigating officers shall remove vehicles from the secure storage lot within three (3) days of being processed, or as soon as possible if personnel to properly process the vehicle are unavailable.

When an officer stores a vehicle for evidence processing, the officer will:

- Arrange for the vehicle to be towed to Technical Investigations;
- Obtain the storage lot gate key from Technical Investigations;
- Complete the "Impound Yard Key Log" located in Technical Investigations;
- Place the vehicle in one of the marked parking spaces;
- Place the vehicle keys (if any) in the key holder in Technical Investigations;
- Return the storage yard gate key to Technical Investigations;
- Sign the gate key in on the "Impound Yard Key Log";
- Complete a Vehicle Recovery/Storage report form in addition to any other reports.

- List Technical Investigations as the storage location when the vehicle is entered into C.L.E.T.S.

Investigating officers who are assigned a case involving a vehicle stored for processing shall:

- Determine the need for processing by T.I. and/or the Crime Lab;
- Ensure the appropriate service requests for processing have been completed;
- Monitor the progress of the processing;
- Arrange for the removal of the vehicle from the lot after processing.
- If the vehicle is moved to a tow yard or other commercial storage facility, initiate an amended vehicle location in C.L.E.T.S.

PROCEDURE B: STORING VEHICLES AT THE CRIME LAB

Directive B-1:

For vehicles from major crimes (homicide, rape, etc.) where evidence may be destroyed by storing the vehicle in an outside lot, the Crime Lab has very limited storage inside their facility at 18th and “L” St., Bakersfield. Such vehicles may be stored at the Crime Lab with the authorization of a Sergeant or above and the on-call criminalist.

Officers storing a vehicle at the Crime Lab will:

- Obtain the approval of a Sergeant or above;
- Contact the on-duty Crime Lab criminalist;
 - Through the Crime Lab during normal business hours;
 - Through County Communications (Control 5) after hours;
- Brief the criminalist on the incident;
- Obtain the approval of the criminalist to deliver the vehicle to the Crime Lab;
- Arrange for the vehicle to be towed to the Crime Lab;
- Meet the criminalist at the Crime Lab and follow their instructions for placing the vehicle in secure storage;
- Complete a Crime Lab service request form;

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- Complete a Vehicle Recovery/Storage report form in addition to any other reports;
- List Crime Lab as the storage location when the vehicle is entered into C.L.E.T.S.

The assigned investigator will:

- Determine the need for processing by T.I. and/or the Crime Lab;
- Ensure the appropriate service requests for processing have been completed;
- Monitor the progress of the processing;
- Arrange for the removal of the vehicle from the Crime Lab as soon as the Crime Lab is finished with the vehicle;
- If the vehicle is moved to a tow yard or other commercial storage facility, initiate an amended vehicle location in C.L.E.T.S.

J-2200-3

EFFECTIVE: June 3, 1999	REVIEWED: 06/15/2018	REVISED: 00/00/00	UPDATED: 02/26/2008
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Kern County Sheriff's Office
Policies and Procedures

TITLE: BIAS BASED POLICING		NO: J-2300	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: January 01, 2021	REVIEWED: 09/16/2020	REVISED: 09/16/2020	UPDATED: 09/16/2020

INTRODUCTION

There has been a growing national perception that law enforcement action is often based on racial stereotypes or "racial profiling." In order to address this perception in California, the State legislature has enacted statutes mandating additional training for all California law enforcement officers on "racial, identity, and cultural differences and development of effective, non-combative methods of carrying out law enforcement duties in a diverse racial, identity and cultural environment. (See Penal Code Section 13519.4(a). Also see California Penal Code 13519.4(f) which prohibits racial profiling by law enforcement officers).

The State of California passed Assembly Bill 953 in 2015. AB 953, known as the Racial and Identity Profiling Act of 2015 (RIPA), requires the reporting of detailed data regarding all stops, which AB 953 defines as a detention or search, including a consensual search, to the California Department of Justice. The data elements collected and reported will include but not be limited to the circumstances surrounding the personal contact and perceived information regarding the person being contacted.

Discriminatory conduct based on race, religion, color, ethnicity, national origin, age, gender, gender identity, gender expression, sexual orientation, or disability while performing any law enforcement activity is prohibited. All law enforcement contacts and activities, including, but not limited to, calls for service, investigations, law enforcement-initiated stops or detentions, and activities following stops or detentions, shall be unbiased and based on legitimate, articulable facts. All law enforcement action taken shall be consistent with the standards of reasonable suspicion or probable cause as required by federal and state law.

Failure to comply with this policy is counterproductive to professional law enforcement and is an act of misconduct, which is subject to discipline. Any employee who becomes aware of biased policing or any other violation of this policy shall report it in accordance with established policy and procedure.

DEFINITIONS:

Bias-based policing - An inappropriate reliance on characteristics such as race, color, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability or affiliation with any non-criminal group (protected characteristics) as the basis for providing differing law enforcement service or enforcement (Penal Code § 13519.4).

Detention means a seizure of a person’s body by an officer that results from physical restraint, unequivocal verbal commands, or words or conduct by an officer that would result in a reasonable person believing that he or she is not free to leave or otherwise disregard the officer.

Encounter means a detention or traffic stop where the officer initiates activity based solely on the officer's own observations or the observations and direction of another officer, rather than on information provided by dispatch or reported by a member of the public.

Gender Identity means an individual's actual or perceived gender identity, or gender-related characteristics intrinsically related to an individual's gender or gender-identity, regardless of the individual's assigned sex at birth.

Location means the address where the Encounter occurred, or the closest address or intersection thereto.

Officer means a peace officer as defined by Section 830 of the Penal Code, employed by the Kern County Sheriff’s Office.

Traffic Stop means an interaction between an officer and an individual driving a vehicle, in which the officer orders the individual to stop the vehicle.

Use of Force means an officer's use of force on an individual that is required to be reported by department policy section F-0100.

Search means a search of a person’s body or property in the person’s possession or control and includes a pat-down search of a person’s outer clothing as well as a consensual search.

Stop means any detention by an officer of a person or any officer interaction with a person in which the officer conducts a search.

Consensual search means any search that occurs when a person gives an officer consent or permission to search the person or the person’s property. Consent can be given in writing or verbally or may be implied by conduct.

POLICY

Discriminatory conduct, based on race, religion, color, ethnicity, national origin, age, gender, gender identity, gender expression, sexual orientation, or disability while performing any law enforcement activity is prohibited. All law enforcement contacts and activities, including, but not limited to, calls for service, investigations, law enforcement-initiated stops or detentions, and

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activities following stops or detentions, shall be unbiased and based on legitimate, articulable facts.

Bias-based policing undermines legitimate law enforcement efforts and may lead to claims of civil rights violations. Bias-based policing alienates the community, fosters community distrust of law enforcement, and invites media scrutiny, legislative action and judicial intervention. The Kern County Sheriff's Office neither condones nor tolerates the use of bias-based policing.

All law enforcement action taken shall be consistent with the standards of reasonable suspicion or probable cause as required by federal and state law. Deputies should be familiar with the following concepts related to bias-based policing:

- **Racial or Identity Profiling:** the consideration of, or reliance on, to any degree, actual or perceived race, color, ethnicity, national origin, age, religion, gender identity or expression, sexual orientation, or mental or physical disability in deciding which persons to subject to a stop or in deciding upon the scope or substance of law enforcement activities following a stop, except that an officer may consider or rely on characteristics listed in a specific suspect description. Such activities include, but are not limited to, traffic or pedestrian stops, or actions taken during a stop, such as asking questions, frisks, consensual and nonconsensual searches of a person or any property, seizing any property, removing vehicle occupants during a traffic stop, issuing a citation, and making an arrest.
- **Implicit Bias:** the attitudes or stereotypes that affect a person's understanding, actions, and decisions in an unconscious manner. These biases, which encompass both favorable and unfavorable assessments, are activated involuntarily and without an individual's awareness or intentional control. Implicit biases are different from known biases that individuals may choose to conceal.
- **Bias by Proxy:** when an individual calls/contacts the police and makes false or ill-informed claims of misconduct about persons they dislike or are biased against based on explicit racial and identity profiling or implicit bias.

When the police act on a request for service based on unlawful bias, they risk perpetuating the caller's bias. Sworn and civilian staff should use their critical decision-making skills, drawing upon their training to assess whether there is criminal conduct.

Encounters with the Public:

Deputies may not use race, religion, color, ethnicity, national origin, age, gender, gender identity, gender expression, sexual orientation, or disability (to any extent or degree) while conducting any law enforcement activity, including stops and detentions, except when engaging in the

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investigation of appropriate suspect-specific activity to identify a particular person or group. Department personnel seeking one or more specific persons who have been identified or described in part by their race, religion, color, ethnicity, national origin, age, gender, gender identity, gender expression, sexual orientation, or disability may rely in part on the specified identifier or description only in combination with other appropriate identifying factors and may not give the specified identifier or description undue weight.

If multiple agencies are involved in a stop and the Kern County Sheriff's Office is the primary agency, the Kern County Sheriff's Office deputy shall collect the data elements and prepare the stop data report. The primary agency is the agency with investigative jurisdiction based on local, county, or state law or applicable interagency agreement or memoranda of understanding. If there is uncertainty as to the primary agency, the agencies shall agree on which agency is the primary agency for reporting purposes. (11 CCR 999.227).

Circumstances in Which Characteristics of an Individual May Be Considered:

Deputies may not use, to any extent or degree, actual or perceived race, color, ethnicity, national origin, religion, gender, age, sexual orientation or gender identity in conducting stops or detentions, or activities following stops or detentions except when engaging in the investigation of appropriate suspect specific activity to identify a particular person or group. Department personnel seeking one or more specific persons who have been identified or described in part by any actual or perceived characteristic may rely on them in part only in combination with other appropriate identifying factors. The actual or perceived characteristics should not be given undue weight.

DIRECTIVE A

Data Collection and Reporting:

The following information will be collected for each stop:

- Date/Time/Duration
- Location
- Reason
- Responding to Call for Service? Yes/No
- Actions taken during stop, including, but not limited to:
 - Whether asked for consent search / Whether consent was provided
 - Whether search took place / Basis for search / Result of search
 - Whether property was seized / Type of property / Basis for seizure
 - Curbside detention, handcuffed/flex-cuffed, firearm pointed at person, firearm discharged or used

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- *Includes:* Action taken based on individual suspicion or personal characteristics during traffic control, crowd control, underage drinking detentions, DUI checkpoints.
- Result or Disposition (e.g. warning, citation, arrest)
 - This includes the language of the warning or offense cited/charged
- Perceived race/gender/age
 - This information shall not be requested
 - Vehicle Stops: Only applies to driver, unless actions above are taken for passenger
 - Optional: LGBT, Limited to no English Fluency, Disability
- Officer Information
 - Years of Experience
 - Type of Assignment: Patrol, Traffic, Narcotics, Investigations, etc.
 - CAD/Badge
- Not Reportable/Deputies need not complete a RIPA report based on the following interactions:
 - Stops that occur during public safety mass evacuations;
 - Stops that occur during an active shooter incident;
 - Stops or searches that occur during or as a result of routine security screenings required of all persons to enter a building, school or special event, including metal detector screenings and any secondary searches that result from that screening;
 - Interactions with passenger(s) of traffic stops who are not the subject of an investigation or enforcement action and who are not searched;
 - Interactions with the targeted subject(s) of a warrant, search condition, home detention, or house arrest while in their residence; or,
 - Consensual encounters that do not result in a search.
 - Incidents that occur with a subject who is currently in custody within a custodial facility.
- The following are reportable only if the officer takes specific actions listed under “Actions taken by officer during stop”:
 - When officers are executing warrants or search conditions, or on home detention or house arrest assignments, they need only report stops of people in the home who are not the subject of the warrant, etc. and only if the officer takes any of the following actions against the person: handcuffs or flex cuffs them; arrests them; points a firearm at them; discharges or uses a firearm; uses an electronic control device, impact projectile, baton or other impact weapon, or chemical spray on the person; or a K-9 canine bit/held the person.
 - Traffic control of vehicles due to a traffic accident or emergency situation that requires that vehicles are stopped for public safety purposes;

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- Any type of crowd control in which pedestrians are made to remain in a location or routed to a different location for public safety purposes;
- Interactions during which persons are detained at a residence only so that deputies may check for proof of age for purposes of investigating underage drinking;
- Checkpoints or roadblocks in which a deputy detains a person as the result of a blanket regulatory activity or neutral formula that is not based on individualized suspicion or personal characteristics.
- Stops of students in a K-12 public school are subject to different reporting requirements:
 - Only the following interactions with students are subject to stop data reporting requirements (SRO Deputies):
 - (1) an interaction resulting in temporary custody, citation, arrest, permanent seizure of property as evidence of a criminal offense, or referral to a school administrator because of suspected criminal activity;
 - (2) an interaction in which a student is questioned to investigate whether they committed any violation of law, including offenses listed under Education Code section 48900 and including truancy; and
 - (3) any interaction in which an officer takes any of the actions provided under the category of information entitled “Actions taken by officer during stop,” excluding “none” and excluding searches applied using a neutral formula.

The data collected for each stop is the responsibility of a single deputy on scene. The data will be reported and submitted for supervisorial approval. The Kern County Sheriff’s Office will maintain all “Stop Data” and prepare an annual report to the California Department of Justice in compliance with AB 953.

DIRECTIVE B

Failure to comply with this policy is counterproductive to professional law enforcement and is an act of misconduct, which is subject to discipline. Any employee who becomes aware of biased policing or any other violation of this policy shall report it in accordance with established policy and procedure.

DIRECTIVE C

All investigative detentions, temporary detentions, vehicle stops, arrests, searches and seizures of persons or property by deputies will be based on a standard of reasonable suspicion or probable cause as required by the Fourth Amendment of the U.S. Constitution, statutory authority and prevailing case law. Deputies must be able to articulate specific facts, circumstances and conclusions which support reasonable suspicion or probable cause for an arrest, vehicle stop or investigative detention.

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Deputies may take into account as part of a description the race, ethnic background, gender, sexual orientation, religion, economic status, age and/or culture of a specific suspect(s) based on credible, reliable, relevant information that links a person to a particular criminal incident or links a specific series of crimes in an area to a group of individuals.

Except as provided above, no person shall be singled out or otherwise treated differently on account of his/her race, ethnic background, gender, sexual orientation, religion, economic status, age and/or culture.

DIRECTIVE D

This policy allows consensual encounters, but officers should apply the principles outlined below.

In an effort to prevent inappropriate perceptions of biased based law enforcement, deputies shall utilize the following strategies when involved in any pedestrian contact or vehicle stop:

- Be courteous, polite and professional.
- Introduce yourself by providing your name and agency affiliation. As soon as practical, explain the reason(s) for the stop, i.e. in vehicle stops, provide this information before asking the driver for his/her license, registration and proof of insurance.
- Answer any questions the member of the public may have, including explaining options for the disposition of a traffic citation, if relevant.
- Ensure that the length of the detention is no longer than necessary to take appropriate action for the known or suspected offense.

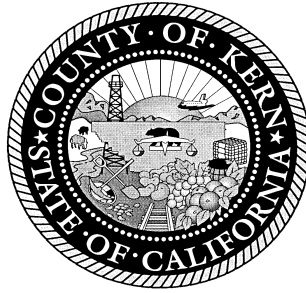
DIRECTIVE E

Training on fair and objective policing and review of this policy shall be conducted as directed by the Training Section.

- All sworn members of this department will be scheduled to attend Peace Officer Standards and Training (POST)-approved training on the subject of bias-based policing.
- Each sworn member of this department who received initial bias-based policing training will thereafter be required to complete an approved refresher course every five years, or sooner if deemed necessary, in order to keep current with changing racial, identity and cultural trends (Penal Code § 13519.4(i)).

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1350 Norris Road
Bakersfield, California 93308-2231

January 4, 2013

Chief of Police
Address
City/State/CA/Zip

Re: CCW Application

Dear Chief:

This letter is to notify you that a person or persons who reside(s) in your city applied for a CCW permit through the Kern County Sheriff's Office. The applicant's name and DOB is attached. If you have any information relevant to this applicant, or if you require additional information, please notify our Licensing Sergeant within five (5) working days of receipt of this letter. The Licensing Unit is located at 1350 Norris Road, Bakersfield, 93308. The Licensing Sergeant can be reached at (661) 391-7723 or smallwood@kernsheriff.com.

Thank you for your consideration in this matter.

Sincerely,

Sheriff Donny Youngblood
County of Kern



Kern County

SHERIFF

Detective Division, Licensing Unit

CCW APPLICANT RESPONSE FORM

APPLICANT:

ADDRESS:

DOB:

dba:

COMMENTS:

Completed by:

Title:

Agency:

Please mail to: Kern County Sheriff's Office

or

Fax: 661-391-7434

Licensing Unit

1350 Norris Road

Bakersfield, CA 93308



Kern County Sheriff's Office Policies and Procedures

TITLE: CONCEALED WEAPONS PERMIT		NO: J 2400	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: March 6, 2003	REVIEWED: 1/13/2023	REVISED: 1/13/2023	UPDATED: 1/13/2023

POLICY

It is the policy of the Kern County Sheriff's Office to distribute, accept, and review applications for the issuance of Carrying a Concealed Weapon (CCW) licenses to any resident within its jurisdiction. Individuals requesting a CCW license must satisfactorily meet various guidelines to include proof of residency in Kern County,, a background check, complete an approved firearms safety course, and submit Live Scan fingerprints for screening through the Department of Justice and the Federal Bureau of Investigation.

Reference: California Penal Code Section 26150(a) states in part that; "When a person applies for a license to carry a pistol, revolver, or other firearm capable of being concealed upon the person, the sheriff of a county may issue a license to that person upon proof of all of the following:

- (1) The applicant is of good moral character.
- (2) The applicant is a resident of the county or a city within the county.
- (3) The applicant has completed a course of training as described in section 26165.

PROCEDURE A – SCREENING PROCESS

Any individual applying for a license to carry a concealed weapon shall first fully complete a Concealed Weapons License Application.

- The application will be completed on-line at www.kernsheriff.org. If the applicant does not have access to a computer, the applicant can utilize a computer in the Licensing Unit at the Kern County Sheriff's Office at 1350 Norris Road, Bakersfield, California. It is against the law to knowingly make any false statements on such an application (Penal Code § 26180 (a) and (b)).
 - The applicant will provide a current California Driver's License or California ID Card with a current address in Kern County. If the applicant recently moved to Kern County the applicant must have completed the change of address with the DMV prior to completing the application..
 - The applicant must be a resident of the County of Kern.
 - The applicant must show two (2) valid forms of proof of residency (in addition to the California Driver's License/ID Card). Examples include a current property tax bill, a utility bill such as: electric bill, gas bill, water bill, internet bill, cable bill or phone

bill (*cell phone bill not accepted*) and/or current vehicle registration papers. A post office box is not considered acceptable proof of residency.

- Active Military personnel may provide a current out of state Driver's License along with a copy of their active military orders.
- Applicants who have dual residency will not necessarily be excluded from applying but must provide a California Driver's License or California ID Card with a Kern County address and two (2) valid forms of proof of residency in Kern County.
- Licensing personnel will compile and forward a list of all applicants for Administrative Review.
- Permanent legal residents must provide their Permanent Legal Resident Identification Card and meet all other requirements of Procedure A.
- Upon completion of the Administrative Review, The Sergeant of the Licensing Unit will then review the application and ensure the applicant meets the minimum guidelines detailed in Procedure A of this policy.
 - If the Licensing Sergeant determines the applicant meets state law and Sheriff's Office guidelines, written notice shall be sent to the applicant to proceed with the training requirements specified in Penal Code Section 26165, pursuant to Penal Code Section 26202.
 - If the applicant does not meet state law and/or Sheriff's Office guidelines, or has been denied during the Administrative Review, the applicant shall be given written notice of denial noting the cause for the denial. The letter will be sent out electronically under the name of the Sheriff, "By" the reviewing sergeant via the Sheriff's Office on-line CCW application software. .
 - If the applicant's CCW license application is denied, the applicant must wait one year from the date of denial to reapply.

PROCEDURE B - ADMINISTRATIVE REVIEW

On or before the 5th day of each month, licensing personnel will compile and forward a list of all applicants to the Sheriff's Administration for review. The list will include each applicant's name, date of birth and city of residence.

The list will be forwarded to the Sheriff's Confidential Administrative Assistant (SCAA) The SCAA will distribute the list to each Chief Deputy, the Undersheriff and the Sheriff for an administrative review. After Sheriff's Administration reviews the list of applicants, the SCAA will forward a list of all applications that have been approved for applicant processing as described in Procedure C. The SCAA will also notify the Licensing Sergeant of the reasons for any denials. Such notification will be made no later than five (5) business days after the names were submitted for review.

PROCEDURE C – APPLICATION PROCESSING

Applicants who have successfully completed the CCW screening process and the administrative review will:

- Report to the Sheriff's Headquarters Facility where the applicant will be fingerprinted.

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- The applicant's prints will be sent to California Department of Justice and the Federal Bureau of Investigation for processing.
- Provide an original or certified copy of a birth certificate, passport, or permanent legal resident identification card, a DD214 form if the applicant was in the military, the required 8-hour firearms training certificate, and qualification card.
- Provide a certified copy of a marriage certificate or court order if the California Driver's License does not match the applicant's birth certificate.

When the California Department of Justice and the Federal Bureau of Investigation results are received, the Licensing Unit Sergeant will review the applicant's entire file for final approval.

If the Sergeant approves the application for issuance of the license, Licensing Unit personnel will notify the applicant to return to Sheriff's Headquarters and:

- The applicant will read and sign the "Conditions of CCW license" form.
- Licensing Unit personnel will obtain the applicant's thumb print for the license.
- The applicant will sign the license.
- Licensing Unit personnel will issue the license.

If the Licensing Unit Sergeant denies the application for issuance of the license, Licensing Unit personnel will send a denial notification to the applicant.

PROCEDURE D – APPEAL PROCESS

If an applicant whose application was denied wishes to appeal the decision, he or she may contact the Detectives Section Lieutenant or Investigations Division Commander in writing to request an informal appeal within 10 working days of the denial. The Detectives Section Lieutenant or Investigations Division Commander will review the reasons for denial. The Lieutenant or Commander must send the applicant a written notification of his or her decision to approve or deny the appeal within ten days of receiving the request for appeal.

- If the Section Lieutenant or Division Commander upholds the denial, the applicant may appeal in writing to the Sheriff within forty- five (45) days of the original denial.
- After the Sheriff has reviewed the written appeal, the Office of the Sheriff will send a letter of acceptance or denial to the applicant with a copy of the letter sent to the Licensing Unit for additional handling as required.
- Applicants denied during the Administrative Review are entitled to appeal to the Sheriff within ten (10) days.

PROCEDURE E – LICENSE RENEWAL

Pursuant to California Penal Code Section 26220, a CCW License may be issued for a time period not to exceed two years from the date of license, or in the case of a full-time Court Commissioner, Judge or Magistrate, three years from date of issuance and in the case of a Reserve Peace Officer appointed pursuant to Penal Code Section 830.6, four years from the date

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of license. At the expiration date, the CCW license is no longer valid and the applicant cannot legally carry a concealed weapon.

No earlier than thirty (30) days prior to the expiration of any valid license to carry a concealed weapon, the licensee may apply to the Sheriff for a renewal by applying online at kernsheriff.org and:

- Provide a current California Driver’s License or California ID Card with the current address on the CCW permit. The address must be in Kern County.
- Verify the information on the license with an authorized Sheriff’s employee under penalty of perjury.
- Pay the currently required non-refundable state and county renewal application fees.
- Provide proof of completion, within the previous 90 days, of an approved four (4) hour renewal course.
- Provide qualification card with all firearms listed which applicant is requesting to be listed on their CCW Permit.
- Review and sign the “Conditions of CCW” license form.

Once the Sheriff or authorized designee has verified the successful completion of the renewal process, the renewal of the license to carry a concealed weapon will either be granted or denied.

Prior issuance of a license shall not entitle any licensee to any property or liberty right to renewal.

If the license renewal is approved, Licensing Unit personnel will issue the new license.

Whether an application for renewal is approved or denied, the applicant shall be notified in writing within ninety (90) days of the renewal application or within thirty (30) days after receipt of the applicant’s criminal background check from DOJ, whichever is later (Penal Code Section § 26205).

No license will be approved for renewal if the permit is ninety (90) days after the expiration of any valid license to carry a concealed weapon.

If any license is expired over ninety (90) days, applicants must apply for a new application.

PROCEDURE F – CCW LICENSE AMENDMENTS

Any licensee may amend his/her license at any time during the period of validity by going to www.kernsheriff.org and completing a modification application in order to accomplish one or more of the following:

- Add or delete authority to carry a firearm listed on the license.
 - The Sheriff’s Office must be notified prior to any addition or deletion of a particular firearm.
- Change restrictions or conditions previously placed on the license.

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- The Sheriff's Office must be notified immediately of any circumstances that would result in changes in the restrictions or conditions on the license.
- Change the address or other personal information of the licensee.
 - A person currently holding a Kern County Sheriff's Office issued CCW license shall notify this agency within ten (10) days of any change in his/her place of residence (Penal Code Section 26210). The licensee must present a change of address card (Form DL43) from the DMV or the confirmation page from the DMV online change of address form.
- In the event that any amendment to a valid license is approved, a new license will be issued reflecting the amendment(s).
- Copies of the State of California Modification of License to Carry Concealed Firearm form shall be immediately filed with the Department of Justice by the Sheriff's Office. No additional fingerprint cards will be required for this process.
- An amendment to any license will not serve to extend the original expiration date and an application for an amendment will not constitute an application for renewal of the license. The license shall be subject to renewal based on the original issue date regardless of any amendments.
- The licensee will be required to pay the current CCW license amendment fee.

PROCEDURE G – CCW LICENSE REVOCATIONS

Any license issued pursuant to this policy may be immediately revoked by the Sheriff-Coroner or designee for any of the following reasons:

- If the licensee has violated any of the restrictions or conditions placed upon the license.
- If the licensee becomes medically or psychologically unsuitable to carry a concealed weapon.
- If the licensee is determined to be within a prohibited class described in Penal Code Section(s) §§ 29805, 29815, 29900, 29905 or Welfare and Institutions Code §§ 8100 or 8103.
- If the licensee engages in any conduct which involves a lack of good moral character.
- If the licensee establishes residency outside the County of Kern. Permits for licensee's who move out of Kern County will be revoked 90 days from the date the licensee moves out of Kern County pursuant to Penal Code Section 26210(d).

The issuance of a license by the Sheriff-Coroner shall not entitle the holder to either a property or liberty interest as the issuance, amendment or revocation of such license remains exclusively within the discretion of the Sheriff-Coroner as set forth herein.

If any license is revoked, the Licensing Unit will immediately notify the licensee and the California Department of Justice pursuant to Penal Code § 26225.

DIRECTIVE A – QUALIFIED APPLICANTS

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Applicants must complete, in full, the required application and must comply with the following minimum guidelines:

- Applicant must be at least 21 years of age, except when employed by the Kern County Sheriff's Office.
- Any applicant with an arrest or conviction in the last five (5) years is generally disqualified.
- Applicant must be a resident of the County of Kern and have a California Driver's License/or California Identification Card
- The applicant must show two (2) valid forms for proof of residency (in addition to the California Driver's License or ID Card). Examples include a current property tax bill, a utility bill such as: electric bill, gas bill, water bill, internet bill, cable bill or phone bill (*cell phone bill not accepted*) and current vehicle registration papers. A post office box is not considered acceptable proof of residency.
- Permanent legal residents must provide their Permanent Legal Resident Identification Card and meet all other requirements of Procedure A.
- Be free from criminal convictions that would disqualify the applicant from carrying a concealed weapon, including any felony conviction.
- The applicant must not be within a prohibited class as described in Penal Code Sections 29805, 29815, 29900, 29905 or Welfare and Institutions Code Sections 8100 or 8103.
- Applicant must not have a current restraining, protective or stay-away order against him or her.
- The Sheriff may deny a permit to any applicant that has been convicted of any public offense involving violence, firearms, drugs or any other crime that would reflect negatively on the applicant's ability to carry a concealed weapon.
 - For the purposes of this policy all references to convictions shall include a finding or judgment of guilt by jury or bench trial, or any plea of guilty, nolo contendere or not guilty by reason of insanity.
- The applicant may not be on probation at the time application is made. After issuance, if subsequently placed on probation, the permit will be revoked.
- Fingerprints will be required for initial applications and the applicant must successfully pass a background investigation conducted by the Kern County Sheriff's Office, which may include background inquiries to the applicant's place of employment, neighbors, and any other law enforcement resources.
- Be of good moral character.
- The applicant must show current proof of attendance and a successful completion certificate from a Sheriff's Office approved training course covering safety, the law, and the applicant's ability to handle the firearm safely, or written certification the applicant meets the requirements from the Sheriff's Office Range Master.
- Pay all associated application fees. These fees are set by statute and may not be refunded if the application is denied.
- Pass the required live fire exercise from an approved vendor.
 - Minimum qualification course will be 12 rounds: 4 rounds at 5 yards, 2 rounds gun hand only then 2 rounds support hand only from 5 yards, and 4 rounds at 7 yards. The

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passing score is 75% which equals missing 3 rounds outside the bottle outline on a standard FBI-Q target or its equivalent.

DIRECTIVE B – CONDITIONS OF CCW LICENSE

The Sheriff will include certain mandatory conditions on all CCW Licenses that the applicant must adhere to. The applicant:

- Shall not ingest, inhale, inject or be under the influence of illegal drugs at any time or ingest or be under the influence of alcohol or marijuana while carrying the weapon.
- Shall not represent self as a peace officer at any time.
- Shall not violate any federal, state, or local law, statute, or ordinance.
- Shall not be under the influence of any mind-altering medication, including, but not limited to those labeled with a warning not to operate a motor vehicle or other machinery.
- Shall not impede any law enforcement officer in the performance of their duties.
- Shall not refuse to display or surrender their permits and weapon when requested to do so by a peace officer.
- Shall not unjustifiably display a deadly weapon.
- Shall immediately notify any peace officer, during any official contact, that the licensee has a CCW permit and is armed.
- Shall abide by the restrictions or limitations placed on the permit.
- Shall not carry a duplicated CCW permit.
- This permit does not authorize taking a firearm aboard any commercial flight.
- The licensee must notify our agency within ten (10) days of an address change.

DIRECTIVE C – CCW REPORTING REQUIREMENTS

Pursuant to Penal Code § 26225, the Sheriff-Coroner shall maintain a record of the following and immediately provide copies of each to the California Department of Justice:

- The denial of a license.
- The denial of an amendment to a license.
- The issuance of a license.
- The amendment of a license.
- The revocation of a license.
- The Sheriff's Licensing Unit shall annually submit to the State Attorney General the total number of licenses to carry concealed weapons issued to reserve peace officers and judges.

DIRECTIVE D – FIREARM REQUIRMENTS

No gun will be added to the permit unless the firearm is legally approved and/or purchased in the State of California. All firearms must be able to be concealed on ones person at all times. All firearms listed on the permit must be registered in California. All firearms submitted on the CCW application, initial or renewal, must have the correct make, model, serial number and Caliber. All firearms must be registered to the applicant or the applicant's spouse.

J 2400

EFFECTIVE: March 6, 2003	REVIEWED: 1/13/2023	REVISED: 1/13/2023	UPDATED: 1/13/2023
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Provide a certified copy of a marriage certificate if you are adding a firearm belonging to a spouse.

The following calibers or rounds will not be added to a permit:

- .480 Ruger
- .454 Casull
- .460 S&W Magnum
- .50 Cal
- .500 S&W Magnum
- .223 mm
- 5.56 NATO
- 5.7 x 5.6mm
- 5.7 x 28 SS190
- 7.62 x 39 mm
- 12.7 x 108mm
- No Round Larger than a .45 Cal
- No Shotgun Round
- No Rifle Round

DIRECTIVE E – CONFIDENTIAL RECORDS

The home address and telephone numbers of any peace officer, magistrate, commissioner or judge contained in any application or license shall not be considered public record (Government Code § 6254(u)(2)).

Any information in any application or license which tends to indicate when or where the applicant is vulnerable to attack or that concerns the applicant's medical or psychological history or that of his/her family shall not be considered public record (Government Code § 6254(u)(1)).

DIRECTIVE F – NOTIFICATION OF POLICE CHIEFS

When a citizen who resides within any incorporated area of a city in Kern County submits an application for a CCW permit, a notification letter will be sent via e-mail by the Confidential Administrative Assistant, to the Chief of Police of that city. The letter will identify the person applying and request any information relevant to the application from the Chief. The Chief or his designee will be expected to notify the Licensing Sergeant within five (5) working days of receipt of the letter.

DIRECTIVE G – WAIVER OF REQUIREMENTS

J 2400

EFFECTIVE: March 6, 2003	REVIEWED: 1/13/2023	REVISED: 1/13/2023	UPDATED: 1/13/2023
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No member of the Sheriff's Office, except the Sheriff, may waive any requirements for issuing or retaining a license. Nothing in this policy shall limit or restrict the Sheriff's lawful authority to issue written amendments to this policy.

J 2400

EFFECTIVE: March 6, 2003	REVIEWED: 1/13/2023	REVISED: 1/13/2023	UPDATED: 1/13/2023
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Kern County Sheriff's Office **Policies and Procedures**

TITLE: Concealed Weapon Permit Instructor Requirements		NO: J 2410	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: November 14, 2008	REVIEWED: 5/2/2022	REVISED: 1/31/2019	UPDATED: 5/2/2022

POLICY

The Kern County Sheriff's Office Licensing Unit maintains a list of approved vendors for the concealed weapons permit instructors. The ultimate approval for adding a new vendor to the list remains solely at the discretion of the Sheriff or his designee.

Businesses and individuals wishing to become an approved vendor for the Sheriff's Office shall submit a completed application to the Licensing Unit for review. Applications will be made available upon request. When an application is received by the Sheriff's Office, it will be forwarded to the Sergeant in charge of the Licensing Unit. The sergeant will review the request, and he/she will cause to be delivered a letter to the requesting vendor. The following information will be submitted by the vendor prior to being considered for placement on the approved vendors list.

To be considered for placement on the eligibility list as an approved instructor/vendor for the Kern County Sheriff's Office, the applicant will need to provide the following:

- A syllabus of the course outline including the language found in California Penal Code sections 26165, instruction in firearms safety, and the law regarding the permissible use of a firearm.
- An hourly breakdown of topics to be covered.
- A certificate of eligibility or other proof to show they are not a prohibited person from owning or possessing a firearm. (Vendors/instructors current Kern County CCW will suffice)
- A business license if they are operating in an incorporated city within the County of Kern.
- A copy of the certificate to be issued to successful students including the signature of the signing authority on the certificate.
- A list of all instructors employed to teach the CCW course.
- Attach a summary of the instructor(s) qualifications and past experience as a firearms instructor including relevant training certificates.
- Instructors **MUST** supply a business address, valid phone number and/or e-mail to the Sheriff's Office.

- The location where the course is to be taught.
- The location of the range where firearms training will take place.
- The course shall include live-fire shooting exercises on a firing range and shall include a demonstration by the applicant of safe handling of, and shooting proficiency with, each firearm that the applicant is applying to be licensed to carry.
 - Minimum qualification course will be 12 rounds: 4 rounds at 5 yards, 2 rounds gun hand only then 2 rounds support hand only from 5 yards, and 4 rounds at 7 yards.
 - The passing score is 75% which equals missing 3 rounds outside the bottle outline on a standard FBI-Q or its equivalent.
 - Instructor/vendor must provide the course of fire for each gun on the permit.
- Information must be current at all times or the vendor/instructor will be removed from listing.
- Proof of liability and Workers Compensation insurance.

If you are submitting the above information without a business license or proof of Workers Compensation insurance, please provide a written statement detailing the reasons why.

In addition, all vendors will be contacted by February 1st of each calendar year, and they will be required to update the following information as required above. The vendor / instructor will have thirty days from the date of the request or March 1st, whichever is later, to comply with the above listed requirements. The information shall be provided on an electronic format similar to a Compact Disc, Flash Drive device, or PDF file via email. If a vendor does not provide the updates as requested, they will be removed from the approved vendor list.

The Sergeant in charge of the Licensing Unit will be responsible for ensuring the letters of request for information are sent to all of the approved vendors. After a vendor is approved the Sergeant in charge of the Licensing Unit must confirm each vendor has in their possession and using the approved Kern County Sheriff's Office Licensing Unit Firearm Qualification Card (Attachment A). The Licensing Unit Firearm Qualification Card will be the only accepted proof of firearm qualification for Kern County CCW applicants.

EFFECTIVE: November 14, 2008	REVIEWED: 5/2/2022	REVISED: 1/31/2019	UPDATED: 5/2/2022
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INFORMANT FEE PAYMENT LEDGER

The Kern County Sheriff's Office has agreed to pay informant fees in the following case:

Case Number	Officer	Informant Number

Fee for information / services rendered:

Date	Officer	Receipt Number	Payment	
			Balance	

Date	Officer	Receipt Number	Payment	
			Balance	

Date	Officer	Receipt Number	Payment	
			Balance	

Date	Officer	Receipt Number	Payment	
			Balance	

Date	Officer	Receipt Number	Payment	
			Balance	

Date	Officer	Receipt Number	Payment	
			Balance	

Date	Officer	Receipt Number	Payment	
			Balance	

Date	Officer	Receipt Number	Payment	
			Balance	

Date	Officer	Receipt Number	Payment	
			Balance	

Date	Officer	Receipt Number	Payment	
			Balance	

Approved By: _____



Kern County

SHERIFF

INFORMANT INFORMATION FORM

File Number:	LAR Number:	CII Number:	FBI Number:		
Last Name	First	Middle	Social Security Number		
Driver's License #	Occupation	AKA's		Photo	
Sex	Race	Date of birth			
Ht.	Wt.	Hair			
Eyes	Address	City	Zip Code		Home Phone
Other Addresses	Marital Status	Husband/Wife Name		Vehicles	
Address	Associates			Year/Make	
Unusual Characteristics				License Number	

Narcotic/Drug User	Type of Narcotic/Drug	How Long	Present Use	Prob/Parole Officer
Present Probation / Parole Status			Status Expiration Date	

BACKGROUNDS			
Subject has prior information experience? [] Yes [] No	Agency Involved	Informants Motive	
Type of Case Worked		Number of Arrests	Number of Convictions

Kern County Sheriff's Office

Informant Management Handbook

This manual covers policy and procedures that personnel of the Kern County Sheriff's Office and Special Enforcement Division (SED) are expected to follow when interacting with informants.

1. Definition

An Informant is any person who provides information to a law enforcement agency. The use of informants is a basic tool used in investigating narcotic-related activity. Informants are a judicially recognized source of information. The information they provide has led to countless cases of successful criminal prosecution.

Informants are a valuable resource, which must be developed and maintained in a professional manner. The procedures contained in this manual have been devised to serve as a reference for personnel to use as a general guideline when handling informants.

2. Types Of Informants

There are three classifications of informants: citizen informant, tested reliable informant and untested informant.

Citizen Informant

A citizen informant is an individual who is in a position to provide information concerning criminal activity, but whose lifestyle is not characteristic of someone involved in criminal activity. Citizen informants are innocent of criminal involvement and volunteer their information openly and through motives of good citizenship. Because of these characteristics, the showing of reliability in the case of a citizen informant is significantly less than that demanded of other informants. Such information is "automatically" reliable. (Lee (1987) 194 Cal.App.3d 975, 982.)

Tested reliable informant

The tested reliable informant usually has a background that is characteristic of criminal activity. This informant normally provides information to a law enforcement agency for one of the following reasons:

1. Consideration in a pending criminal case;
2. Money.

A tested reliable informant is one whose information has proven reliable in the past by leading to the seizure of contraband, the arrest of suspects, or their information has been accurate regarding criminal activities.

Although corroboration of information provided by this type of informant is not necessary, it is good investigative practice to corroborate information received from an informant who has previously provided information resulting in only one or two arrests. (*People v. Dumas* (1973) 9 Cal.3d 871.)

Untested Informant

An untested informant is one who has never assisted in an investigation. The typical untested informant is an anonymous voice on the telephone or they are a person who has been arrested on another matter. This informant usually provides information subject to one of the aforementioned reasons of the tested reliable informant.

Any information provided by this type of informant is assumed to be for intelligence purposes only and **must be corroborated**. If the information can be corroborated by other facts indicating that reliance on the information is reasonable, the information will be considered reliable.

3. Protecting The Identity Of Informants

California Evidence Code sections 1040 through 1042 set the statutory law regarding confidentiality and disclosure of informants. Generally, an investigator can refuse to name an informant if "disclosure of the identity of the informer is against public interest because there is a necessity for preserving the confidentiality of his identity that outweighs the necessity for disclosure in the interest of justice." (Evidence Code Section 1041; See also *People v. Flannery* (1985) 164 Cal. App. 3rd 1112,1117.) Disclosure is against public interest if it would impair future usefulness of the informant to law enforcement and would endanger the life of the informant.

If the informant witnessed the crime that the defendant was charged with or if the defendant could show a "reasonable possibility" that the informant could testify in a manner that would exonerate the defendant or benefit his case, disclosure may be ordered in a court proceeding.

To a great extent, disclosure depends upon the exact facts of the individual case and the theories of exoneration propounded by the defendant. Personnel, who work informants, shall familiarize themselves with the legal requirements for disclosing the identity of informants.

The Deputy District Attorney and the Division Supervisor will determine if the informant's identity will be revealed in court. If during a court proceeding investigators are ordered to

disclose the identity of an informant they may request an in-camera hearing per Evidence Code Section 1042. If there is a conflict on whether to reveal the identity of an informant, it will be resolved by the Division Commander. No investigator will refuse to identify the identity of an informant, in court, when ordered to do so by the presiding judge or magistrate. The investigator may request a conference with the District Attorney or an in-camera hearing before the judge.

4. Hazards of informants

One of the greatest hazards facing an investigator in the use of informants is allowing a close, personal relationship to develop. This can affect the investigators professional objectivity.

Investigators must remain cognizant of the possibility that an informant may seek to become familiar with them for the purpose of obtaining information in regards to Law Enforcement investigative techniques. It is not beyond the realm of possibility that the informant's specific mission in the criminal organization is to infiltrate law enforcement. For this reason an investigator must look beyond the stated motive of the informant. Investigators must be constantly mindful of the possibility of counterintelligence in their dealings with informants.

Investigators should make every attempt to objectively determine the motive of an informant so that control of the informant and the investigation is preserved. Investigators shall not maintain a social or business relationship, or any off-duty relationship, with any informant. The only exception to this would be a social relationship with a citizen informant, as described in section 11, "Relationships with Informants."

5. Use of Informants

No investigator may act upon the information received from an informant until they receive permission from their supervisor and an informant package has been completed. The investigator who completes the informant package and activates the informant will be assigned as the Controlling Investigator.

Citizen informants that are not being compensated only require supervisor approval, they do not require an informant package if they are only being used once. If a supervisor determines that a Citizen Informant has more information of criminal activity than you would normally associate with such an informant, then a full informant package must be completed. Any future use of the citizen as an informant requires the completion of an informant package and adherence to the standardized informant procedures. CII rap sheets may not be run on a citizen informant and will not be required for their informant package.

Informant packages must be submitted to the Controlling Investigator's supervisor **prior to an informant being used**. Prior to the use of a new informant the Supervisor will personally attend a face-to-face meeting with them. It is permissible to postpone this

meeting if the supervisor deems it impractical due to tactical or operational reasons. The supervisor will arrange to meet with the informant as soon as possible after these issues are resolved.

After a Controlling Investigator interviews and re-activates an informant it is at the supervisor's discretion if they need to conduct a face-to-face meeting with them.

Confidential Informants are assets of Law Enforcement. If a Supervisor, Division Commander or Law Enforcement Bureau Chief Deputy determines that another Controlling Investigator, or unit could better utilize them, then the control of the Confidential Informant will be transferred.

The Confidential Informant should be able to contact the Controlling Investigator and an alternate Controlling Investigator when they are actively involved in an investigation.

If the Confidential Informant is an acquaintance, family member, or friend of an Investigator or other allied agency investigator, the Investigator or allied agency investigator will not be assigned as a Controlling Investigator, or as a supervisor authorized to make payments to the Confidential Informant. Any conflicts of this nature will be immediately brought to the attention of the Division Commander who will determine how to proceed.

Confidential Informants will not be permitted to carry a firearm or other weapon during undercover activity while working for Kern County Sheriff's or allied agency personnel.

Confidential Informants will not be authorized access to any Sheriff's Office office.

Confidential Informants that do not possess a valid driver's license shall not operate a motor vehicle while engaged in investigations.

6. Informant File

The Special Enforcement Division Administrative Sergeant is designated as the Sheriff's Office Custodian of Records for the Informant File. He/she will maintain an individual file on each informant. This will include a numerical informant identification number log, a 3x5 card file and active and inactive informant files.

The file will contain the following:

1. Copy of the Informant Personal History Form;
2. KCSD Special Consent Form;
3. Informant Contract;
4. Photograph (or facsimile) of the informant;

5. Copies of KCSD Special Fund Accounting Forms with the investigative results;
6. Copy of DMV, NCIC, CLETS and local agency warrant inquiries;
7. A clear set of fingerprints taken on any standard fingerprint card (preferably a DOJ criminal print card). Fingerprints are mandatory if the informant does not have an arrest record, CII number or FBI number. It is not necessary to include a copy of the informant's fingerprints, in the informant package, if they have an arrest record that includes them. ;
8. Any correspondence or other relevant information concerning an informant;
9. Informant Admonition Form;
10. Informant performance history.

These files are to be maintained in a locked cabinet.

The Investigator who activates the informant will be designated the Controlling Investigator. The Controlling Investigator will conduct a comprehensive debriefing for the purpose of establishing the Confidential Informant. This debriefing will include drug, non-drug, financial and terrorism information. (It is extremely important for Confidential Informants to be questioned about their knowledge of terrorist activity. If they have such knowledge it should be recorded on a CI and appropriately disseminated.)

The Debriefing should note if there are any factors that would cause the informant to require a higher level of supervision such as; if they are on parole, probation or supervised release; if they have history of felony convictions with special emphasis being placed on persons that have been convicted of crimes of violence, sex offenses or offenses indicating a pattern of deceit; if they are formerly or currently dependent on alcohol or drugs, or are currently in a drug treatment program; if they have a history of mental illness. The debriefing should not only be limited to the geographic area where the informant is currently offering information. It should include information that will include any operational area where the Sheriff's Office has jurisdiction.

The Controlling Investigator shall conduct a risk assessment of the prospective Informant to determine if the individual is suitable for use as a Confidential Informant. The Controlling Investigator will use the following factors when considering informant suitability:

1. Age;
2. Criminal History;
3. Involvement in any pending criminal investigation;

4. Danger to the public; criminal threat (Controlling Investigator's assessment);
5. Flight risk; risk that the CI may compromise the investigation;
6. History of alcohol or substance abuse;
7. Relationship with an employee of any Law Enforcement Agency;
8. The individual's status as a public official, member of the military, a representative of the news media, or party to privileged communications (e.g. a member of the clergy, a doctor or a lawyer);
9. Reliability, truthfulness, and motivation; relationship to target(s) of investigation;
10. Medical conditions/restrictions that may impact their utilization (heart condition, pregnancy);
11. Past or present performance as a CI for KCSD or another agency; including prior record of any testimony;
12. The extent to which the CI's information can be independently corroborated;
13. Risk of physical harm to the CI or their family/close associates as a result of the information they provide to law enforcement;
14. The extent to which the person would make use of his/her affiliations with legitimate organizations in order to provide information or assistance and the ability to ensure that the information or assistance is limited to criminal matters.

The Controlling Investigator will submit the completed package to their supervisor. They and their supervisor will ensure that an inquiry is conducted on all active informants. This inquiry will include WSIN/CII, NCIC, CLETS, local warrant checks and a DMV printout regarding driver's license status. These checks will be documented in the informant file. **The Supervisor will review the package, initial the completed forms and authorize the use of the informant.**

The Controlling Investigator will make inquiries at least every six months and after any significant period of inactivity by the informant. The informant file will have the first teletype printout and the last bi-annual printouts and a notation of review by the Controlling Investigator's Supervisor. The Supervisor or Controlling Investigator is responsible for making inquiries on all informants they utilize, even if they are solely for information purposes.

Every informant utilized will be assigned an informant identification number by the SED Administrative Sergeant. This number will be obtained from the informant log, which is in numerical sequence. This log will contain the first name, last name and officer requesting the informant number.

The Special Enforcement Division Administrative Sergeant will prepare a 3x5 card that contains the informant's identification number, name, date of birth, and primary type of narcotic the informant is involved in.

The informant file will contain the above-listed documents and any correspondence thereafter that contains the informant's identification number.

Any informant that remains active for a period longer than six months requires an Informant Package review. The review will include an update of their personal history information and of any modifications, which may be needed, and added to their informant contract. The informant will sign any updated forms. The supervisor will review the updated package and initial the updated forms.

A Supervisor will debrief the Confidential Informant at least once each six months, unless exceptional circumstances exist that precludes this requirement. These circumstances will be reported to the Division Commander and the SED Administrative Sergeant, by memo.

Although a CI may be advised that they may be eligible for payment for their services, they must also be advised that any decision to compensate them is at the sole discretion of KCSD Management. The Confidential Informant will be advised that any payments are made for cooperation and are not contingent upon the outcome of any judicial proceeding.

Informants will retain their original informant number regardless of how many times they are activated or inactivated.

Prosecutors requesting information on confidential informant payments will be directed to a Supervisor, or the SED Administrative Sergeant prior to releasing any information. They will review the information request and determine the appropriate course of action to take. If they determine that the information is to be released they will instruct the Controlling Investigator to release the proper documents to the requesting prosecutor.

For Informant Package Forms

7. Active and Inactive Informant Files

Active informant files will be kept in a separate file location from Inactive files. Files will be deemed to be inactive six months after the last informant file entry. Prior to inactivation the Special Enforcement Division Administrative Sergeant will contact the informants Controlling Investigator to see if there is any reason to leave the informant active. The Controlling Investigator will complete the Informant Deactivation Form and inform the

informant, if possible, that they no longer have any working relationship with the Kern County Sheriff's Office. The SED Administrative Sergeant will ensure that this information is placed in the informant file.

Informant reactivation will require the completion of a new informant package as described above.

8. Informants with Pending Cases

No investigator will use the services of an informant who has a pending case filed without the permission of the prosecutor and the agency responsible for the case against the informant if the informant will be working for consideration on that case.

The date and the name of the prosecutor giving permission will be noted in the informant file. Any conditions or restrictions placed on the use of the informant by the prosecutor will be noted on the personal information form or in memo form and placed in the informant file.

9. Use of Juvenile Informants

The use of juveniles as informants should be avoided whenever possible. If a juvenile informant is used, prior approval must be obtained from the Division Commander. In addition, prior approval must be obtained from the court and/or the juvenile's parent/guardian, whichever is applicable. Exceptions to this rule would be when Sheriff's Office Explorers are used for special operations such as alcohol or tobacco sales to minor stings. After approval to use a minor as an informant is received, the District Attorney's Office should be notified for applicable laws and local policies governing the use of minors as informants.

10. Use of Parolees or Probationers as Informants

A Supervisor or the Division Commander must approve the use of parolees or felony probationers as informants. The use of parolees and felony probationers as informants will also have the prior written approval of the parole or probation officer in charge of them.

11. Relationships with Informants

It is the policy of the Kern County Sheriff's Office that relationships between investigators and informants be of a completely ethical and professional nature. Fraternalization with an informant in any way other than in an official capacity is strictly prohibited.

When contacting informants, investigators **shall** have another investigator or law enforcement officer present. An investigator may be alone with an informant only during actual undercover operations while cover officers are present in the area. Exceptions may be made due to operational necessities but they require the prior approval of a Supervisor.

An investigator shall not accept any gifts or gratuities from an informant or engage in any business or financial dealings with informants.

Occasionally, investigators will utilize citizen informants who may be a relative or personal friend. It is not the intent of this manual to regulate such a relationship; however, if the relative or friend's lifestyle is characteristic of someone involved in criminal activity, investigators must adhere to the same procedures as when dealing with any other criminal informant and they must be constantly mindful of the possible appearance of impropriety. Such a relationship shall be disclosed to the investigator's supervisor prior to interaction with the informant and it shall be documented in the informant file.

When a Confidential Informant is formally inactivated after successfully completing his obligations under their informant contract, the Controlling Investigator will complete the Informant Deactivation Form.

12. Informant Performance

If the results of the informant's activity are known they will be noted in the activity portion of the Special Fund Expenditure Form and routed to the Special Enforcement Divisions Administrative Sergeant. If the results of the informant's activity are pending at the time of the forms submittal, the supervisor will maintain the pink-colored copy in a tickler file. The supervisor will monitor the investigative activity in regards to the investigation and ensure that the results portion of the form is filled out and submitted as soon as practical after the results are known.

The Special Enforcement Divisions Administrative Sergeant will maintain the performance of informants utilized by the Kern County Sheriff's Office in the Informant File.

13. Unreliable Informants

If it is determined that an informant is unreliable, the Controlling Investigator is responsible for reporting the circumstances to their supervisor in memo form. The decision to declare an informant unreliable must be weighed carefully, as it will affect future utilization of them. If an active CI is arrested or believed to have engaged in illegal activity, other than a petty crime or traffic offense, their continued use will require the approval of a Supervisor or the Division Commander.

A Confidential Informant will be deactivated if they meet any of the following criteria.

1. The CI no longer has the potential to furnish information or services that could lead to significant prosecution or interdiction of drugs;
2. The CI is no longer willing to cooperate;
3. The CI's cooperation has been determined to be unsatisfactory;

4. The risk of using the CI outweighs the potential benefit;
5. The CI is formerly accepted into a witness protection program;
6. There are reasonable grounds to believe that the CI has engaged in unauthorized illegal activity (other than a petty crime or traffic offense).

A CI will be inactivated and deemed unreliable if they meet any of the following criteria:

1. The CI repeatedly failed to obey instructions from the Controlling Investigator regarding his/her conduct during an investigation;
2. The CI has absconded with equipment, Special Funds, or controlled substances;
3. The CI has provided false statements to or been accused of perjury by the Controlling Investigator, prosecutors, law enforcement officer, or judge. There is reason to believe that the CI provided false information regarding their background during the establishment process;
4. The CI is believed to have withheld or "planted" drug evidence in an investigation;
5. The CI has compromised an investigation or his/her status as a CI;
6. The CI has failed to appear for trial or pretrial conferences;
7. The CI has engaged in any other behavior that is likely to endanger KCSD or other law enforcement personnel or operations, pose a threat to public safety, or create adverse publicity.

The Supervisor will determine if the informant is to be deemed unreliable and will ensure that an unreliable informant call is made to WSIN. Notification must also be made to any known affected criminal justice agencies or prosecutors that the informant was found to be unreliable. The Supervisor who makes the unreliable determination will make this notification in writing, to the affected agencies or prosecutors, within five (5) working days. In addition they will follow the directions for deactivation of an informant as spelled out in section 7, Active and Inactive Informant Files. The documentation reporting the circumstances will be maintained in the Informant File, which will be immediately placed in inactive status.

14. Supervisor Responsibilities

Supervisors will ensure that the provisions of this policy are adhered to prior to approving the use of confidential informants. This includes:

1. Use of informants with pending criminal cases;

2. Use of Juvenile informants;
3. Use of informants on parole or felony probation;
4. Ensuring **two** officers contact all informants, or approving any exceptions thereto;
5. Ensuring all necessary documentation is accomplished, and required forms are complete.

Supervisors should evaluate the nature of the case the Confidential Informant is attempting to receive consideration on in determining whether the informant will be utilized. Issues to be considered are:

1. Was a victim involved?
2. Was violence used?
3. Would justice be better served by not allowing the CI to work on the case?

15. Statement of Informants

When an informant participates in an investigation and it appears that the informant may be needed as a witness in court, it is the responsibility of the Controlling Investigator and the Supervisor to ensure that a complete statement is obtained from the informant and is included in their case file.

16. Informant Buys

When an informant purchases evidence or other contraband, the purchase shall be made under the following guidelines:

1. When Kern County Special Funds are used, all informants buys shall be under the direct control or supervision of Kern County Sheriff's Personnel or allied agency personnel who are associated through special units.

Any time Special Funds are provided to an informant, at least two investigators or one investigator and one Allied Agency law enforcement officer, must be present to witness the furnishing of Special Funds to an informant. The same two investigators/officers will sign the Special Fund Expenditure Form.

2. Informants will not "front" county money to any suspect without prior authorization from a Supervisor or Division Commander.
3. The informant shall be searched for contraband and money by an investigator prior to the buy. This would include a search of the informant's vehicle. Constant visual surveillance should be maintained on the informant preceding the buy in

order to ensure that any evidence or contraband was obtained from the buy location. Visual surveillance should be maintained on the informant upon leaving the buy location to ensure that the evidence or contraband was obtained from the buy location.

* Informants should wear a wire whenever possible, for case integrity and the safety of the informant.

4. The informant and their vehicle shall be searched after the buy for contraband and money.
5. The Controlling Investigator will, when practical, monitor telephone conversations between the informant and suspect.
6. The informant should be debriefed and a statement obtained in accordance with manual section 14 "Statement of Informants."

17. Informant Payments

All payments to Confidential Informants must have the prior approval of a supervisor. It is the responsibility of the supervisor to determine the appropriate amount of payment, within the guidelines listed below.

18. Control and use of Special Funds

Special Funds may be expended for:

1. The purchase of Evidence;
2. Payments to informants;
3. Expenses related to an investigation;

The spending authority for Supervisors are as follows:

1. \$1000 for the purchase of evidence;
2. \$250 for informant payments;
3. \$400 for the payment of expenses related to an investigation.

Investigators must get their supervisor's approval prior to any expenditure.

Expenses that exceed the above guidelines must be submitted in writing and have prior approval from the Division Commander. The written documentation must justify the

additional expenditure. The written exception will be attached to the Special Fund Expenditure form.

In general, expenses that can be anticipated and are not of the type allowed above may not be made from the Special Fund. They will be handled in the normal manner through Kern County Purchasing.

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(Example: S384-03-001, This would indicate Sergeant S384, in the year 2003, initiated their receipt system with number 001.)

When filling out the Special Fund Expenditure Form ensure that the case number and receipt number are filled out. Certify the amount of money that was expended and give a complete summary of the purpose for the expenditure.

Under " Summary Of Expenditures" fill in the total dollar amounts that were expended in the various categories. Money expended for the purchase of evidence will be listed under "Evidence." Include the type of evidence and what its weight was if that is applicable.

(Example \$20.00 in Special Funds were provided to a Confidential Informant who purchased .3 grams of Methamphetamine.)

Money that is given to an informant for **any** reason will be listed under "Informant Fee." Money given to an informant for an investigative reason, that they do not benefit from, will still be listed as an informant fee, but the fact that the informant did not benefit from this expenditure will be noted in the details section of the Special Fund Expenditure Form.

(Examples: Money provided to go to a business so they can have work performed on their car in an effort to make contact with crime suspects, gas money so they can drive to a

location to further an investigation, money for a motel room so they can stay in a specific area to contact suspects, or money provided to an informant so they can meet the suspects for a meal.)

This type of expense will still be maintained in the informant's informant file and will be released to the court if records are requested. The keeper of records will disclose these expenses with the other informant fees, but they will point out to the court there is money that the informant did not benefit from.

In addition, each time an informant is paid for services with Special Fund Money there will be two investigators present. The Controlling Investigator will fill out and have the informant sign a " Receipt of Information or Evidence." This form will be turned in with the Special Fund Accounting Form that memorializes that specific transaction.

Any money expended for an expense related to an investigation will be listed under "Investigative Expenses. " These would include expenses such as car rental, motel room expenses, or the purchase of anything that is critically needed during the course of an investigation where the normal Kern County Purchasing procedures may hamper the successful completion of the investigation. The circumstances justifying this type of expenditure will be detailed on the expenditure form.

In instances where Special Funds have been provided to a Confidential Informant, the results of the activity will be listed. The informant's number will be written on the bottom of the pink copy and it will be routed per Section 12. Informant Performance.

Supervisors will account for all Special Funds Expended by their units on a monthly basis. They will ensure that each investigator who expended funds document those expenses on a Special Fund Monthly Expenditure Form. The supervisor will complete a monthly activity report and a unit summary of expense form. This accounting will be provided to the Law Enforcement Bureau Chief Deputy by the 10th of each month.

Kern County Sheriff's Office

Informant Management Handbook

This manual covers policy and procedures that personnel of the Kern County Sheriff's Office and Special Enforcement Division (SED) are expected to follow when interacting with informants.

1. Definition

An Informant is any person who provides information to a law enforcement agency. The use of informants is a basic tool used in investigating narcotic-related activity. Informants are a judicially recognized source of information. The information they provide has led to countless cases of successful criminal prosecution.

Informants are a valuable resource, which must be developed and maintained in a professional manner. The procedures contained in this manual have been devised to serve as a reference for personnel to use as a general guideline when handling informants.

2. Types Of Informants

There are three classifications of informants: citizen informant, tested reliable informant and untested informant.

Citizen Informant

A citizen informant is an individual who is in a position to provide information concerning criminal activity, but whose lifestyle is not characteristic of someone involved in criminal activity. Citizen informants are innocent of criminal involvement and volunteer their information openly and through motives of good citizenship. Because of these characteristics, the showing of reliability in the case of a citizen informant is significantly less than that demanded of other informants. Such information is "automatically" reliable. (Lee (1987) 194 Cal.App.3d 975, 982.)

Tested reliable informant

The tested reliable informant usually has a background that is characteristic of criminal activity. This informant normally provides information to a law enforcement agency for one of the following reasons:

1. Consideration in a pending criminal case;
2. Money.

A tested reliable informant is one whose information has proven reliable in the past by leading to the seizure of contraband, the arrest of suspects, or their information has been accurate regarding criminal activities.

Although corroboration of information provided by this type of informant is not necessary, it is good investigative practice to corroborate information received from an informant who has previously provided information resulting in only one or two arrests. (*People v. Dumas* (1973) 9 Cal.3d 871.)

Untested Informant

An untested informant is one who has never assisted in an investigation. The typical untested informant is an anonymous voice on the telephone or they are a person who has been arrested on another matter. This informant usually provides information subject to one of the aforementioned reasons of the tested reliable informant.

Any information provided by this type of informant is assumed to be for intelligence purposes only and **must be corroborated**. If the information can be corroborated by other facts indicating that reliance on the information is reasonable, the information will be considered reliable.

3. Protecting The Identity Of Informants

California Evidence Code sections 1040 through 1042 set the statutory law regarding confidentiality and disclosure of informants. Generally, an investigator can refuse to name an informant if "disclosure of the identity of the informer is against public interest because there is a necessity for preserving the confidentiality of his identity that outweighs the necessity for disclosure in the interest of justice." (Evidence Code Section 1041; See also People v. Flannery (1985) 164 Cal. App. 3rd 1112,1117.) Disclosure is against public interest if it would impair future usefulness of the informant to law enforcement and would endanger the life of the informant.

If the informant witnessed the crime that the defendant was charged with or if the defendant could show a "reasonable possibility" that the informant could testify in a manner that would exonerate the defendant or benefit his case, disclosure may be ordered in a court proceeding.

To a great extent, disclosure depends upon the exact facts of the individual case and the theories of exoneration propounded by the defendant. Personnel, who work informants, shall familiarize themselves with the legal requirements for disclosing the identity of informants.

The Deputy District Attorney and the Division Supervisor will determine if the informant's identity will be revealed in court. If during a court proceeding investigators are ordered to

disclose the identity of an informant they may request an in-camera hearing per Evidence Code Section 1042. If there is a conflict on whether to reveal the identity of an informant, it will be resolved by the Division Commander. No investigator will refuse to identify the identity of an informant, in court, when ordered to do so by the presiding judge or magistrate. The investigator may request a conference with the District Attorney or an in-camera hearing before the judge.

4. Hazards of informants

One of the greatest hazards facing an investigator in the use of informants is allowing a close, personal relationship to develop. This can affect the investigators professional objectivity.

Investigators must remain cognizant of the possibility that an informant may seek to become familiar with them for the purpose of obtaining information in regards to Law Enforcement investigative techniques. It is not beyond the realm of possibility that the informant's specific mission in the criminal organization is to infiltrate law enforcement. For this reason an investigator must look beyond the stated motive of the informant. Investigators must be constantly mindful of the possibility of counterintelligence in their dealings with informants.

Investigators should make every attempt to objectively determine the motive of an informant so that control of the informant and the investigation is preserved. Investigators shall not maintain a social or business relationship, or any off-duty relationship, with any informant. The only exception to this would be a social relationship with a citizen informant, as described in section 11, "Relationships with Informants."

5. Use of Informants

No investigator may act upon the information received from an informant until they receive permission from their supervisor and an informant package has been completed. The investigator who completes the informant package and activates the informant will be assigned as the Controlling Investigator.

Citizen informants that are not being compensated only require supervisor approval, they do not require an informant package if they are only being used once. If a supervisor determines that a Citizen Informant has more information of criminal activity than you would normally associate with such an informant, then a full informant package must be completed. Any future use of the citizen as an informant requires the completion of an informant package and adherence to the standardized informant procedures. CII rap sheets may not be run on a citizen informant and will not be required for their informant package.

Informant packages must be submitted to the Controlling Investigator's supervisor **prior to an informant being used**. Prior to the use of a new informant the Supervisor will personally attend a face-to-face meeting with them. It is permissible to postpone this

meeting if the supervisor deems it impractical due to tactical or operational reasons. The supervisor will arrange to meet with the informant as soon as possible after these issues are resolved.

After a Controlling Investigator interviews and re-activates an informant it is at the supervisor's discretion if they need to conduct a face-to-face meeting with them.

Confidential Informants are assets of Law Enforcement. If a Supervisor, Division Commander or Law Enforcement Bureau Chief Deputy determines that another Controlling Investigator, or unit could better utilize them, then the control of the Confidential Informant will be transferred.

The Confidential Informant should be able to contact the Controlling Investigator and an alternate Controlling Investigator when they are actively involved in an investigation.

If the Confidential Informant is an acquaintance, family member, or friend of an Investigator or other allied agency investigator, the Investigator or allied agency investigator will not be assigned as a Controlling Investigator, or as a supervisor authorized to make payments to the Confidential Informant. Any conflicts of this nature will be immediately brought to the attention of the Division Commander who will determine how to proceed.

Confidential Informants will not be permitted to carry a firearm or other weapon during undercover activity while working for Kern County Sheriff's or allied agency personnel.

Confidential Informants will not be authorized access to any Sheriff's Office office.

Confidential Informants that do not possess a valid driver's license shall not operate a motor vehicle while engaged in investigations.

6. Informant File

The Special Enforcement Division Administrative Sergeant is designated as the Sheriff's Office Custodian of Records for the Informant File. He/she will maintain an individual file on each informant. This will include a numerical informant identification number log, a 3x5 card file and active and inactive informant files.

The file will contain the following:

1. Copy of the Informant Personal History Form;
2. KCSD Special Consent Form;
3. Informant Contract;
4. Photograph (or facsimile) of the informant;

5. Copies of KCSD Special Fund Accounting Forms with the investigative results;
6. Copy of DMV, NCIC, CLETS and local agency warrant inquiries;
7. A clear set of fingerprints taken on any standard fingerprint card (preferably a DOJ criminal print card). Fingerprints are mandatory if the informant does not have an arrest record, CII number or FBI number. It is not necessary to include a copy of the informant's fingerprints, in the informant package, if they have an arrest record that includes them. ;
8. Any correspondence or other relevant information concerning an informant;
9. Informant Admonition Form;
10. Informant performance history.

These files are to be maintained in a locked cabinet.

The Investigator who activates the informant will be designated the Controlling Investigator. The Controlling Investigator will conduct a comprehensive debriefing for the purpose of establishing the Confidential Informant. This debriefing will include drug, non-drug, financial and terrorism information. (It is extremely important for Confidential Informants to be questioned about their knowledge of terrorist activity. If they have such knowledge it should be recorded on a CI and appropriately disseminated.)

The Debriefing should note if there are any factors that would cause the informant to require a higher level of supervision such as; if they are on parole, probation or supervised release; if they have history of felony convictions with special emphasis being placed on persons that have been convicted of crimes of violence, sex offenses or offenses indicating a pattern of deceit; if they are formerly or currently dependent on alcohol or drugs, or are currently in a drug treatment program; if they have a history of mental illness. The debriefing should not only be limited to the geographic area where the informant is currently offering information. It should include information that will include any operational area where the Sheriff's Office has jurisdiction.

The Controlling Investigator shall conduct a risk assessment of the prospective Informant to determine if the individual is suitable for use as a Confidential Informant. The Controlling Investigator will use the following factors when considering informant suitability:

1. Age;
2. Criminal History;
3. Involvement in any pending criminal investigation;

4. Danger to the public; criminal threat (Controlling Investigator's assessment);
5. Flight risk; risk that the CI may compromise the investigation;
6. History of alcohol or substance abuse;
7. Relationship with an employee of any Law Enforcement Agency;
8. The individuals status as a public official, member of the military, a representative of a the news media, or party to privileged communications (e.g. a member of the clergy, a doctor or a lawyer);
9. Reliability, truthfulness, and motivation; relationship to target(s) of investigation;
10. Medical conditions/restrictions that may impact their utilization (heart condition, pregnancy);
11. Past or present performance as a CI for KCSD or another agency; including prior record of any testimony;
12. The extent to which the CI's information can be independently corroborated;
13. Risk of physical harm to the CI or their family/close associates as a result of the information they provide to law enforcement;
14. The extent to which the person would make use of his/her affiliations with legitimate organizations in order to provide information or assistance and the ability to ensure that the information or assistance is limited to criminal matters.

The Controlling Investigator will submit the completed package to their supervisor. They and their supervisor will ensure that an inquiry is conducted on all active informants. This inquiry will include WSIN/CII, NCIC, CLETS, local warrant checks and a DMV printout regarding driver's license status. These checks will be documented in the informant file. **The Supervisor will review the package, initial the completed forms and authorize the use of the informant.**

The Controlling Investigator will make inquiries at least every six months and after any significant period of inactivity by the informant. The informant file will have the first teletype printout and the last bi-annual printouts and a notation of review by the Controlling Investigator's Supervisor. The Supervisor or Controlling Investigator is responsible for making inquiries on all informants they utilize, even if they are solely for information purposes.

Every informant utilized will be assigned an informant identification number by the SED Administrative Sergeant. This number will be obtained from the informant log, which is in numerical sequence. This log will contain the first name, last name and officer requesting the informant number.

The Special Enforcement Division Administrative Sergeant will prepare a 3x5 card that contains the informant's identification number, name, date of birth, and primary type of narcotic the informant is involved in.

The informant file will contain the above-listed documents and any correspondence thereafter that contains the informant's identification number.

Any informant that remains active for a period longer than six months requires an Informant Package review. The review will include an update of their personal history information and of any modifications, which may be needed, and added to their informant contract. The informant will sign any updated forms. The supervisor will review the updated package and initial the updated forms.

A Supervisor will debrief the Confidential Informant at least once each six months, unless exceptional circumstances exist that precludes this requirement. These circumstances will be reported to the Division Commander and the SED Administrative Sergeant, by memo.

Although a CI may be advised that they may be eligible for payment for their services, they must also be advised that any decision to compensate them is at the sole discretion of KCSD Management. The Confidential Informant will be advised that any payments are made for cooperation and are not contingent upon the outcome of any judicial proceeding.

Informants will retain their original informant number regardless of how many times they are activated or inactivated.

Prosecutors requesting information on confidential informant payments will be directed to a Supervisor, or the SED Administrative Sergeant prior to releasing any information. They will review the information request and determine the appropriate course of action to take. If they determine that the information is to be released they will instruct the Controlling Investigator to release the proper documents to the requesting prosecutor.

For Informant Package Forms

7. Active and Inactive Informant Files

Active informant files will be kept in a separate file location from Inactive files. Files will be deemed to be inactive six months after the last informant file entry. Prior to inactivation the Special Enforcement Division Administrative Sergeant will contact the informants Controlling Investigator to see if there is any reason to leave the informant active. The Controlling Investigator will complete the Informant Deactivation Form and inform the

informant, if possible, that they no longer have any working relationship with the Kern County Sheriff's Office. The SED Administrative Sergeant will ensure that this information is placed in the informant file.

Informant reactivation will require the completion of a new informant package as described above.

8. Informants with Pending Cases

No investigator will use the services of an informant who has a pending case filed without the permission of the prosecutor and the agency responsible for the case against the informant if the informant will be working for consideration on that case.

The date and the name of the prosecutor giving permission will be noted in the informant file. Any conditions or restrictions placed on the use of the informant by the prosecutor will be noted on the personal information form or in memo form and placed in the informant file.

9. Use of Juvenile Informants

The use of juveniles as informants should be avoided whenever possible. If a juvenile informant is used, prior approval must be obtained from the Division Commander. In addition, prior approval must be obtained from the court and/or the juvenile's parent/guardian, whichever is applicable. Exceptions to this rule would be when Sheriff's Office Explorers are used for special operations such as alcohol or tobacco sales to minor stings. After approval to use a minor as an informant is received, the District Attorney's Office should be notified for applicable laws and local policies governing the use of minors as informants.

10. Use of Parolees or Probationers as Informants

A Supervisor or the Division Commander must approve the use of parolees or felony probationers as informants. The use of parolees and felony probationers as informants will also have the prior written approval of the parole or probation officer in charge of them.

11. Relationships with Informants

It is the policy of the Kern County Sheriff's Office that relationships between investigators and informants be of a completely ethical and professional nature. Fraternization with an informant in any way other than in an official capacity is strictly prohibited.

When contacting informants, investigators **shall** have another investigator or law enforcement officer present. An investigator may be alone with an informant only during actual undercover operations while cover officers are present in the area. Exceptions may be made due to operational necessities but they require the prior approval of a Supervisor.

An investigator shall not accept any gifts or gratuities from an informant or engage in any business or financial dealings with informants.

Occasionally, investigators will utilize citizen informants who may be a relative or personal friend. It is not the intent of this manual to regulate such a relationship; however, if the relative or friend's lifestyle is characteristic of someone involved in criminal activity, investigators must adhere to the same procedures as when dealing with any other criminal informant and they must be constantly mindful of the possible appearance of impropriety. Such a relationship shall be disclosed to the investigator's supervisor prior to interaction with the informant and it shall be documented in the informant file.

When a Confidential Informant is formally inactivated after successfully completing his obligations under their informant contract, the Controlling Investigator will complete the Informant Deactivation Form.

12. Informant Performance

If the results of the informant's activity are known they will be noted in the activity portion of the Special Fund Expenditure Form and routed to the Special Enforcement Divisions Administrative Sergeant. If the results of the informant's activity are pending at the time of the forms submittal, the supervisor will maintain the pink-colored copy in a tickler file. The supervisor will monitor the investigative activity in regards to the investigation and ensure that the results portion of the form is filled out and submitted as soon as practical after the results are known.

The Special Enforcement Divisions Administrative Sergeant will maintain the performance of informants utilized by the Kern County Sheriff's Office in the Informant File.

13. Unreliable Informants

If it is determined that an informant is unreliable, the Controlling Investigator is responsible for reporting the circumstances to their supervisor in memo form. The decision to declare an informant unreliable must be weighed carefully, as it will affect future utilization of them. If an active CI is arrested or believed to have engaged in illegal activity, other than a petty crime or traffic offense, their continued use will require the approval of a Supervisor or the Division Commander.

A Confidential Informant will be deactivated if they meet any of the following criteria.

1. The CI no longer has the potential to furnish information or services that could lead to significant prosecution or interdiction of drugs;
2. The CI is no longer willing to cooperate;
3. The CI's cooperation has been determined to be unsatisfactory;

4. The risk of using the CI outweighs the potential benefit;
5. The CI is formerly accepted into a witness protection program;
6. There are reasonable grounds to believe that the CI has engaged in unauthorized illegal activity (other than a petty crime or traffic offense).

A CI will be inactivated and deemed unreliable if they meet any of the following criteria:

1. The CI repeatedly failed to obey instructions from the Controlling Investigator regarding his/her conduct during an investigation;
2. The CI has absconded with equipment, Special Funds, or controlled substances;
3. The CI has provided false statements to or been accused of perjury by the Controlling Investigator, prosecutors, law enforcement officer, or judge. There is reason to believe that the CI provided false information regarding their background during the establishment process;
4. The CI is believed to have withheld or "planted" drug evidence in an investigation;
5. The CI has compromised an investigation or his/her status as a CI;
6. The CI has failed to appear for trial or pretrial conferences;
7. The CI has engaged in any other behavior that is likely to endanger KCSD or other law enforcement personnel or operations, pose a threat to public safety, or create adverse publicity.

The Supervisor will determine if the informant is to be deemed unreliable and will ensure that an unreliable informant call is made to WSIN. Notification must also be made to any known affected criminal justice agencies or prosecutors that the informant was found to be unreliable. The Supervisor who makes the unreliable determination will make this notification in writing, to the affected agencies or prosecutors, within five (5) working days. In addition they will follow the directions for deactivation of an informant as spelled out in section 7, Active and Inactive Informant Files. The documentation reporting the circumstances will be maintained in the Informant File, which will be immediately placed in inactive status.

14. Supervisor Responsibilities

Supervisors will ensure that the provisions of this policy are adhered to prior to approving the use of confidential informants. This includes:

1. Use of informants with pending criminal cases;

2. Use of Juvenile informants;
3. Use of informants on parole or felony probation;
4. Ensuring **two** officers contact all informants, or approving any exceptions thereto;
5. Ensuring all necessary documentation is accomplished, and required forms are complete.

Supervisors should evaluate the nature of the case the Confidential Informant is attempting to receive consideration on in determining whether the informant will be utilized. Issues to be considered are:

1. Was a victim involved?
2. Was violence used?
3. Would justice be better served by not allowing the CI to work on the case?

15. Statement of Informants

When an informant participates in an investigation and it appears that the informant may be needed as a witness in court, it is the responsibility of the Controlling Investigator and the Supervisor to ensure that a complete statement is obtained from the informant and is included in their case file.

16. Informant Buys

When an informant purchases evidence or other contraband, the purchase shall be made under the following guidelines:

1. When Kern County Special Funds are used, all informants buys shall be under the direct control or supervision of Kern County Sheriff's Personnel or allied agency personnel who are associated through special units.

Any time Special Funds are provided to an informant, at least two investigators or one investigator and one Allied Agency law enforcement officer, must be present to witness the furnishing of Special Funds to an informant. The same two investigators/officers will sign the Special Fund Expenditure Form.

2. Informants will not "front" county money to any suspect without prior authorization from a Supervisor or Division Commander.
3. The informant shall be searched for contraband and money by an investigator prior to the buy. This would include a search of the informant's vehicle. Constant visual surveillance should be maintained on the informant preceding the buy in

order to ensure that any evidence or contraband was obtained from the buy location. Visual surveillance should be maintained on the informant upon leaving the buy location to ensure that the evidence or contraband was obtained from the buy location.

* Informants should wear a wire whenever possible, for case integrity and the safety of the informant.

4. The informant and their vehicle shall be searched after the buy for contraband and money.
5. The Controlling Investigator will, when practical, monitor telephone conversations between the informant and suspect.
6. The informant should be debriefed and a statement obtained in accordance with manual section 14 "Statement of Informants."

17. Informant Payments

All payments to Confidential Informants must have the prior approval of a supervisor. It is the responsibility of the supervisor to determine the appropriate amount of payment, within the guidelines listed below.

18. Control and use of Special Funds

Special Funds may be expended for:

1. The purchase of Evidence;
2. Payments to informants;
3. Expenses related to an investigation;

The spending authority for Supervisors are as follows:

1. \$1000 for the purchase of evidence;
2. \$250 for informant payments;
3. \$400 for the payment of expenses related to an investigation.

Investigators must get their supervisor's approval prior to any expenditure.

Expenses that exceed the above guidelines must be submitted in writing and have prior approval from the Division Commander. The written documentation must justify the

additional expenditure. The written exception will be attached to the Special Fund Expenditure form.

In general, expenses that can be anticipated and are not of the type allowed above may not be made from the Special Fund. They will be handled in the normal manner through Kern County Purchasing.

The Division Commander may draw Special Funds from the Financial Services Division of the Kern County Sheriff's Office. Those funds may be further distributed to the Supervisors. Special Funds that are not immediately needed will be stored in the Supervisor's Safe. Each Supervisor will be provided a safe for the storage of Special Funds.

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(Example: S384-03-001, This would indicate Sergeant S384, in the year 2003, initiated their receipt system with number 001.)

When filling out the Special Fund Expenditure Form ensure that the case number and receipt number are filled out. Certify the amount of money that was expended and give a complete summary of the purpose for the expenditure.

Under " Summary Of Expenditures" fill in the total dollar amounts that were expended in the various categories. Money expended for the purchase of evidence will be listed under "Evidence." Include the type of evidence and what its weight was if that is applicable.

(Example \$20.00 in Special Funds were provided to a Confidential Informant who purchased .3 grams of Methamphetamine.)

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(Examples: Money provided to go to a business so they can have work performed on their car in an effort to make contact with crime suspects, gas money so they can drive to a

location to further an investigation, money for a motel room so they can stay in a specific area to contact suspects, or money provided to an informant so they can meet the suspects for a meal.)

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Kern County Sheriff's Office

Policies and Procedures

TITLE: NOTICE TO APPEAR AND PARKING CITATION		NO: J-2600	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: December 17, 2004	REVIEWED: 06/22/2018	REVISED: 00/00/00	UPDATED: 02/27/2008

POLICY

The Kern County Sheriff's Office has adopted an official citation for use by authorized Sheriff's personnel. The citation fulfills all necessary legal requirements for Notices to Appear and is approved by the California Judicial Council. A procedure to account for citation use has been instituted.

The Sheriff's Office citation may be issued, when appropriate, for traffic violations, criminal violations, or for release of suspected offenders in lieu of bail. Citations will be issued to offenders by the Sheriff, Sheriff's Deputies, or such persons specifically authorized. The citation is the property of the Sheriff and subject to the rules of inspection. No other use is authorized. Violation of this policy will result in disciplinary action and may result in criminal prosecution.

Penal Code Section 853.6 and Vehicle Code Sections 40202 and 40500 make it a misdemeanor to alter, conceal, modify, nullify, or destroy the face side of any original or copy of a citation. Once a citation is prepared, signed by the violator, attached (unsigned) to a parked vehicle, and/or any copy is removed from the citation book no changes will be made except as provided by P.C. 853.6 or C.V.C. 40202, 40500.

DIRECTIVE 1

Sheriff's Office personnel shall not destroy, intervene or otherwise "fix" a citation for any reason. Official requests to set aside citations in the interest of justice must be made in writing accompanied by a case number. The request shall include the reasons for the recommendation and shall be filed with the court.

DIRECTIVE 2

WARNINGS: Sheriff's Office citations will not be used as written warnings. Verbal warnings will be given in place of written warnings.

DIRECTIVE 3

All citation books will be tracked via the citation database on Sheriffnet. The Lerdo warehouse will maintain a stock of new citation books for distribution. The database will track all citation books from their initial issuance from the Lerdo warehouse to their storage at the property room once depleted. This system will ensure accountability for periodic supervisory review and audit purposes.

PROCEDURE A – Procuring, receiving, storing, issuing, returning citation books.

Lerdo Warehouse: Upon receipt of new citation books, the warehouse staff will:

- Inventory the citation books and enter them into the database on Sheriffnet using the bar code system.
- Distribute citation books to individual work units as requested.
- Update the citation database with the distribution information.

Work units: Employees of the rank of Senior Deputy and above are authorized to issue new citation books to individual Sheriff’s Office employees. Division Commanders may authorize additional Sheriffs employees to access the citation database to order citation books, receive citation books for storage and issue citation books.

The unit supervisor or designee will:

- Order citation books in lots of 10.
- Update the database within 72 hours of receipt of the order.
- Ensure the unit’s unused supply of citation books remains in a secure location.
- Issue citation books to authorized personnel as needed. Authorized personnel may possess up to two of each type of citation book at any time.
- Update the citation database to reflect the citation book issuance.

DIRECTIVE A-1

Official Sheriff citation books will be issued to authorized employees as required by individual duty assignments. Those personnel shall be responsible for the care, custody, and control of assigned citations and are subject to inspection upon reasonable request. Citation books may be made available at designated units on an as needed basis.

DIRECTIVE A-2

The person to whom the citation book is assigned is responsible for accounting for all citations in the book. Missing citations will require a memo from the officer who is assigned the book. The memo will identify what is missing and what subsequent investigation was conducted to determine how or why the citations are missing. The memo shall be approved by the employee’s supervisor and stapled or otherwise permanently attached to the citation book.

Personnel assigned citation books will:

- Exercise care and control over citation books.

J-2600-2

EFFECTIVE: December 17, 2004	REVIEWED: 06/22/2018	REVISED: 00/00/00	UPDATED: 02/27/2008
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- Issue citations as necessary pursuant to state and federal law and this policy.
- Properly account for and document any voided or missing citations pursuant to this policy.
- Return depleted or no longer needed citation books to a supervisor.

Traffic Citations/Misdemeanor Citations (Not in Custody)

- Issuing person will complete the citation with as much information as available including physical description, detail of charges, and appropriate court appearance information.
- The issuing deputy’s badge number will be used in the serial number space at the bottom of the citation.
- Any officer notes will be made on the back of the Goldenrod (Records) copy.
- Obtain a thumbprint from a violator who cannot produce an operator’s license or satisfactory proof of identification.
- After the violator has signed the citation, he/she will be given the canary copy. The white, pink, and goldenrod copies along with any required reports will be sent to the unit’s report records section for distribution within the department and the County's Criminal Justice System.

In-Custody Citations

- When a person is taken into custody on a misdemeanor offense, a citation must be completed and attached to the report.
- In the space provided for the suspect to sign their name, print, “In Custody.”
- In these cases, submit all copies with the exception of the green copy of the citation with the report.
- Arrests for detoxification only, do not require an “In Custody” citation.

PROCEDURE B – DEPLETED CITATION BOOKS

When the citation book is depleted, the assigned person will:

- Ensure that any VOIDED or missing citations are accounted for pursuant to Procedure A and Procedure D of this chapter.
- Return the depleted book to the unit supervisor.

J-2600-3

EFFECTIVE: December 17, 2004	REVIEWED: 06/22/2018	REVISED: 00/00/00	UPDATED: 02/27/2008
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The receiving supervisor will:

- Review the book and ensure any VOIDED or missing citations are accounted for pursuant to this Procedure A and Procedure D of this chapter.
- Within 30 days, forward the depleted citation book along with any documentation attached, to the property room for storage.
- Update the citation database reflecting that the depleted citation book was forwarded to the property room for storage.

DIRECTIVE B-1

The property room is responsible for the storage of depleted citation books received from the individual work units. The property room will update the citation database to reflect they have received the depleted citation books. The depleted citation books will be stored until they are destroyed pursuant to a valid destruction order.

The Property Room staff will

- Receive the citation book.
- Update the database with the storage location of the book.
- Store the used book until receipt of a valid destruction order.
- Destroy books pursuant to a valid destruction order.

PROCEDURE C – NO LONGER NEEDED BOOKS

DIRECTIVE C-1

In the event a person no longer needs an assigned citation book, he/she shall return their assigned citation book to a supervisor.

The person returning the partial book will:

- Properly account for any VOIDED citations pursuant to Procedure A and Procedure D of this chapter.
- Return the partial book to a supervisor.

The receiving supervisor will:

- Review the citation book and ensure any citations voided by the issuing person are properly accounted for.
- Unused citations will not be reissued and will be voided by punching a hole in them.

J-2600-4

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- Within 30 days, forward the book and any attachments to the Property Room for storage.
- Update the database with the status of the citation book.

The Property Room staff will:

- Receive the citation book.
- Update the database with the storage location of the book.
- Store the used book until receipt of a valid destruction order.
- Destroy books pursuant to a valid destruction order.

PROCEDURE D - VOIDED CITATIONS

VOID: BEFORE SIGNED

When circumstances are such that it is necessary to VOID a citation before it is signed by the violator, the person issuing the citation will:

- Write VOID across the face of the white copy and leave all copies in the citation book.
- Voided citations will require a written explanation on the back of the green copy or a memo attached to the green copy if additional space is needed.
- The employee voiding the citation will date and sign the green copy and/or memo.
- The voided citation will be reviewed and approved by the employee's supervisor.
- Supervisors will date and sign the voided citation attached to the citation book.

VOID: AFTER SIGNED BY VIOLATOR:

- It is illegal to alter a citation after it is signed (P.C. 853.6; C.V.C. 40202, 40500.) An arresting officer cannot legally change or void a citation after it is signed by the violator.

PROCEDURE E - DISMISSAL OR AMENDMENT OF CITATION

Amendment

If a citation is to be amended by adding or modifying any of the information on the citation including the charges, the issuing person or unit's designee will:

- Complete or cause to be completed a Citation Amendment form identifying what information is to be amended.
- One copy of the Citation Amendment will go to the person named in the citation.

J-2600-5

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- One copy of the Citation Amendment will go to the court where the original citation was filed.

Dismissal

If a citation is to be dismissed or set aside in the interest of justice, the person seeking to have the citation set aside will:

- Forward to the Division Commander through the chain-of-command a written request stating the reasons for the dismissal.
- Upon approval of the dismissal the Division Commander may direct that a request be made to the Court for the dismissal

PROCEDURE E-PARKING CITATIONS:

DIRECTIVE E-1

Vehicles cited for parking violations of County Ordinances and/or the California Vehicle Code will be cited on the County of Kern Notice of Illegal Parking Citation Form.

- Parking citation books will be maintained and issued using the same procedure as the Sheriffs Official Citation Book Procedure.
- Individual Parking Citation books may be ordered from the Lerdo warehouse due to the limited number needed by work units.

PROCEDURE F – COPY DISTRIBUTION

The copy distribution for the Notice to Appear is as follows:

- WHITE.....Court Copy
- CANARY.....Violator Copy
- PINK.....Court Discovery Copy
- GOLDENROD.....Sheriff's Records Division
- GREEN.....REMAINS IN THE CITATION BOOK

This copy is not perforated and is designed to remain in the book.

The copy distribution for the Notice of Illegal Parking is as follows:

- WHITE.....Processing Agency Copy
- CANARY.....Violator Copy
- PINK.....Issuing Agency/Officer Copy
- GOLDENROD.....Issuing Agency/Officer Copy

J-2600-6

EFFECTIVE: December 17, 2004	REVIEWED: 06/22/2018	REVISED: 00/00/00	UPDATED: 02/27/2008
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PROCEDURE G – CITATION CONTINUATION FORM

- The Citation Continuation Form is to be completed when additional space is required to list all of the violations.
- The officer's name and violator's signature is required on both the original citation and the Citation Continuation Form.
- Copies of the Citation Continuation Form will be distributed in the same manner as the original citation form.

J-2600-7

EFFECTIVE: December 17, 2004	REVIEWED: 06/22/2018	REVISED: 00/00/00	UPDATED: 02/27/2008
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Kern County

SHERIFF

Interoffice Memorandum

NOTICE OF FEES

STORED VEHICLE FEES

ATTENTION VEHICLE OWNER:

Pursuant to Kern County Ordinance 4.32.040 and section 22850.5 of the California Vehicle Code, the Kern County Sheriffs Office may charge a fee equal to its administrative costs relating to the removal, impound, storage, and/or release of vehicles impounded by this department. Any administrative fees due, must be paid to the Sheriff **before** your vehicle can be released. Payment may be made by personal check, cashier's check or cash in US currency. Make all checks payable to the "**Kern County Sheriff.**" An additional \$14.00 fee will be charged for all returned checks. **Money orders and third party checks will not be accepted.**

- **Release without administrative hearing: \$100.00**
- **Release after an administrative hearing: \$165.00**

You may request an administrative hearing to determine the validity of the impoundment of your vehicle. If it is determined that your vehicle was towed in error, the Sheriff's Office will waive any fees due and release your vehicle to you or your agent.

- If you have **VERIFIABLE** proof that your vehicle was reported stolen **at the time that it was seized, you will not be charged an administrative fee to recover your vehicle.**
(CVC22850.5(a))
- Legal owners/lien holders will not be charged an administrative fee for the recovery of vehicles unless the lien holder or their agent requests a post-storage hearing.
(CVC22850.5(4))

If you have any questions in regards to the fees listed above and/or wish to request a post storage hearing, you may call the station responsible for storing your vehicle listed on the reverse side of **GREEN** or **YELLOW** form you received with this notice; or, you may complete the information below and return it by mail or in person to the Kern County Sheriff's Station responsible for storing your vehicle.

Please include a phone number where you may be reached if you return this form by mail.

Case Number: _____ Date: _____

My name is _____ I am the registered/legal owner of the vehicle seized in this case. I request a post-storage hearing to determine the validity of the impoundment of my vehicle.

Signed: _____ Phone Number: _____

Driver's License or ID Number: _____



Kern County Sheriff's Office
Policies and Procedures

TITLE: VEHICLE IMPOUND FEES		NO: J-2700	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: March 8, 2005	REVIEWED: 06/22/2018	REVISED: 00/00/00	UPDATED: 02/27/2008
REFERENCE: CVC 22850.5, CVC 22852, CVC 14602.6, Kern County Ordinance 4.32.040			

POLICY

The Sheriff is authorized by state law and county ordinance to charge a fee equal to his/her administrative costs for the recovery, storage, impound, and release of vehicles seized pursuant to the provisions of section(s) 22850.5 and 22852 of the California Vehicle Code. It is the policy of the Kern County Sheriff's Office to charge administrative fees for the release of certain impounded vehicles. This policy applies to all vehicles impounded under county jurisdiction. Fees charged for vehicles impounded within contract cities shall be charged according to established city ordinances.

DIRECTIVE A: Impound Release Fees

The fees for the release of impounded vehicles are set by County Ordinance and may not be changed or increased without the approval of the Kern County Board of Supervisors. The fees shall be charged as follows:

- The fee for release of an impounded vehicle without a post-storage hearing is \$100.00.
- The fee for release of an impounded vehicle after a post-storage hearing is requested verbally is \$100.00.
- The fee for release of an impounded vehicle after a post-storage hearing is requested in writing is \$165.00.
- If any person requests a post-storage hearing in writing but fails to attend the hearing, the requirement for a post-storage hearing has been met and the \$165.00 fee shall be charged. (CVC22852(d))

All fees will be collected prior to the release of the vehicle. If the registered/legal owner(s), or their agent, are unable to pay the fees, the vehicle will not be released.

All fees collected shall be in the form of cash in US currency, personal check, or cashier's check. Money orders and third-party checks will not be accepted. Checks must be made payable to the "Kern County Sheriff."

Exceptions to the Fees

No fee will be charged under this policy to any person who presents verifiable proof, or it can be independently proven, that the vehicle was reported stolen at the time that it was impounded. (CVC22850.5(a))

No fee will be charged to the legal owner/lien holder(s) of any impounded vehicle, or their agent, unless they request a post-storage hearing in writing. (CVC22850.5(4)). If this occurs, the fee for release of the vehicle shall be \$165.00.

- The California Vehicle Code defines “legal owner” as “a motor vehicle dealer, bank, credit union, Acceptance Corporation, or other licensed financial institution legally operated in this state or is another person, not the registered owner, holding a security interest in the vehicle.” (CVC14602.6(f)(1))

DIRECTIVE B: Mailings or Personal Service of Required Notices (CVC22852 et seq.)

Anytime a vehicle is impounded pursuant to Section 14602.6 of the California Vehicle Code, the Sheriff’s Support Technician or Specialist designated will, within 2 working days:

- Mail or cause to be mailed, in accordance with Directive 3-10 of the Kern County Sheriff’s Office Report Writing Manual and Section 22852 of the California Vehicle Code, the appropriate “Vehicle Recovery/Storage Report” forms (Sheriff Form 508) to the registered owner(s) (green copy) and legal owner(s) (yellow copy), and shall;
- Include a “Notice of Fees/Stored Vehicle Fees” (Figure J-2700-1) in the “Vehicle Recovery/Storage Report” mailing to both the registered and legal owner(s).
 - The NOTICE OF FEES form is available on SheriffNet.
- If any of the required notices are personally served on the registered or legal owner(s) of the vehicle, the deputy, or other person, personally serving the notice shall also deliver to the person a copy of the “Notice of Fees/Stored Vehicle Fees” referenced above.

DIRECTIVE C: Release of Impounded Vehicles without a Post-Storage Hearing

Vehicles impounded pursuant to CVC 14602.6 may be released without a hearing after the mandatory impound period of 30 days has expired. If the registered owner(s) wishes to redeem their impounded vehicle after the 30 days, the Sheriff’s Support Technician assigned shall:

- Collect a fee of \$100.00 from the registered owner(s) or the person that the vehicle is being released to;
- Prepare a receipt and process the fee payment in accordance with the established policy and procedure for their station;
- Take the necessary steps to lawfully release the vehicle;
- Attach a copy of the completed receipt to the original “Vehicle Recovery/Storage Report” form.

DIRECTIVE D: Post-Storage Hearings

The owner(s) or owner’s agent(s) of an impounded vehicle may request a post-storage hearing within 10 (ten) days of receiving the “Vehicle Recovery/Storage Report” form. They may

J-2700-2

EFFECTIVE: March 8, 2005	REVIEWED: 06/22/2018	REVISED: 00/00/00	UPDATED: 02/27/2008
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request a hearing verbally, in writing, in person, or by phone. Once a request for a post-storage hearing is made, it must be conducted within 2 working days of receipt of request, excluding weekends and holidays.

Upon receipt of a request for a post-storage hearing, the Sheriff’s personnel receiving the request shall:

- Notify the officer responsible for scheduling and conducting post-storage hearings of the request.
- Prepare or cause to be prepared a “Post-Storage Hearing Report”. (Refer to Figure J-2700-2.
 - The Post Storage Hearing Report form is available on SheriffNet.
- Provide the hearing officer with a copy of the Vehicle Recovery/Storage Report, any related reports or documents, and the “Post-Storage Hearing” form to review.
- The officer assigned to schedule and conduct post-storage hearings shall contact the person requesting the hearing and shall conduct the hearing as soon as practical within the time mandated by the California Vehicle Code.
 - The post-storage hearing officer shall not be the officer who impounded the vehicle or who ordered that the vehicle be impounded. (CVC22852(c))

The officer who conducts the post-storage hearing shall, after interviewing the person requesting the hearing, make one of three findings:

- “Impoundment of vehicle determined to be valid and vehicle ordered held for 30 (thirty) days.”
- “Impoundment of the vehicle determined to be valid but vehicle may be released prior to the expiration of the 30 (thirty) day hold.”
- “Impoundment determined to be not valid and vehicle is to be immediately released.”

The officer making the findings shall then:

- Mark the appropriate box on the “Post-Storage Hearing” form and write in the section marked “Additional Comments” the reasons for the findings;
- Calculate and enter the scheduled release date in the box provided;
- Sign and date the “Post-Storage Hearing” form and return it to the office services person assigned for further processing.

J-2700-3

EFFECTIVE: March 8, 2005	REVIEWED: 06/22/2018	REVISED: 00/00/00	UPDATED: 02/27/2008
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DIRECTIVE E: Collecting Fees and Releasing Impounded Vehicles

Upon receiving the “Post-Storage Hearing” form back from the officer conducting the hearing, the office personnel assigned shall review the findings and take the appropriate action as noted:

1. If the box marked:

“Impoundment of vehicle is determined to be valid, vehicle ordered held for 30 days” is checked by the hearing officer, the Sheriff’s Support Technician assigned will:

- Not release the vehicle;
- Check mark the appropriate amount in the “amount of fees due” box on the form;
- Provide a copy of the completed form to the registered owner(s) or their agent;
- Attach the original “Post-Storage Hearing” form to the “Vehicle Recovery/Storage Report” and file it appropriately.

If the registered owner(s) returns in 30 days to redeem their vehicle, the technician handling the case will check the “Post-Storage Hearing” form and confirm the amount of fees due. They will then:

- Collect the appropriate fee from the person claiming the vehicle;
 - \$100.00 if the hearing was requested verbally
 - \$165.00 if the hearing was requested in writing
- Prepare a receipt and process the fee payment in accordance with the established policy and procedure for their station;
- Take the necessary steps to lawfully release the vehicle;
- Attach a copy of the completed receipt to the original “Vehicle Recovery/Storage Report form;
- Re-file the “Post-Storage Hearing” form and “Vehicle Recovery/Storage Report”
- Deposit the fees into the appropriate departmental accounts consistent with commonly accepted station practice and/or Sheriff’s Office policy and procedure.

2. If the box marked:

“Impoundment of vehicle was determined to be valid but may be released prior to the expiration of the 30 (thirty) day hold” is checked hearing officer, the Sheriff’s Support Technician assigned will:

- Check mark the appropriate amount in the “amount of fees due” box on the form;
- Collect the fee from the person claiming the vehicle;
 - \$100.00 if the hearing was requested verbally
 - \$165.00 if the hearing was requested in writing
- Prepare a receipt and process the fee payment in accordance with the established policy and procedure for their station;
- Take the necessary steps to lawfully release the vehicle;

J-2700-4

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- Attach a copy of the completed receipt to the original “Vehicle Recovery/Storage Report form;
- Re-file the “Post-Storage Hearing” form and “Vehicle Recovery/Storage Report”
- Deposit the fees into the appropriate departmental accounts consistent with commonly accepted station practice and/or Sheriff’s Office policy and procedure.

3. If the box marked:


“Impoundment of vehicle determined to be not valid and the vehicle is ordered released” is checked by the hearing officer, the Sheriff’s Support Technician assigned will:

- Confirm that the “Fee Waived” box is marked;
- Take the appropriate steps to lawfully release the vehicle;
- Re-file the “Post-Storage Hearing” form and “Vehicle Recovery/Storage Report” appropriately.

J-2700-5

EFFECTIVE: March 8, 2005	REVIEWED: 06/22/2018	REVISED: 00/00/00	UPDATED: 02/27/2008
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Figure J-2700-1, NOTICE OF FEES

Kern County
SHERIFF

NOTICE OF FEES

STORED VEHICLE FEES

ATTENTION VEHICLE OWNER:

Pursuant to Kern County Ordinance 4.32.040 and section 22850.5 of the California Vehicle Code, the Kern County Sheriff's Department may charge a fee equal to its administrative costs relating to the removal, impound, storage, and/or release of vehicles impounded by this department. Any administrative fees due, must be paid to the Sheriff **before** your vehicle can be released. Payment may be made by personal check, cashier's check or cash in US currency. Make all checks payable to the "Kern County Sheriff." An additional \$14.00 fee will be charged for all returned checks. **Money orders and third party checks will not be accepted.**

- **Release without administrative hearing: \$100.00**
- **Release after an administrative hearing: \$165.00**

You may request an administrative hearing to determine the validity of the impoundment of your vehicle. If it is determined that your vehicle was towed in error, the Sheriff's Department will waive any fees due and release your vehicle to you or your agent.

- If you have **VERIFIABLE** proof that your vehicle was reported stolen **at the time that it was seized**, you will not be charged an administrative fee to recover your vehicle. (CVC22850.5(a))
- Legal owners/lien holders will not be charged an administrative fee for the recovery of vehicles unless the lien holder or their agent requests a post-storage hearing. (CVC22850.5(4))

If you have any questions in regards to the fees listed above and/or wish to request a post storage hearing, you may call the station responsible for storing your vehicle listed on the reverse side of **GREEN** or **YELLOW** form you received with this notice; or, you may complete the information below and return it by mail or in person to the Kern County Sheriff's Station responsible for storing your vehicle.

Please include a phone number where you may be reached if you return this form by mail.

Case Number: _____ Date: _____

My name is _____ I am the registered/legal owner of the vehicle seized in this case. I request a post-storage hearing to determine the validity of the impoundment of my vehicle.

Signed: _____ Phone Number: _____

Driver's License or ID Number: _____

J-2700-6

EFFECTIVE: March 8, 2005	REVIEWED: 06/22/2018	REVISED: 00/00/00	UPDATED: 02/27/2008
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Figure J-2700-2, Post Storage Hearing Report

<h2 style="margin: 0;">Kern County Sheriff's Department</h2> <h3 style="margin: 0;">Post Storage Hearing Report</h3>					
CASE NUMBER	HEARING DATE	HEARING OFFICER (Please Print)		POST-STORAGE HEARING REQUESTED: <input type="checkbox"/> VERBALLY <input type="checkbox"/> IN WRITING	
FULL NAME OF CLAIMANT			DRIVER'S LICENSE OR I.D. NUMBER		<input type="checkbox"/> REGISTERED OWNER <input type="checkbox"/> LEGAL OWNER
VEHICLE LICENSE NUMBER	STATE	YEAR	MAKE	MODEL	
FINDINGS:					
<input type="checkbox"/> Impoundment of vehicle determined to be valid and vehicle ordered held for 30 (thirty) days.					
<input type="checkbox"/> Impoundment of vehicle determined to be valid but vehicle may be released prior to expiration of the 30 (thirty) day hold.					
<input type="checkbox"/> Impoundment determined to be not valid and vehicle is to be immediately released.					
HEARING OFFICER REMARKS:					
SIGNATURE OF HEARING OFFICER			DEPARTMENT ID		TODAY'S DATE
AUTHORIZED RELEASE DATE:			TOTAL FEES DUE: <input type="checkbox"/> \$100.00 <input type="checkbox"/> \$165.00 <input type="checkbox"/> WAIVED		

EFFECTIVE: March 8, 2005	REVIEWED: 06/22/2018	REVISED: 00/00/00	UPDATED: 02/27/2008
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Kern County

SHERIFF

NOTICE OF FEES

STORED VEHICLE FEES

ATTENTION VEHICLE OWNER:

Pursuant to Kern County Ordinance 4.32.040 and section 22850.5 of the California Vehicle Code, the Kern County Sheriff's Department may charge a fee equal to its administrative costs relating to the removal, impound, storage, and/or release of vehicles impounded by this department. Any administrative fees due, must be paid to the Sheriff **before** your vehicle can be released. Payment may be made by personal check, cashier's check or cash in US currency. Make all checks payable to the "Kern County Sheriff." An additional \$14.00 fee will be charged for all returned checks. **Money orders and third party checks will not be accepted.**

- **Release without administrative hearing: \$100.00**
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You may request an administrative hearing to determine the validity of the impoundment of your vehicle. If it is determined that your vehicle was towed in error, the Sheriff's Department will waive any fees due and release your vehicle to you or your agent.

- If you have **VERIFIABLE** proof that your vehicle was reported stolen **at the time that it was seized**, you will not be charged an administrative fee to recover your vehicle. (CVC22850.5(a))
- Legal owners/lien holders will not be charged an administrative fee for the recovery of vehicles unless the lien holder or their agent requests a post-storage hearing. (CVC22850.5(4))

If you have any questions in regards to the fees listed above and/or wish to request a post storage hearing, you may call the station responsible for storing your vehicle listed on the reverse side of **GREEN** or **YELLOW** form you received with this notice; or, you may complete the information below and return it by mail or in person to the Kern County Sheriff's Station responsible for storing your vehicle.

Please include a phone number where you may be reached if you return this form by mail.

Case Number: _____

Date: _____

My name is _____ I am the registered/legal owner of the vehicle seized in this case. I request a post-storage hearing to determine the validity of the impoundment of my vehicle.

Signed: _____

Phone Number: _____

Driver's License or ID Number: _____



Kern County

SHERIFF

Interoffice Memorandum

To: Rangemaster
From: Kern County Sheriff's Personnel Division
Re: Qualification Completion Form

This packet will include a copy of Kern County Sheriff's Office DPPM J 2800, Qualification Completion Form, and Attachment A. To be completed by any certified law enforcement agency firearms instructor:

This form is to certify that the below listed retiree from the Kern County Sheriff's Office has completed the required qualification course listed below pursuant to **Title 18 of the USCS § 926 C.**

Retiree Name: _____ **D.O.B.:** _____

Date of Retirement: _____ **Date of Qualification:** _____

Make/Model/Serial Number of Weapon: _____

To successfully pass the course of fire, the retiree must shoot ten (10) rounds at seven (7) yards on a "B27 silhouette" or similar target. The course of fire is as follows:

- Shoot three (3) rounds with strong hand only 7 yard line (No time limit)
- Shoot four (4) rounds with both hands 7 yard line (No time limit)
- Shoot three (3) rounds with support hand only 7 yard line (No time limit)

In order to pass the course of fire, the retiree must score at least seventy percent (70%).

CIRCLE ONE: PASS FAIL

Instructor Name: _____

Instructor Phone Number: _____

Instructor Mailing Address: _____

Instructor Law Enforcement Agency: _____

Per DPPM J 2800 Procedure C:

- The course of fire will ensure the retiree can safely load, unload, and check the firearm to verify it is clear of all ammunition and shoot it with acceptable accuracy.
- The qualification course may include instruction concerning policy and law relevant to the retiree's CCW status.
- After the qualification course, the Range Master, or his/her designee, will note the qualification score (pass/fail), ensure it is entered into the Training Range Schedule/Maintenance program, and note on the Concealed Weapons Qualification and Authorization form whether the retiree did, in fact, qualify.

If a retiree fails the qualification course, he/she will be given one opportunity to complete the course again. Should he/she fail to qualify a second time, no CCW endorsement will be issued and existing CCW endorsements will be revoked.

- Applicants who fail to qualify under this policy may re-apply after one year or upon presentation of a certificate indicating successful attendance in a firearms training course.

If you have any questions, please contact the Kern County Sheriff's Office Personnel Division at 661-391-7750.



Kern County

SHERIFF

Concealed Weapons Qualifications and Authorization

To be completed by the retired member:

I am requesting identification/certification to carry a concealed weapon under:

___ Federal Law (18 USC § 926C)

___ California State Law (Penal Code § 26300)

I agree and understand that for the purposes of any license issued under KCSOPPM J-2800 I am not a peace officer employee of the Sheriff or the County of Kern and that any actions I may take in connection with any identification/certification issued by the Sheriff will be in my capacity as a private citizen and not as a peace officer or employee of the County of Kern. I have also read, understand, and agree to the Sheriff's policy concerning the issuance and renewal of identification under this procedure and I will immediately surrender said Identification in the event that I am disqualified from receiving a firearm under federal law. I agree that I am responsible to provide and maintain any weapon or firearm that I may use in connection with an identification issued under this policy and that the County of Kern, including, but not limited to, the Sheriff and the Office Range Master, are not responsible for the condition, upkeep or inspection of my privately owned weapons.

Signature: _____ Date: _____

Print Name: _____

Address: _____

DOB: _____ Date of Retirement: _____

Height: _____ Weight: _____ Hair: _____ Eyes: _____



Kern County Sheriff's Office Policies and Procedures

TITLE: RETIREE CONCEALED WEAPONS PERMIT			NO: J-2800
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: February 16, 2007	REVIEWED: 01/10/2022	REVISED: 01/10/2022	UPDATED: 06/22/2018

POLICY

This policy outlines the processes and conditions associated with the issuance, revocation, and denial of a concealed weapon (CCW) endorsement for retired deputy sheriffs, detentions deputies, deputy coroners, and eligible reserve deputies of the Kern County Sheriff's Office.

- The Sheriff may charge a reasonable fee to cover the expense of issuing a permit under this policy.

All retired deputy sheriffs, detentions deputies, deputy coroners, and eligible reserve deputies of the Sheriff's Office who were authorized to, and did, carry a firearm during their active employment by the Sheriff's Office, retired in good standing and who otherwise meet the requirements of 18 United States Code 926C as amended will, when requested by the retiree and after successfully completing a qualification course of fire, be issued a nation-wide permit to carry a concealed weapon.

- For the purpose of this policy, a retired reserve deputy must meet the specifications within Sheriff's Office Reserve Deputies Policies and Procedures Section G-300, which states the reserve deputy seeking retirement will have completed ten (10) years of accumulated time as a Kern County Sheriff's Reserve Deputy (level 1).
- No CCW Approved endorsement shall be issued to any deputy retiring after January 1, 1989 because of psychological disability (Penal Code § 26305(a)).

When requested by the retiree, the Sheriff's Office will issue all deputy sheriffs, detentions deputies, deputy coroners, and eligible reserve deputies, who retire in good standing, a California-only CCW permit pursuant Penal Code § 26300 in lieu of the nationwide CCW.

CCW PERMIT PROVISIONS

The CCW endorsement is voluntary and will only be issued at the request of the retired Sheriff's Office member. The CCW endorsement is authorized under law and is issued at the discretion of the Sheriff and may be denied on a showing of good cause. The CCW endorsement is contingent on the retiree remaining subject to Sheriff's Office rules and policies as well as all federal, state, and local laws (Penal Code § 26305(b)). The CCW endorsement issued under this policy does not create an employment or legal relationship between the County of Kern and the retired member. While the carrying of a concealed weapon may be authorized under state and federal law, as well as this policy, retired members do so at their own risk, in the capacity of private citizens, and not as peace officers.

**PROCEDURE A
OBTAINING AND MAINTAINING A NATIONWIDE CCW ENDORSEMENT**

Endorsement:

Sheriff's Office retirees who desire to carry a concealed weapon under the provisions of 18 USCS 926C will contact the Sheriff's Office Human Resources Section:

- A Concealed Weapons Qualification and Authorization form will be completed.
- The Background Investigations Unit may perform a criminal history check to ensure the retiree has no disqualifying issues.
 - A signed background investigation waiver form is required.
- Background Investigations Unit personnel will verify the retiree was employed as a law enforcement officer for at least an aggregate of 10 years.
 - Members who retired due to a service disability after completing the initial probationary period are exempt from the 10-year requirement.
 - For the purpose of Procedure A only, those separated from service in good standing are the same as retired members.
- The retiree will then contact the Training Section and schedule him/herself for the firearms qualification course.
- After passing the course, the retiree will take the Concealed Weapons Qualification and Authorization form back to the Human Resources Section.
- When the CCW endorsement requirements are satisfied, Human Resources personnel will issue an identification card indicating the retiree is authorized to carry a concealed weapon under the provisions of 18 USCS 926C.

Annual Updates:

The CCW endorsement under the provisions of 18 USCS 926C must be updated annually. In order to maintain the "CCW Approved" endorsement on an identification card, the retiree shall have the aforementioned tasks performed prior to the expiration date of the current endorsement, to include:

- The firearms training may be completed with any certified law enforcement agency firearms instructor. If training is completed with an agency outside of the Kern County Sheriff's Office, the retiree must provide a Qualification Completion form.
- After passing the course, the retiree will deliver the Concealed Weapons Qualification and Authorization form, along with the Qualification Completion form (if course completed is taken with a certified law enforcement agency firearms instructor other than the Kern County Sheriff's Office Training Section), to the Human Resources Section.
- Human Resources personnel will then issue an updated identification card indicating the retiree is authorized to carry a concealed weapon under the provisions of 18 USCS 926C.

J-2800

EFFECTIVE: February 16, 2007	REVIEWED: 01/10/2022	REVISED: 01/10/2022	UPDATED: 06/22/2018
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PROCEDURE B
OBTAINING AND MAINTAINING A CALIFORNIA ONLY CCW ENDORSEMENT

Retired deputy sheriffs, detentions deputies, deputy coroners, and eligible reserve deputies who wish to carry a concealed weapon **only** under California state law provisions (Penal Code § 26300) will contact the Sheriff's Office Human Resources Section:

- A Concealed Weapons Qualification and Authorization form will be completed.
- The Background Investigations Unit may perform a criminal history check to ensure the retiree has no disqualifying issues.
 - A signed background investigation waiver form is required.
- After the Human Resources Section confirms the retiree does not have any disqualifying issues, the retiree will be issued an identification card with a California **only** endorsement that indicates the retiree is not authorized to carry a concealed weapon under 18 USCS 926C.
 - If the member retired after January 1, 1981, the identification card must be updated every five years. The expiration date will be printed on the identification card. Cards may be updated by contacting the Human Resources Section and completing an updated Concealed Weapons Qualification and Authorization form.
 - Members who retired before January 1, 1981 are not required to petition the Sheriff every five years for a renewal of their certification nor must the certification be endorsed for concealed carry.
- The qualification course is not required for a California **only** endorsement.
- WHEN A RETIRED MEMBER DECLINES TO QUALIFY UNDER 18 USCS 926C AND IS ISSUED AN IDENTIFICATION IN ACCORDANCE WITH STATE LAW, HE/SHE IS AUTHORIZED TO CARRY A CONCEALED WEAPON IN CALIFORNIA ONLY.

PROCEDURE C – FIREARM QUALIFICATION COURSE

The firearms qualification course mentioned in Procedure A shall consist of a course of fire to be established by the Sheriff's Rangemaster or his/her designee.

- The course of fire will ensure the retiree can safely load, unload, and check the firearm to verify that it is clear of all ammunition and shoot it with acceptable accuracy.
- The qualification course may include instruction concerning policy and law relevant to the retiree's CCW status.
- After the qualification course, the Rangemaster, or his/her designee, will note the qualification score (pass/fail), ensure it is entered into the Training Range Schedule/Maintenance program, and note on the Concealed Weapons Qualification and Authorization form whether the retiree did, in fact, qualify.

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If a retiree fails the qualification course, he/she will be given one opportunity to complete the course again. Should he/she fail to qualify a second time, no CCW endorsement will be issued and existing CCW endorsements will be revoked.

- Applicants who fail to qualify under this policy may reapply after one (1) year or upon presentation of a certificate indicating successful attendance in a firearms training course.

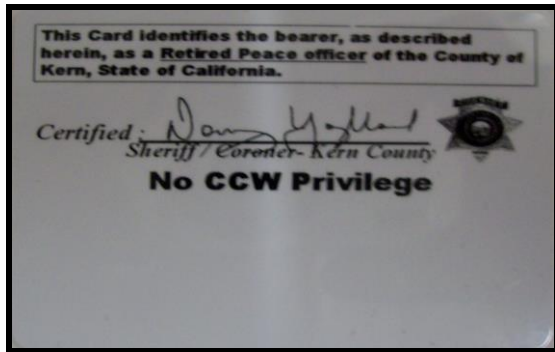
DIRECTIVE A – CARRYING FIREARMS OUT OF STATE

Subject to 18 USCS 926C and Sheriff’s Office policy, qualified retirees of this agency may be authorized to carry a concealed weapon in other states.

PROCEDURE D – IDENTIFICATION CARD FORMAT

The identification card issued to any qualified and honorably retired deputy shall be two inches by three inches and minimally contain the following (Penal Code § 25460(c)):

- Photograph of the retiree.
- Retiree’s name and date of birth.
- Date of retirement.
- Name and address of this agency.
- A stamped endorsement “CCW Approved” along with the date by which the endorsement must be renewed. In the case in which a CCW endorsement has been denied or revoked, the identified card shall be stamped “No CCW Privilege.”
- If applicable, a notation that “This person is in compliance with 18 USCS 926C (d) (1).”



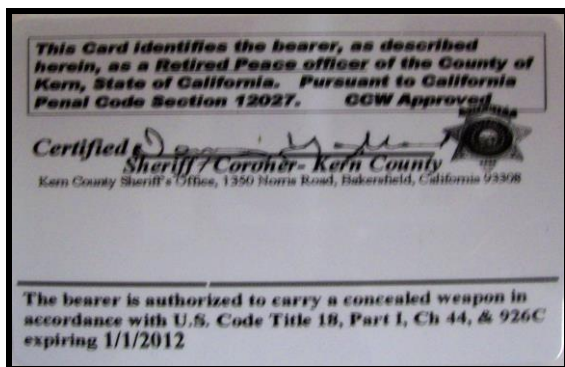
No CCW Endorsement



California Only Endorsement

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National Endorsement

PROCEDURE E – DENIAL OR REVOCATION OF CCW ENDORSEMENT

The CCW endorsement for any qualified retiree from this agency may be denied or revoked only upon showing of good cause. Good cause, if challenged, shall be determined in the following manner:

- In the event that a CCW endorsement is initially denied, the retiree shall have 15 days from the date of denial to request a formal hearing. The failure to submit a timely written request for a hearing shall be deemed a waiver of such right. The hearing shall be held no later than 120 days after the request by the retiree for a hearing is received (Penal Code § 26310).
- Prior to revocation of any CCW endorsement, the Sheriff’s Office shall provide the affected retiree with written notice of temporary revocation by either personal service or first-class mail, postage prepaid, return receipt requested to the retiree’s last known address (Penal Code § 26312).
- The retiree shall have 15 days from the agency’s verification of service to file a written request for a hearing to determine if the temporary revocation should become permanent.
 - The hearing shall be held no later than 120 days after the request by the retiree for a hearing is received.
 - The failure to submit a timely written request for a hearing shall be deemed a waiver of such right and the authority of the officer to carry a firearm shall be permanently revoked.
- The hearing for the denial or revocation of any CCW endorsement shall be composed of three members, one selected by the agency, one selected by the retiree or his/her employee organization and one selected jointly (Penal Code § 26320).
- The decision of such hearing board shall be binding on the Sheriff’s Office and the retiree.
- Any retiree who waives the right to a hearing or whose CCW endorsement has been revoked at a hearing shall immediately surrender his/her identification card. The Sheriff’s Office will then reissue a new identification card which shall be stamped “No CCW Privilege.” (Penal Code §26325).

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DIRECTIVE B – WATCH COMMANDER RESPONSIBILITIES

Employees who have reason to suspect a retiree’s conduct has compromised public safety should notify the Personnel Division Commander or the Watch Lieutenant as soon as practical.

The Personnel Division Commander (or Watch Lieutenant if the notification occurs during non-business hours) should take the following steps in these instances:

- Take appropriate steps to promptly investigate the matter.
- If warranted, contact the retiree in person and advise him/her in writing of the following:
 - The retiree’s CCW endorsement is immediately and temporarily revoked.
 - The retiree will have 15 days to request a hearing to determine whether the temporary revocation should become permanent.
 - The retiree will forfeit his/her right to a hearing and the CCW endorsement will be permanently revoked if the retiree fails to respond to the notice of hearing within the 15-day period.
- A current copy of Penal Code § 26305, 26312, 26315, 26320, and 26325 should be attached to the written notice.
- In the event that personal contact with the retiree cannot be reasonably achieved in a timely manner, attempts should be made to make the above notice of temporary revocation through another peace officer. For example, if a retiree was arrested or detained by a distant agency, the request may be made that a peace officer of that agency act as the Sheriff’s Office agent to deliver the written notification.
- Notification of the temporary revocation should also be promptly mailed to the retiree via first class mail, postage prepaid, return receipt requested (Penal Code § 26312).
- The Personnel Division Commander or Watch Lieutenant will document the investigation, including the actions taken, and if applicable, any notification made to the retiree in a memorandum. The memorandum will be forwarded to the Sheriff via the chain of command.

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Kern County Sheriff's Office
Policies and Procedures

TITLE: COVERT IDENTIFICATION			NO: J-2900
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: February 10, 2011	REVIEWED: 06/22/2018	REVISED: 02/10/2011	UPDATED: 02/10/2011

PURPOSE

The purpose of this policy is to establish guidelines for obtaining and using covert/undercover identification cards for Sheriff's Office members working in specified assignments on law enforcement matters.

POLICY

The Kern County Sheriff's Office recognizes circumstances exist in law enforcement where the use of covert/undercover identifications can help enhance officer safety and further the law enforcement mission. In order to protect officers, while allowing the best possible means to succeed in specialized job assignments, The Kern County Sheriff's Office authorizes specified deputies to obtain and use covert/undercover identification cards issued through government entities.

DIRECTIVE A

Only deputies with the Special Investigations Division Commander's approval are authorized to obtain covert/undercover identification cards. The Special Investigations Division shall establish and maintain a detailed divisional policy and procedure regarding covert/undercover identification cards. The Special Investigations Division Commander shall ensure the policy and procedure is in compliance with applicable California and federal guidelines and law.

Work assignments with a need for covert/undercover identifications cards include, but are not limited to:

- Special Operations Unit
- Major Violator Unit
- H.I.D.T.A Unit
- Vice Unit
- CAL-MMET Unit
- KNET Unit
- JTTF

DIRECTIVE B

Sheriff's Office members will use good judgment when choosing names and addresses to be used on fictitious documents used for official law enforcement purposes.

DIRECTIVE C

Sheriff's Office personnel will relinquish all issued covert/undercover identification cards to the Agency Administrator/Liaison upon leaving any of the above listed assignments, or when the identification is no longer needed for law enforcement purposes. The Agency Administrator/Liaison will be responsible for returning the items to the appropriate agencies.

PROCEDURE A

The Sheriff-Coroner will assign a Sheriff's Office member to act as the Agency Covert/Undercover Identification Administrator/Liaison who will be responsible for completing the necessary documentation and facilitating the process involved in obtaining covert/undercover identification cards as the need arises.

Sheriff's Personnel with a need for a covert/undercover identification card will:

- Obtain authorization from his/her division commander
- Contact the designated Agency Covert/Undercover Identification Administrator/Liaison

The Agency Covert/Undercover Identification Administrator/Liaison will:

- Obtain/confirm the Special Investigations Division Commander's authorization for obtaining the requested identification card
- Obtain the needed covert/undercover identification card pursuant to the Special Investigations Division policy and procedures.

J-2900-2

EFFECTIVE: February 10, 2011	REVIEWED: 06/22/2018	REVISED: 02/10/2011	UPDATED: 02/10/2011
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**Instructions for I-918, Supplement B,
U Nonimmigrant Status Certification****Instructions**

Please read these instructions carefully to properly complete this form. If you need more space to complete an answer, use a separate sheet(s) of paper. Write your name and Alien Registration Number (A #), if any, at the top of each sheet of paper and indicate the part and number of the item to which the answer refers.

What Is the Purpose of This Form?

You should use Form I-918, Supplement B, to certify that an individual submitting a Form I-918, Petition for U Nonimmigrant Status, is a victim of certain qualifying criminal activity and is, has been, or is likely to be helpful in the investigation or prosecution of that activity.

When Should I Use Form I-918, Supplement B?

If you, the certifying official, determine that this individual (better known as the petitioner) is, has been, or is likely to be helpful in your investigation or prosecution, you may complete this supplement form. The **petitioner** must then submit the supplement to USCIS with his or her petition for U nonimmigrant status.

NOTE: An agency's decision to provide a certification is entirely discretionary; the agency is under no legal obligation to complete a Form I-918, Supplement B, for any particular alien. However, without a completed Form I-918, Supplement B, the alien will be ineligible for U nonimmigrant status.

To be eligible for U nonimmigrant status, the alien must be a victim of qualifying criminal activity. The term "victim" generally means an alien who has suffered direct and proximate harm as a result of the commission of qualifying criminal activity.

The alien spouse, unmarried children under 21 years of age and, if the victim is under 21 years of age, parents and unmarried siblings under 18 years of age, will be considered victims of qualifying criminal activity where:

1. The direct victim is deceased due to murder or manslaughter, or
2. Where a violent qualifying criminal activity has caused the direct victim physical harm of a kind and degree that makes the direct victim incompetent or incapacitated, and, therefore, unable to provide information concerning the criminal activity or to be helpful in the investigation or prosecution of the criminal activity.

An alien may be considered a victim of witness tampering, obstruction of justice, or perjury, including any attempt, conspiracy, or solicitation to commit one or more of those offenses if:

1. The victim has been directly and proximately harmed by the perpetrator of the witness tampering, obstruction of justice, or perjury; **and**
2. There are reasonable grounds to conclude that the perpetrator committed the witness tampering, obstruction of justice, or perjury offense, at least in principal part, as a means:
 - A. To avoid or frustrate efforts to investigate, arrest, prosecute, or otherwise bring to justice the perpetrator for other criminal activity; or
 - B. To further the perpetrator's abuse or exploitation of or undue control over the petitioner through manipulation of the legal system.

A person who is culpable for the qualifying criminal activity being investigated or prosecuted is excluded from being recognized as a victim.

A victim of qualifying criminal activity must provide evidence that he or she (or in the case of an alien under the age of 16 years or who is incapacitated or incompetent, the parent, guardian, or next friend of the alien) has been, is being, or is likely to be helpful to a certifying official in the investigation or prosecution of the qualifying criminal activity as listed in **Part 3** of this form. Being "helpful" means assisting law enforcement authorities in the investigation or prosecution of the qualifying criminal activity of which he or she is a victim.

General Instructions.**Fill Out the Form I-918, Supplement B**

1. Type or print legibly in black ink.
2. If extra space is needed to complete any item, attach a continuation sheet, indicate the item number, and date and sign each sheet.

-
3. Answer all questions fully and accurately. State that an item is not applicable with "N/A." If the answer is none, write "none."

This form is divided into **Parts 1** through 7. The following information should help you fill out the form.

Part 1 - Victim information.

- A. Family Name** (Last Name) - Give victim's legal name.
- B. Given Name** (First name) - Give victim's full first name, do not use "nicknames." (Example: If victim's name is Albert, do not use Al.)
- C. Other Names Used** - Provide all the names the victim has used that you are aware of, including maiden name if applicable, married names, nicknames, etc.
- D. Date of Birth** - Use eight numbers to show his or her date of birth (example: May 1, 1979, should be written 05/01/1979).
- E. Gender** - Check the appropriate box.

Part 2 - Agency information.

- A. Name of certifying agency** - The certifying agency must be a Federal, State, or local law enforcement agency, prosecutor, or authority, or Federal or State judge, that has responsibility for the investigation or prosecution, conviction or sentencing of the qualifying criminal activity of which the petitioner was a victim.

This includes traditional law enforcement branches within the criminal justice system, and other agencies that have criminal investigative jurisdiction in their respective areas of expertise, such as the child protective services, Equal Employment Opportunity Commission, and Department of Labor.

- B. Name of certifying official** - A certifying official is:

- 1. The head of the certifying agency or any person in a supervisory role, who has been specifically designated by the head of the certifying agency to issue a U Nonimmigrant Status Certification on behalf of that agency; **or**
- 2. A Federal, state or local judge.

If the certification is not signed by the head of the certifying agency, please attach evidence of the agency head's written designation of the certifying official for this specific purpose.

- C. Agency address** - Give the agency's mailing address.

Part 3 - Criminal acts.

- A. Check all of the crimes of which the petitioner is a victim that your agency is investigating, prosecuting, or sentencing** - If the crime(s) of which the petitioner is a victim is not listed, please list the crime(s) and provide a written explanation regarding how it is similar to one of the listed crimes. Similar activity refers to criminal offenses in which the nature and elements of the offenses are substantially similar to the list of criminal activity found on the certification form itself.
- B. Indicate whether the qualifying criminal activity violated the laws of the United States or occurred within the United States (including in Indian country and military installations) or the territories and possessions of the United States** - Qualifying criminal activity of which the applicant is a victim had to violate U.S. law or occur within the United States.

Please indicate whether the qualifying criminal activity occurred within the United States (including in Indian country and military installations) or the territories and possessions of the United States.

- 1. **United States** means the continental United States, Alaska, Hawaii, Puerto Rico, Guam, and the U.S. Virgin Islands.
- 2. **Indian country** refers to all land within the limits of any Indian reservation under the jurisdiction of the United States Government, notwithstanding the issuance of any patent, and including rights-of-way running through the reservation; all dependent Indian communities within the borders of the United States whether within the original or subsequently acquired territory thereof, and whether within or without the limits of a state; and all Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through such allotments.
- 3. **Military installation** means any facility, base, camp, post, encampment, station, yard, center, port, aircraft, vehicle, or vessel under the jurisdiction of the Department of Defense, including any leased facility, or any other location under military control.

4. Territories and possessions of the United States

means American Samoa, Bajo Nuevo (the Petrel Islands), Baker Island, Howland Island, Jarvis Island, Johnston Atoll, Kingman Reef, Midway Atoll, Navassa Island, Northern Mariana Islands, Palmyra Atoll, Serranilla Bank, and Wake Atoll.

If the qualifying criminal activity did not occur within the United States as discussed above, but was in violation of U.S. law, it must violate a Federal extraterritorial jurisdiction statute. There is no requirement that a prosecution actually occur. Please provide the statutory citation for the extraterritorial jurisdiction.

Part 4 - Helpfulness of the victim.

A. Indicate whether the victim possesses information about the crime(s). A petitioner must be in possession of information about the qualifying criminal activity of which he or she is a victim. A petitioner is considered to possess information concerning qualifying criminal activity of which he or she is a victim if he or she has knowledge of details concerning that criminal activity that would assist in the investigation or prosecution of the criminal activity. Victims with information about a crime of which they are not the victim will not be considered to possess information concerning qualifying criminal activities.

When the victim is under 16 years of age, incapacitated or incompetent, he or she is not required to personally possess information regarding the qualifying criminal activity. The parent, guardian, or "next friend" of the minor petitioner may provide that information. "Next friend" is a person who appears in a lawsuit to act for the benefit of an alien victim. The "next friend" is not a party to the legal proceeding and is not appointed as a guardian.

B. Provide an explanation of the victim's helpfulness to the investigation or prosecution of the criminal activity. A victim must provide evidence to USCIS that he or she (or, in the case of an alien child under the age of 16 or who is incapacitated or incompetent, the parent, guardian, or next friend of the alien) has been, is being, or is likely to be helpful to a certifying law enforcement official in the investigation or prosecution of the qualifying criminal activity.

Being "helpful" means assisting law enforcement authorities in the investigation or prosecution of the qualifying criminal activity of which he or she is a victim. Alien victims who, after initiating cooperation, refuse to provide continuing assistance when needed will not meet the helpfulness requirement. There is an ongoing responsibility on the part of the victim to be helpful, assuming there is an ongoing need for the victim's assistance.

You, the certifying official, will make the initial determination as to the helpfulness of the petitioner. USCIS will give a properly executed Supplement B, U Nonimmigrant Status Certification significant weight, but it will not be considered conclusory evidence that the victim has met the eligibility requirements. USCIS will look at the totality of the circumstances surrounding the alien's involvement with your agency and all other information known to USCIS in determining whether the alien meets the elements of eligibility.

Part 5 - Family members implicated in criminal activity.

List whether any of the victim's family members are believed to have been involved in the criminal activity of which he or she is a victim. An alien victim is prohibited from petitioning for derivative U nonimmigrant status on behalf of a qualifying family member who committed battery or extreme cruelty or trafficking against the alien victim which established his or her eligibility for U nonimmigrant status. Therefore, USCIS will not grant an immigration benefit to a qualifying family member who committed qualifying criminal activities in a family violence or trafficking context.

Part 6 - Certification.

Please read the certification block carefully. **NOTE:** If the victim unreasonably refuses to assist in the investigation or prosecution of the qualifying criminal activity of which he or she is a victim, even after this form is submitted to USCIS, you **must** notify USCIS by sending a written statement to: USCIS - Vermont Service Center, 75 Lower Welden Street, St. Albans, VT 05479-0001. Please include the victim's name, date of birth, and A-number (if available) on all correspondence.

Department of Homeland Security
U.S. Citizenship and Immigration Services

**I-918 Supplement B,
U Nonimmigrant Status Certification**

START HERE - Please type or print in black ink.

Part 1. Victim information.

Family Name Given Name Middle Name

Other Names Used (Include maiden name/nickname)

Date of Birth (mm/dd/yyyy) Gender Male Female

Part 2. Agency information.

Name of Certifying Agency

Name of Certifying Official Title and Division/Office of Certifying Official

Name of Head of Certifying Agency

Agency Address - Street Number and Name Suite #

City State/Province Zip/Postal Code

Daytime Phone # (with area code and/or extension) Fax # (with area code)

Agency Type Federal State Local

Case Status On-going Completed Other _____

Certifying Agency Category Judge Law Enforcement Prosecutor Other _____

Case Number FBI # or SID # (if applicable)

For USCIS Use Only.

Returned Receipt

Date

Date

Resubmitted

Date

Date

Reloc Sent

Date

Date

Reloc Rec'd

Date

Date

Remarks

Part 3. Criminal acts.

1. The applicant is a victim of criminal activity involving or similar to violations of one of the following Federal, State or local criminal offenses. (Check all that apply.)

- | | | | |
|--|---|---|---|
| <input type="checkbox"/> Abduction | <input type="checkbox"/> Female Genital Mutilation | <input type="checkbox"/> Obstruction of Justice | <input type="checkbox"/> Slave Trade |
| <input type="checkbox"/> Abusive Sexual Contact | <input type="checkbox"/> Hostage | <input type="checkbox"/> Peonage | <input type="checkbox"/> Torture |
| <input type="checkbox"/> Blackmail | <input type="checkbox"/> Incest | <input type="checkbox"/> Perjury | <input type="checkbox"/> Trafficking |
| <input type="checkbox"/> Domestic Violence | <input type="checkbox"/> Involuntary Servitude | <input type="checkbox"/> Prostitution | <input type="checkbox"/> Unlawful Criminal Restraint |
| <input type="checkbox"/> Extortion | <input type="checkbox"/> Kidnapping | <input type="checkbox"/> Rape | <input type="checkbox"/> Witness Tampering |
| <input type="checkbox"/> False Imprisonment | <input type="checkbox"/> Manslaughter | <input type="checkbox"/> Sexual Assault | <input type="checkbox"/> Related Crime(s) |
| <input type="checkbox"/> Felonious Assault | <input type="checkbox"/> Murder | <input type="checkbox"/> Sexual Exploitation | <input type="checkbox"/> Other: (If more space needed, attach separate sheet of paper.) |
| <input type="checkbox"/> Attempt to commit any of the named crimes | <input type="checkbox"/> Conspiracy to commit any of the named crimes | <input type="checkbox"/> Solicitation to commit any of the named crimes | <input type="text"/> |

Part 3. Criminal acts. (Continued.)

2. Provide the date(s) on which the criminal activity occurred.

Date (mm/dd/yyyy)

Date (mm/dd/yyyy)

Date (mm/dd/yyyy)

Date (mm/dd/yyyy)

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3. List the statutory citation(s) for the criminal activity being investigated or prosecuted, or that was investigated or prosecuted.

--

4. Did the criminal activity occur in the United States, including Indian country and military installations, or the territories or possessions of the United States? Yes No

a. Did the criminal activity violate a Federal extraterritorial jurisdiction statute? Yes No

b. If "Yes," provide the statutory citation providing the authority for extraterritorial jurisdiction.

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c. Where did the criminal activity occur?

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5. Briefly describe the criminal activity being investigated and/or prosecuted and the involvement of the individual named in Part 1. Attach copies of all relevant reports and findings.

--

6. Provide a description of any known or documented injury to the victim. Attach copies of all relevant reports and findings.

--

Part 4. Helpfulness of the victim.

The victim (or parent, guardian or next friend, if the victim is under the age of 16, incompetent or incapacitated.):

1. Possesses information concerning the criminal activity listed in **Part 3**. Yes No

2. Has been, is being or is likely to be helpful in the investigation and/or prosecution of the criminal activity detailed above. (Attach an explanation briefly detailing the assistance the victim has provided.) Yes No

3. Has not been requested to provide further assistance in the investigation and/or prosecution. (Example: prosecution is barred by the statute of limitation.) (Attach an explanation.) Yes No

4. Has unreasonably refused to provide assistance in a criminal investigation and/or prosecution of the crime detailed above. (Attach an explanation.) Yes No

Part 4. Helpfulness of the victim. (Continued.)

5. Other, please specify.

--

Part 5. Family members implicated in criminal activity.

1. Are any of the victim's family members believed to have been involved in the criminal activity of which he or she is a victim? Yes No

2. If "Yes," list relative(s) and criminal involvement. *(Attach extra reports or extra sheet(s) of paper if necessary.)*

Full Name	Relationship	Involvement

Part 6. Certification.

I am the head of the agency listed in **Part 2** or I am the person in the agency who has been specifically designated by the head of the agency to issue U nonimmigrant status certification on behalf of the agency. Based upon investigation of the facts, I certify, under penalty of perjury, that the individual noted in **Part 1** is or has been a victim of one or more of the crimes listed in **Part 3**. I certify that the above information is true and correct to the best of my knowledge, and that I have made, and will make no promises regarding the above victim's ability to obtain a visa from the U.S. Citizenship and Immigration Services, based upon this certification. I further certify that if the victim unreasonably refuses to assist in the investigation or prosecution of the qualifying criminal activity of which he/she is a victim, I will notify USCIS.

Signature of Certifying Official Identified in Part 2.

Date (mm/dd/yyyy)

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Kern County Sheriff's Office
Policies and Procedures

TITLE: U-VISA PROGRAM			NO: J 3000 - U-VISA PROGRAM 2018.docx
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: June 9, 2010	REVIEWED: 06/22/2018	REVISED: 03/23/2016	UPDATED: 03/23/2016

POLICY

In October of 2000, the United States Congress passed the "Victims of Trafficking and Violence Protection Act" containing the "U-Visa" program. This federal legislation provides a mechanism whereby a noncitizen can apply for a temporary visa when they are a victim of specified criminal activities. The program is intended to enhance public safety by removing barriers to crime victim cooperation with law enforcement.

The program entails the noncitizen submitting a completed I-918 and I-918 Supplemental B Form to federal immigration authorities who will either grant or deny a temporary visa. The petitioner is responsible for completing the I-918 Form, but the I-918 Supplemental B Form is to be completed by a government official who can certify that the petitioner:

- has been a victim of a qualifying criminal activity¹
- possesses information regarding the activity
- has been, is being, or is likely to be helpful in the investigation and
- the criminal activity occurred in the United States.

As of January 1, 2016, Penal Code 679.10 and Senate Bill 674 require a certifying entity to process an I-918 Supplemental B Form and return it to the noncitizen, provided the above criteria has been met. The noncitizen is then responsible for delivering all completed forms to the U.S. Citizenship and Immigration Services who will then either grant or deny the visa. If the U.S. Citizenship and Immigration Services grant the temporary visa, the noncitizen will be authorized to remain in the United States on a temporary basis and will be able to participate in the judicial process as needed.

Senate Bill 674 also requires the certifying entity to process the I-918 Supplemental B Form within 90 days of request, unless the noncitizen is in removal proceedings, in which case the certification is required to be processed with 14 days of request.

The Kern County Sheriff's Office has recognized the value of the program's ability to further the law enforcement mission and will therefore participate in the program pursuant to federal law and this policy.

¹ "Qualifying criminal activity" is defined in 8 USCS 1101(U)(iii) as involving one or more of the following or any similar activity in violation of Federal, State, or local criminal law: rape; torture; trafficking; incest; domestic violence; sexual assault; abusive sexual contact; prostitution; sexual exploitation; female genital mutilation; being held hostage; peonage; involuntary servitude; slave trade; kidnapping; abduction; unlawful criminal restraint; false imprisonment; blackmail; extortion; manslaughter; murder; felonious assault; witness tampering; obstruction of justice; perjury; or attempt, conspiracy, or solicitation to commit any of the above mentioned crimes

Each request will be evaluated on its individual merits pursuant to this policy.

PROCEDURE A

Sheriff's Office members who receive a request for an I-918 Supplemental B Form will:

- Confirm the petitioner has been a victim of a crime that occurred in the Kern County Sheriff's Office jurisdiction or was a victim of a crime that was investigated by this agency.
 - Petitioners who request U-Visa assistance with crimes that occurred outside Kern County Sheriff's Office jurisdiction should be referred to the appropriate law enforcement agency.
 - Forward the request and the I-918 Supplemental B Form to the department's Robbery/Homicide Sergeant.

The Robbery/Homicide Sergeant who receives U-Visa requests will:

- Gather facts sufficient to ascertain whether the petitioner:
 - has been a victim of a qualifying criminal activity
 - possesses information regarding the activity
 - has been, is being, or is likely to be helpful in the investigation and
 - the criminal activity occurred in the United States
- Document their findings by completing and signing the I-918 Supplemental B form according to the I-918 instruction sheet. The form, along with a copy of the relevant reports, will be forwarded through the chain of command to the Sheriff.

The Robbery/Homicide Sergeant who receives the U-Visa package will:

- Review the contents of the investigative package. If it appears the petitioner meets the criteria for the U-Visa program, the Robbery/Homicide Sergeant will sign the I-918 Supplemental B Form.
- A current investigation, the filing of charges, and a prosecution or conviction are not required for the victim to request and obtain the I-918 Supplemental B Form certification.
- The Robbery/Homicide Sergeant may withdraw the certification only if the petitioner refuses to provide information and assistance when reasonably requested. The General Investigations Unit secretary will maintain a file for all U-Visa applications for tracking purposes.
- The General Investigations Unit clerical staff will maintain a list of approved and denied U-Visa requests and will be responsible for sending the yearly report to the Secretary of the Senate, the Chief Clerk of the Assembly, the Office of Legislative Counsel.
- The General Investigations Unit clerical staff will route the package, along with the signed (or declined) I-918 Supplemental B Form back to the petitioner advising him/her of the disposition. A copy of the signed I-918 Supplemental B Form will be maintained with the case file.

DIRECTIVE A

- The Robbery/Homicide Sergeant is responsible for completing the I-918 Supplemental B Form. Completing the I-918 is the responsibility of the petitioner.

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EFFECTIVE: June 9, 2010	REVIEWED: 06/22/2018	REVISED: 03/23/2016	UPDATED: 03/23/2016
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The Sheriff has designated the authority to sign the I-918 Supplemental B Form to the Robbery Homicide Sergeant.

- The General Investigations Unit clerical staff will file the required reports with the Legislature by submitting a printed copy to the Secretary of the Senate, an electronic copy to the Chief Clerk of the Assembly, and an electronic or printed copy to the Office of Legislative Counsel. These reports will be filed annually on or before the 1st of January.

- Reports submitted to the Secretary of the Senate should be addressed to:

Secretary of the Senate
State Capitol, Room 3044
Sacramento, CA 95814

- Reports submitted to the Chief Clerk of the Assembly should be emailed to:

dotson.wilson@asm.ca.gov
cc amy.leach@asm.ca.gov
cc agency.reports@asm.ca.gov

- Reports submitted to the Office of Legislative Counsel should be addressed to:

Office of Legislative Counsel
Indexing Division
925 L St.
Sacramento, CA 95814-3703

- Electronic copies may also be submitted to the Office of Legislative Counsel by email to:

agency.reports@lc.ca.gov

Attachments:

I-918 Supplemental B Form

I-918 Instruction sheet

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Kern County Sheriff's Office
Policies and Procedures

TITLE: EMPLOYEE SPEECH, EXPRESSION AND SOCIAL NETWORKING		NO: J-3200	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: December 13, 2010	REVIEWED: 06/22/2018	REVISED: 08/21/2012	UPDATED: 08/13/2014

POLICY

This policy is intended to address issues associated with employee use of social networking sites and to provide guidelines for the regulation and balance of employee speech and expression with the legitimate needs of the Sheriff's Office. Nothing in this policy is intended to prohibit or infringe upon any employee's communication, speech or expression which has been clearly established as protected or privileged. For example, this policy does not limit an employee from speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit about matters of public concern such as misconduct or corruption.

- This policy applies to all forms of communication including, but not limited to, film, video, print media, public or private speech, use of all Internet services, including the World Wide Web, e-mail, file transfer, remote computer access, news services, social networking, social media, instant messaging, blogs, forums, wikis, video and other file sharing sites.

Public employees occupy a trusted position in the community, and thus, their statements have the potential to contravene the policies and performance of the Sheriff's Office. Due to the nature of the work and influence associated with the law enforcement profession, it is necessary that employees of this agency be subject to certain reasonable limitations on their speech and expression. To achieve its mission and efficiently provide service to the public, the Kern County Sheriff's Office will carefully balance the individual employee's rights against the Sheriff's Office needs and interests when exercising a reasonable degree of control over its employees' speech and expression.

SAFETY

Employees should carefully consider the implications of their speech or any other form of expression when using the Internet. Speech and expression that may negatively affect the safety of Sheriff's Office employees, such as posting personal information in a public forum, can result in compromising an employee's home address or family ties. Employees should therefore not disseminate or post any information on any forum or medium that could reasonably be expected to compromise the safety of any employee, employee's family or associates.

Examples of the types of information that could reasonably be expected to compromise safety include:

- Disclosing a photograph and name or address of a deputy who is working in an undercover capacity.
- Disclosing the address of another Sheriff's Office member.
- Otherwise disclosing where another member of the Sheriff's Office can be located off-duty.

DIRECTIVE A- PROHIBITED SPEECH, EXPRESSION AND CONDUCT

In order to meet the Sheriff's Office's safety, performance and public-trust needs, the following are prohibited. The following prohibitions are not applicable to speech that is otherwise protected (for example, an employee speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit on a matter of public concern):

1. Speech or expression made pursuant to an official duty that tends to compromise or damage the mission, function, reputation or professionalism of the Sheriff's Office or its employees.
2. Speech or expression that, while not made pursuant to an official duty, is significantly linked to, or related to, the Sheriff's Office and tends to compromise or damage the mission, function, reputation or professionalism of the Sheriff's Office or its employees.
3. Speech or expression that could reasonably be foreseen as creating a negative impact on the credibility of the employee as a witness. For example, posting statements or expressions to a website that glorify or endorse dishonesty or illegal behavior.
4. Speech or expression of any form that could reasonably be foreseen as creating a negative impact on the safety of the employees of the Sheriff's Office. For example, a statement on a blog that provides specific details as to how and when prisoner transportations are made could reasonably be foreseen to jeopardize employees by informing criminals of details that could facilitate an escape or attempted escape.
5. Speech or expression that is contrary to the canons of the Law Enforcement Code of Ethics as adopted by the Sheriff's Office.
6. Disclosure, through whatever means, of any information, photograph, video or other recording obtained or accessible as a result of employment with the Sheriff's Office for financial gain, or any disclosure of such materials without the expressed authorization of the Sheriff or his designee (Penal Code § 146g).
7. Posting, transmitting or disseminating any photographs, video or audio recordings, likenesses or images of Sheriff's Office logos, emblems, uniforms, badges, patches, marked vehicles, equipment or other material that specifically identifies the Sheriff's Office on any personal or social networking or other website or web page, without the express written permission of the Sheriff or his designee.
8. Failure to take reasonable and prompt action to remove any content that is in violation of this policy and/or posted by others from any web page or website maintained by the employee (e.g., social or personal website).

J-3200-2J-3200

EFFECTIVE: August 13, 2010	REVIEWED: 06/22/2018	REVISED: 08/21/2012	UPDATED: 08/13/2014
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J-3200-3J-3200

EFFECTIVE: August 13, 2010	REVIEWED: 06/22/2018	REVISED: 08/21/2012	UPDATED: 08/13/2014
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Kern County Sheriff's Office
Policies and Procedures

TITLE: ELECTRONIC MAIL		NO: J-3300	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: July 12, 2011	REVIEWED: 06/22/2018	REVISED:	UPDATED: 06/22/2018

POLICY

This policy establishes guidelines for the proper use and application of electronic mail (email) by personnel of the Kern County Sheriff's Office. Email is a communication tool available to personnel as a tool to support open communications and enhance efficiency in the performance of job duties. It shall be utilized in accordance with law, this manual and the Kern County Electronic Communications Usage Policy as detailed in the Kern County Policy/Procedure Manual, Exhibit B.

All Sheriff's Office personnel with access to the County's email system shall receive, and sign an acknowledgment of receipt for, a copy of the Kern County Electronic Communications Usage Policy at least annually.

DIRECTIVE A – E-MAIL RIGHT OF PRIVACY

The County e-mail system is the property of the County of Kern and is intended to be used in carrying out the business of the County. As such, the County retains all personal property rights to any matter created, received or sent via the County's email system and such matter is not the property of the employees.

Sheriff's Office personnel are reminded that:

- The contents of any electronic communication may be disclosed to authorized personnel within the Sheriff's Office without the permission of the sender or recipient.
- Employees should have no expectation of privacy in any matter created, received or sent through the county's email system.
- Electronic communications are "public records" under Government Code section 6253.9, a part of the Public Records Act. The act essentially provides that even though records are in an electronic format, they may still be subject to review and inspection by the public.
- Employees should not use personal accounts to exchange email or other information related to the official business of the Sheriff's Office.

DIRECTIVE C – PROHIBITED USE OF E-MAIL

The County email system shall not be used in any manner that is in violation of law, or any County rule, policy or procedure. It shall not be used for any improper, illegal, offensive or

harassing purpose. All Sheriff's Office personnel shall adhere to the County's Electronic Communications Usage Policy. Additionally:

- E-mail messages addressed to the entire Sheriff's Office are only to be used for official, Sheriff's Office-related items that are of particular interest to all users. All such email messages must be approved by a Section Manager before dissemination. Personal advertisements are not acceptable.

J-3300-2J-3300

EFFECTIVE: July 12, 2011	REVIEWED: 06/22/2018	REVISED:	UPDATED: 06/22/2018
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Kern County Sheriff's Office
Policies and Procedures

TITLE: VEHICLE INVENTORY SEARCHES		NO: J-3400	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: May 26, 2011	REVIEWED: 06/22/2018	REVISED:	UPDATED:

POLICY

The Kern County Sheriff's Office recognizes its responsibility to those persons whose vehicle has been stored or impounded by a member of this office. As such, it is the policy of the Kern County Sheriff's Office to conduct vehicle inventory searches pursuant to current law and the provisions in this policy. A vehicle inventory is intended to protect an owner's property and protect the Kern County Sheriff's Office against claims of lost, stolen, or vandalized property.

DIRECTIVE

An inventory should be conducted only after the vehicle has come into lawful police custody. Typically, this occurs after the driver has been cited, arrested, or the vehicle has been in a traffic accident.

PROCEDURE A

- Employees of the Kern County Sheriff's Office shall inventory the contents of all vehicles stored or impounded even if nothing of value is found. Additionally, any member of the Sheriff's Office who actively participates in the inventory of the vehicle shall be noted, by name and ID number, in the "Involved Officer" section of the related report.
- If the driver, or any occupant in the vehicle, requests to take possession of an object from inside the vehicle, i.e. a purse, clothing, backpack, etc., the deputy conducting the inventory may pat the item down, or if necessary look inside the object, for weapons for officer safety purposes, before relinquishing the item.
- The inventory shall list all property contained in legally accessible areas of the vehicle's passenger compartment, glove compartment, console, trunk, and any other compartment or box which may contain property, such as a utility compartment, tool compartment, or under the seat of a motorcycle. All property located should be opened, and inventoried in the "Inventory" section of the related report.

PROCEDURE B

Contraband or evidence which is discovered during the inventory of the vehicle shall be seized and placed in Kern County Sheriff's Office Property Room in accordance with Kern County Sheriff's Office policy and procedure.

J-3400-2J-3400

EFFECTIVE: May 26, 2011	REVIEWED: 06/22/2018	REVISED:	UPDATED:
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Kern County Sheriff's Office Policies and Procedures

TITLE: ELECTRONIC MONITORING PROGRAM		NO: J-3500	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: April 12, 2012	REVIEWED: 08/12/2022	REVISED: 08/11/2022	UPDATED: 08/11/2022

MISSION STATEMENT

The Kern County Sheriff's Office is committed to operating an Electronic Monitoring Program that maintains the highest public confidence, credibility, and public safety.

POLICY

The Electronic Monitoring Program (EMP) is an alternative program to incarceration. Not all applicants are acceptable for the Electronic Monitoring Program. A thorough background investigation is completed on each applicant to assess any apparent threat to the community or likelihood of re-offending. Qualified applicants will be assigned to home detention, with monitoring and compliance accomplished by electronic monitoring technology and EMP Officers. Inmates assigned to this program will remain on an in-custody status even though they will be at home. When the inmate is sentenced or has served sentenced time the inmate will return to the EMP office for monitor removal.

GOALS AND BENEFITS

The Kern County Sheriff's Office Electronic Monitoring Program can be an effective tool in both assuring community safety and reducing jail populations. The goals and benefits of the program are:

- The opportunity to objectively balance public safety against the constitutional rights of a defendant pending trial.
- Allow program defendants to continue their education and/or employment which will enable them to support themselves and their families, maintain family ties, and participate in appropriate counseling and programming as necessary while awaiting trial and after sentencing.
- Provide the court with an opportunity to evaluate a defendant's pre-conviction supervision compliance.
- Lower the County's cost of incarcerating individuals who can be safely released and monitored in the community.

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PRETRIAL ELECTRONIC MONITORING per PC 1203.018

Penal Code section 1203.018 authorizes the Sheriff's Office, with approval from the Board of Supervisors, to operate an Electronic Monitoring Program for inmates being held in lieu of bail. In order to qualify for participation in an Electronic Monitoring Program pursuant to this section, the inmate must have no holds or outstanding warrants. Additionally, one of the following two circumstances must apply:

- The inmate has been held in custody for at least 30 calendar days from the date of arraignment pending disposition of **only** misdemeanor charges;
- The inmate has been held in custody for at least 60 days from date of the arraignment for felony charges.

The Board of Supervisors, in consultation with the Sheriff and District Attorney, may prescribe reasonable rules and regulations under which an Electronic Monitoring Program pursuant to this section may operate. As a condition of participation, the inmate shall agree to give his or her consent in writing to participate and shall agree in writing to comply with the rules and regulations of the program. The rules and regulations shall be given to every participant and made available to any participant upon request.

The Board of Supervisors and the Sheriff's Office shall review the rules and regulations annually.

A person shall be eligible for participation in the Sheriff's Office Electronic Monitoring Program if the person meets the criteria for release under this section and the person's participation is consistent with the rules and regulations prescribed by the Board of Supervisors or the administrative policy of the Sheriff's Office. There is no requirement that the Sheriff's Office allow a person to participate in the program if it appears that the person has not satisfactorily complied with reasonable rules and regulations while in custody.

The Sheriff's Office shall have sole discretionary authority to permit program participation as an alternative to physical custody. The Sheriff's Office may permit electronic monitoring participants to seek and retain employment, attend psychological counseling, educational or vocational training classes, or seek medical and dental assistance. Willful failure of the program participant to return to the designated place of detention, or unauthorized departures from the designated place of detention is punishable pursuant to PC 4532, Escape.

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Whenever the EMP Officer has reasonable cause to believe the participant is not complying with the rules or conditions of the program, or that the electronic monitoring devices are unable to function properly in the designated place of confinement, the EMP Officer may, without a warrant of arrest, retake the person into custody. All persons removed from program participation shall be notified in writing of the specific reasons for the removal. The notice of removal shall include the participant's appeal rights, as established by the program administrative policy.

Notwithstanding any other law, upon request of a local law enforcement agency with jurisdiction over the location where a participant is placed, the Sheriff's Office will provide the following information about participants:

- Name, address, date of birth, gender, and ethnicity;
- Offense(s) alleged to have been committed by the participant;
- Period of time the participant will be on electronic monitoring;
- Whether the participant successfully completed the program.

POST SENTENCING ELECTRONIC MONITORING per PC 1203.016

Penal Code section 1203.016 authorizes the Sheriff's Office, with approval from the Board of Supervisors, to operate an Electronic Monitoring Program for inmates committed to county jail. Inmates may voluntarily participate or involuntarily be placed into a home detention electronic monitoring program during their sentence in lieu of confinement in county jail or other county correctional facility.

The Board of Supervisors, in consultation with the Sheriff, may prescribe reasonable rules and regulations under which an Electronic Monitoring Program pursuant to this section may operate. As a condition of participation, the inmate shall give his or her consent in writing to participate in the program and shall in writing agree to comply, or for involuntary participation, the inmate shall be informed in writing that he or she shall comply with the rules and regulations of the program. The rules and regulations shall be given to every participant and made available to any participant upon request.

The Board of Supervisors and the Sheriff's Office shall review the rules and regulations and the program administrative policy annually.

A person shall be eligible for participation if the EMP Officer concludes the person meets the criteria for release under this section and the person's participation is consistent with the rules and

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regulations prescribed by the Board of Supervisors or the administrative policy of the Sheriff's Office. There is no requirement the Sheriff's Office allow a person to participate in the program if it appears that the person has not satisfactorily complied with reasonable rules and regulations while in custody.

The court may recommend or refer a person to the Electronic Monitoring Program for consideration for placement in the home detention program. The recommendation or referral of the court shall be given great weight in the determination of acceptance or denial.

The Sheriff's Office shall have sole discretionary authority to permit program participation as an alternative to physical custody. All persons referred or recommended by the court to participate in the electronic monitoring program pursuant to this section that are denied participation, or all persons removed from program participation, shall be notified in writing of the specific reasons for the denial or removal. The notice of denial or removal shall include the participant's appeal rights, as established by the program administrative policy.

The Sheriff's Office may permit electronic monitoring participants to seek and retain employment, attend psychological counseling, educational or vocational training classes, or seek medical and dental assistance. Willful failure of the program participant to return to the designated place of detention, or unauthorized departures from the designated place of detention is punishable pursuant to PC 4532, Escape.

Whenever the EMP Officer has reasonable cause to believe the participant is not complying with the rules or conditions of the program, or that the electronic monitoring devices are unable to function properly in the designated place of confinement, the EMP Officer may, without a warrant of arrest, retake the person into custody to complete the remainder of the sentence.

Notwithstanding any other law, upon request of a local law enforcement agency with jurisdiction over the location where a participant is placed the Sheriff's Office will provide the following information about participants:

- Name, address, and date of birth;
- Offense(s) committed by the participant.
- Period of time the participant will be on electronic monitoring;
- Whether the participant successfully completed the program.

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PROCEDURE

The Detentions Bureau Classification Unit will screen inmates who have been arraigned. Each inmate will be reviewed on an individual basis. Acceptance or denial shall not be based on gender, race, religion, disability, political beliefs, or national origin.

The Classification Officers will forward the qualified inmate an application packet. It will be the inmate's responsibility to complete and sign all required forms provided with the application and return the application to Classification Unit staff.

The completed packet will be forwarded to the EMP Office. The EMP Officers will review the application and approve or deny the applicant. Upon initial approval all adult residents of the defendant's home must be notified of the terms and conditions of the program. Upon final approval, inmates qualifying for the program will be scheduled for release as early as reasonably possible during normal operational business hours.

At the time the defendant is released to the Electronic Monitoring Program, the Classification Unit will electronically re-house the defendant in CJIS. The new housing locator for the defendant will be entered as "**SOGRFEMP**" in the facility section of the housing locator.

It will be within the court's discretion to allow time served on Pre-Sentence Electronic Monitoring to be counted as custody credits pursuant to PC 2900.5, Credit for Time Served. A waiver may or may not be deemed necessary for the defendant to sign.

Electronic Monitoring Program participants who violate the rules and conditions of this program will be returned to custody to await their trial or complete the remainder of their sentence. Once the participant has been brought to the Kern County Jail, they will be rehoused into the jail facility under their prior booking number, by making the necessary housing status change in CJIS.

Electronic Monitoring Program violators will not be considered for other programs such as Sheriff's Parole or Work Release.

ELIGIBILITY

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All inmates that have applied to and have been accepted by an in-home treatment program that is sponsored by the Kern County Community Corrections Partnership Committee are eligible for consideration into the EMP.

The exclusionary criteria for the pretrial and post sentence programs will be the same. The classification officers will consider all relevant information for determining eligibility, including but not limited to the following:

- Behavior during the application process and previous incarceration
- Current charges

Certain **mandatory** criteria will be used to exclude defendants from the EMP. (Except participants being released into home treatment programs). The exclusionary criteria are as follows:

- Any defendant with a hold, including but not limited to, immigration and state parole, violations of probation, out-of-county or out-of-state warrants.
- Any defendant that, if convicted as charged, would be statutorily ineligible for probation, pursuant to 1203(k) of the Penal Code.
- Any defendant charged with an offense listed in Section 667.5(c) of the Penal Code.
- Any charged offense in which the defendant would be required to register under Section 290 or 457.1 of the Penal Code.
- Any defendant charged with a crime where a gun was used as an instrument of the crime (Excluding 12025 and 12031 PC).
- Any defendant charged with a gang enhancement.

Upon receipt of completed application packets the EMP Officer will take the following steps to determine if the applicant is acceptable for the program:

- Ensure accuracy of paperwork
- Complete a warrant check
- Run a criminal history check
- Check the content of the pre-sentence probation report when one is available
- Request additional information if required from applicant, victim, probation, the court, Department of Justice, or other law enforcement agencies

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- Confirm the viability of the applicant’s residence
- Confirm employment or student status
- Check Parole/Probation compliance
- Determine if drug and/or alcohol testing is required
- Ensure release of liability form is signed by victim, and witnessed by officer, if participant and victim reside together
- Evaluate and analyze all information received to assess whether the applicant qualifies to participate in the program under the criteria articulated in this policy and the Penal Code.

The applicant **may** be denied participation in the program if he or she has been convicted of, or has a history of any of, but not limited to, the following:

- Crimes of violence
- Past or current weapons charge(s)
- Stalking
- History of escalation of crime(s)
- Escape risk
- Gang involvement
- Resides with victim
- Severity of past/current charges/convictions
- Risk to community and/or victim
- Prior convictions for violent felonies, as defined in subdivision (c) of Section 667.5, or a serious felony, as defined in subdivision (c) of Section 1192.7 will be given due consideration when determining if an inmate will be allowed to participate in the Electronic Monitoring Program.

In the event an applicant is denied the program by an EMP Officer, the EMP Sergeant will review the reason for denial. If the decision to uphold the denial is made, the applicant will receive a denial letter.

ELECTRONIC MONITORING

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Various forms of Electronic Monitoring Equipment are available through EMP. The form or forms of electronic monitoring devices used will be at the sole discretion of the Sheriff's Office.

Once approved for the program, EMP staff will schedule an appointment for the participant to begin the program. At that appointment the participant will be given the program rules, equipment instructions, and equipment responsibility acknowledgement.

Each participant will be issued an Electronic Monitoring Program Rule Book and will be made aware that random visits by staff to the participant's home, work, school, and treatment locations will be conducted. In addition, the participant will be advised of their obligation to attend any appointments scheduled by the EMP Officer, and any additional condition mandated by the court, Sheriff's Office, or Probation Department, such as random alcohol and/or drug testing.

It is important that each applicant discuss their participation in the program with their family members or others who may be living in the home. Random on-site visits by Sheriff's Office Staff may cause an inconvenience to the household so staff should exercise discretion when making such visits.

Each participant will have a schedule set which includes permission for time out of the place of confinement for employment, education, court ordered classes, and scheduled medical appointments. In addition to the set curfew, separate arrangements can be made for the out of the ordinary, verifiable times away from home such as court dates, emergency medical appointments, employment overtime, etc., on a case by case basis. Request for temporary schedule changes will be made by the participant at least 24 hours prior to the requested change. When approved, these changes will be entered into the computer system to preclude invalid violations. Any schedule change will be verified, in writing, by the participant, and given to the assigned EMP Officer. (i.e. doctor's note, pay stub, court documents, etc.)

Errand time may be granted for program compliance and responsible behavior. After one week on the program, up to three continuous hours per week of errand time may be earned. Errand time must be taken in a single block prior to 8:00PM. All personal appointments such as doctor, dentist, haircuts, etc., must be conducted during this block of time. Errand time will only be scheduled by the assigned EMP Officer, or in his/her absence another EMP Officer within the unit. This errand time is a privilege and may be taken away for cause.

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Kern County Sheriff's Office
Policies and Procedures

TITLE: ELECTRONIC MONITORING PROGRAM		NO: J-3500	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: April 12, 2012	REVIEWED: 08/12/2022	REVISED: 08/11/2022	UPDATED: 08/11/2022

Participants must go directly to and from their place of employment/school. They may NOT STOP to visit anyone or run errands. Any exceptions will require prior approval from the assigned EMP Officer, or in his/her absence another EMP Officer within the Unit.

If there is any change in employment such as demotion, promotion, lay off, or dismissal, the participant must immediately notify the assigned EMP Officer, or in his/her absence another EMP Officer within the unit.

Overtime work is permitted only when requested in advance and approved by the assigned EMP Officer, or in his/her absence another EMP Officer within the unit. If overtime is required, the employer must contact the EMP Office by telephone and fax follow up. The fax must be received on company letterhead, indicating the hours the participant is being requested to work. The original letter shall be signed by the participant's supervisor and must be given to the EMP Officer at the next scheduled appointment.

Participants will not have any alcohol, empty alcohol containers, alcohol collectibles, illegal drugs, non-prescribed drugs, drug paraphernalia, or weapons of any kind under their control or in their residences while on the program. Participants will not be under the influence of any alcohol or illegal drugs, and they must not be in an area where the use of alcohol, drugs, or illegal activity is taking place.

Participants are responsible for the electronic monitoring equipment assigned to them. The equipment may not be maliciously destroyed, tampered with, altered, or defaced. In addition, those that fail to return the equipment will be charged with theft.

Participants may not change residences while on the program without prior approval from the assigned EMP Officer, or in his/her absence another EMP Officer within the Unit. If approval is granted the move must occur during normal business hours and will count as the week's errand time.

EMP staff may impose restrictions on participants with regard to visitors in participants' homes.

Participants must not associate with or reside with anyone with outstanding warrants.

Participants should have and always keep with them, a photo identification such as a driver's license or identification card issued by a government agency.

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

TITLE: ELECTRONIC MONITORING PROGRAM		NO: J-3500	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: April 12, 2012	REVIEWED: 08/12/2022	REVISED: 08/11/2022	UPDATED: 08/11/2022

In the event the electronic monitoring device fails or is unable to function properly in the designated place of confinement, the assigned EMP Officer or their designee may retake the participant into custody without a warrant of arrest.

Motor vehicles will not be operated unless the participant is legally licensed to do so. Any vehicle driven by a participant must be registered and insured. Documented proof will be kept on file. No deviation from approved transportation will be allowed without prior approval.

VIOLATIONS/DISCIPLINE/REMOVAL/ESCAPE

In the event a participant violates a program rule, EMP Officers will review the violation. Depending on the severity of the violation a determination will be made as to the disciplinary action to be taken. EMP Officers may handle minor violations of the rules informally by counseling and advising the participant of expected conduct or with a temporary restriction.

Participants must not lie or falsely represent the truth to any law enforcement officer or civilian staff member.

Participants must not leave their place of confinement, whether it is their place of residence, employment, or education location without authorization from an EMP Officer. In the event the participant fails to return to his/her place of confinement without permission or their whereabouts are unknown to EMP staff, they shall be considered an escapee. EMP staff will initiate an "Escape Report" for a violation of PC 4532(b)(1), pursuant to Section 1203.016 and 1203.018 of the California Penal Code, and the EMP Officer will file a criminal complaint.

APPEAL PROCESS

Penal Code sections 1203.016 and 1203.018 require the Sheriff's Office to have an appeal process for inmates that have been terminated from the electronic monitoring program. Inmates may appeal their removal from the program by completing a grievance form. The grievance will be directed to the EMP Sergeant. The EMP Sergeant will review all pertinent information and render a decision, in writing, within 10 working days. This decision is final; there will be no further appeal.

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Kern County Sheriff's Office
Policies and Procedures

TITLE: Body Worn Cameras		NO: J-3600	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: February 5, 2015	REVIEWED: 7/13/2023	REVISED: 7/13/2023	UPDATED: 07/13/2023

PURPOSE

To establish a policy for the Kern County Sheriff's Office to use, manage, store, and retrieve data captured on body-worn cameras (BWC's).

Body Worn Camera (BWC) systems are intended to assist members of the Kern County Sheriff's Office in the performance of their duties by providing an audio and/or video record of law enforcement related encounters. BWC's are useful in documenting citizen encounters, enhancing the Sheriff's Office's ability to review probable cause for arrest(s), reviewing interactions with members of the public, and use as evidence for investigative and prosecutorial purposes.

BWC's are an effective means by which to provide an enhanced perspective related to the public's perception of law enforcement professionalism and transparency, as well as provide factual representations of interactions with the public. BWC's can improve community relations, defend Sheriff's Office personnel against false allegations, increase Sheriff's Office accountability, and enhance training and evaluation. All Sheriff's Office personnel assigned BWC's shall utilize them in accordance with the provisions of this policy.

While recordings obtained from BWC's provide an objective record of events, it is understood that video recordings do not necessarily reflect the experience or state of mind of the individuals in a given incident. Moreover, the recordings, especially video, have limitations and may depict events differently than the events recalled by the involved member. Specifically, it is understood that the BWC will capture information that may not have been heard and/or observed by the involved employee and that the involved employee may see and/or hear information that may not be captured on a recording.

DEFINITIONS

Activation: When a camera is manually switched from Ready Mode or Sleep Mode to permanently recording audio and digital media.

Deactivation: When a camera is manually switched from permanently recording audio and

digital media to ready mode.

Mute Function: Actively recording video but not the audio of the BWC.

Recording Mode: When a camera is actively recording video and audio.

Ready Mode: The camera continuously loops a video recording for up to 30 seconds before the camera is activated. While in Ready Mode, video (no audio) is being recorded.

Sleep Mode: When a camera is not actively recording or in Ready Mode, but in a condition that once the camera is activated, it begins recording from that point forward.

POLICY

BODY WORN CAMERA SYSTEM

1. BWC equipment is used by uniformed personnel and assignments designated by the Sheriff's Office. Unless otherwise authorized by the rank of Lieutenant or above, all deputies who are assigned a BWC shall wear the device when working in any assignment where BWC's are deployed and will activate the BWC as provided in this policy. Deputies shall keep their BWC's in Ready Mode for their entire shift, except for those situations listed in the exceptions within this policy.
2. Deputies equipped with a BWC will be trained in the operation of the equipment and the proper storage of video evidence prior to its use. The Training Section will maintain a comprehensive training program required for all new users. Deputies will use the BWC equipment in accordance with the Sheriff's Office training and the BWC manufacturer's operations manual.
3. Deputies shall use the approved and provided mounting hardware to position the BWC on the upper chest area of their uniform, attached to the outermost layer of clothing, and positioned forward-facing to facilitate an unobstructed field of view. Investigations personnel will wear the BWC on the support side of their belt. The BWC may be repositioned for additional uses as follows:
 - a. While conducting interviews, deputies may position their BWC in order to best capture the subject of the interview.
 - b. Deputies may reposition or mount their BWC to a static position in order to best capture a critical incident or for tactical reasons. This may include, repositioning if the camera view is obstructed or if a static position would allow for overall perspective of the incident.

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4. While transporting prisoners, deputies may place the BWC in a position which best captures the rear compartment of the vehicle.
5. Deputies are responsible for the reasonable care, proper functioning, and maintenance of the BWC consistent with the training they received.
 - a. Prior to going into service, deputies shall inspect the BWC to ensure it is charged and perform a function check consistent with the training they received for use of the BWC.
 - b. Conducted Electrical Weapon (X26P or T7) will only activate the user's assigned BWC. Users should conduct a spark test of their CEW before turning on their BWC.
6. Deputies will immediately notify a supervisor if the BWC is not functioning properly and when practical, a replacement will be issued.
 - a. A deputy will be assigned a spare BWC by their supervisor.
 - b. The supervisor will assign the BWC to the deputy in Evidence.com before the deputy is allowed to deploy the camera.
 - c. The deputy will return the BWC to the Property Room and will notify staff why the BWC is not functioning properly
 - d. The Property Room will Return the BWC to the company for repairs and issue the deputy a new BWC. The Deputy will then return the spare BWC to the proper dock.
7. If a BWC is lost or damaged, the deputy shall document the incident in the appropriate report.
8. Deputies shall not:
 - a. Attempt to override or bypass the BWC equipment.
 - b. Erase, alter, or delete any recording produced by the BWC.
 - c. Carry, mount, or otherwise utilize a private-owned BWC without the express permission of the Sheriff or his designee.
9. Deputies shall be properly trained in the use of the BWC and associated software programs prior to the deployment of a BWC.
10. Deputies shall not substitute BWC footage in place of photographs.
11. Deputies will not activate their BWC's inside a courthouse or areas designated for jury assembly or use; in accordance with California Rules of Court, Rule 1.150 and County of Kern Superior Court Standing Order No.STO-19-005: Use of Recording and Photography Devices in Courthouse Facilities.
 - a. This restriction does not apply to deputies responding to critical incidents, such as an active shooter or riots, at courthouses.

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12. Absent exigent circumstances, deputies are not allowed to use their own personal electronic devices for documentation purposes in place of their issued BWC.

WHEN ACTIVATION OF BWC SYSTEM IS REQUIRED

A. Law Enforcement Bureau Personnel

1. This section is not intended to describe every possible situation where the BWC may be used. As soon as practical and safe, deputies shall make all reasonable efforts to activate their BWC's at the time they are dispatched to all calls for service and during all law enforcement related encounters that occur while on duty. (For deputies with an extended response time, the deputy shall activate their camera no-less than three miles from the call for service, unless other factors are present which dictate the need for earlier BWC activation). Deputies shall keep their BWC's activated for the entirety of the call for service. Deputies assigned BWC's shall activate the BWC in the following situations, when practical and safe to do so:
- a. All dispatched calls for service
 - b. All traffic stops.
 - c. All enforcement and investigative contacts (consensual, detention, or arrest), including reports taken over the telephone.
 - d. All self-initiated activities (e.g., patrol checks)
 - e. When serving all search or arrest warrants.
 - f. All Code 3 driving and/or responses.
 - g. When conducting the following: searches of one's person, property, or residence (incident to arrest, cursory, probable cause, probation/parole, consent, vehicle).
 - h. All vehicle pursuits.
 - i. Any foot pursuit.
 - j. All K-9 deployments or searches.
 - k. Crowd control situations.
 - l. All incidents involving use of force.
 - m. Witness and victim interviews.
 - n. Suspect interviews/interrogations.
 - o. While serving all civil processes.
 - p. All inmate/prisoner transports [exception for Detentions Bureau Transportation Unit noted in the Detentions Bureau section of this policy].
 - q. Any contact that becomes adversarial after the initial contact, in a situation that would not otherwise require recording.

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- r. Anytime a deputy believes audio and/or video evidence would be of use.
 - s. At the direction of a supervisor.
 - t. The BWC will be activated when conducting photo-line ups pursuant to PC 859.7.
2. Deputies should make audio/video recordings of any event where the deputy reasonably suspects that an audio/video record could have value as evidence, limit liability, or resolve civilian complaints.
 3. Watch Lieutenants and Commanders are often times “dispatched” to calls for service for informational purposes only. They will only be expected to activate their BWC in the event they are responding to a call for service or as otherwise indicated above.

B. Detentions Bureau Personnel

1. This section is not intended to describe every possible situation where the BWC may be used. Deputies working inside a jail facility shall activate their BWC while performing the following duties:
 - a. Processing a new arrestee when it is believed or apparent the arrestee is uncooperative.
 - b. All incidents involving use of force.
 - c. Searches of a cell, dormitory housing, or holding area.
 - d. Searches of visitors and vehicles.
 - e. During the on-loading and off-loading of Transportation vehicles.
 - f. During transport of inmates to and from medical treatment by a solo Deputy.
 - g. Cell extractions.
 - h. Placing inmates into special housing locations and/or the restraint chair (i.e., sobering, safety, suicide watch).
 - i. Forced dress out
 - j. Any contact that becomes adversarial and/or where the deputy believes video record would be of use
 - k. Witness and victim interviews.
 - l. Suspect interviews/interrogations.
 - m. Any movement of a High-Risk Inmate classified with an orange band.
 - n. Response to “code yellow” or “code red” situations until the situation reaches conclusion.
 - o. The BWC will be activated when conducting photo-line ups pursuant to PC 859.7.
 - p. Any law enforcement action or involvement outside the facility.
2. Deputies shall not record inmates while conducting strip searches, conducting a

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classification or medical interview, or during the inmates' use of a toilet or shower, unless, the circumstances which dictate the need for BWC activation are present, such as the inmate becoming uncooperative or resistive, or the deputy's believes an allegation of misconduct could arise from the contact.

3. Deputies should make audio/video recordings of any event where the deputy reasonably suspects that an audio/video record could have value as evidence, limit liability, or resolve civilian complaints.

C. Investigations Bureau Personnel

1. This section is not intended to describe every possible situation where the BWC may be used. Investigations Bureau personnel will use their BWC to assist with their overall investigations. This section will not apply to undercover personnel assigned to or working in the Investigations Bureau.
 - a. The BWC will be used in conjunction with the requirements of the Law Enforcement Bureau section with the exception of activation at the time of dispatch, unless dispatched to a call unrelated to detective duties.
 - b. The requirements and exceptions for activation and recording will apply during in-person interviews. Any dispatched or self-initiated follow-up investigation as well as any planned operations.
 - c. Due to crime scenes being documented by photographs and the physical evidence seized, Investigations Bureau personnel assigned to process crime scenes will not be required to activate their cameras, unless in direct contact with the public, required by their supervisor, or if needed in the collection of evidence.
 - d. The BWC will be activated when conducting photo-line ups pursuant to PC 859.7.

SPECIALIZED UNIT ACTIVATION

BWC's will be issued to all members of the Special Weapons and Tactic Teams (SWAT), Crisis Negotiations Team (CNT), and Bomb Squad that are not already assigned a BWC. Each member shall carry the camera while deployed on a callout or scheduled operation.

1. This section is not intended to describe every possible situation where the BWC may be used by a Specialized Unit. As soon as practical and safe, deputies shall make all reasonable efforts to activate their BWC's at the following situations, when practical and safe to do so:
 - a. During an arrest of any subject involved in the incident.

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- b. Any action by the team that might provoke a response by the subject.
 - c. Any entry into a location where the subject involved might be located.
 - d. While responding to the callout
 - e. At the order of the SWAT Commander
2. Deputies may reposition or mount their BWC to a static position in order to best capture a critical incident or for tactical reasons. This may include, repositioning if the camera view is obstructed or if a static position would allow for overall perspective of the incident.
3. Specialized Units may mute or deactivate their BWC for the following reasons only:
- a. During briefings of the incident
 - b. During tactical planning of the incident
 - c. While moving into fixed position if the action is not expected to provoke a reaction from the involved subject.
 - d. When Specialized Unit members are being debriefed by relieving personnel, and operation tactics are being discussed.
 - e. When deemed unsafe by the Bomb Squad Personnel when approaching a suspicious device or rendering the device safe.
 - f. At the order of the SWAT Commander or Bomb Commander.

COMPUTER AIDED DISPATCH ACTIVATION

- 1. As a failsafe measure, the BWC system has the ability to activate the camera based on a status change in the Computer Aided Dispatch system (CAD). It will still be the responsibility of the user to activate the camera per this policy. In the event the user does not activate thier BWC, the system will start the recording when the unit’s CAD status changes to Arrive. When activated an audible signal will sound unless the user placed the device in silent mode.

DOCUMENTATION REQUIRED FOR FAILING TO ACTIVATE A BWC OR RECORDING THE DURATION OF AN INCIDENT

- 1. As in all enforcement and investigative activities, the safety of the deputies and members of the public is the highest priority. There may be instances where it is unsafe, impractical,

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or unreasonable for a deputy to activate their BWC before taking enforcement action. If a deputy is unable to activate their BWC prior to initiating any of the required activities, the deputy shall activate the BWC as soon as it is practical and safe to do so.

2. If a deputy is unable to activate or fails to activate the BWC prior to a required situation, fails to record the entire situation, fails to unmute the audio, or interrupts the recording for any reason, the deputy shall document the reason for such actions in a LERMS or JMS incident report or if a report is not written, in the comments field of the incident located in the Computer Aided Dispatch (CAD) System.

ADVISEMENT AND CONSENT:

Deputies are not required to advise or obtain consent from a person(s) to record or utilize the BWC when they are in a public place or at a location where the deputy is lawfully present.

SURREPTITIOUS RECORDINGS

During any lawful investigation and within the normal scope of duties, no member of the Sheriff's Office will intentionally secretly record with a BWC any confidential communication as defined by Penal Code 632. Prohibited recordings would include other members of the Sheriff's Office, other law enforcement agencies, or the public, except as provided for in Penal Code 632 and 633.5.

VICTIM AND WITNESS STATEMENTS

During an investigation, deputies shall attempt to record the crime victim and/or witness statements with the BWC. If the witness or victim refuses to provide a statement on camera, the option of an audio or written statement may be used. Deputies may still accomplish an audio recording of the statement by angling the camera away from the victim or witness or using an audio recorder.

CIVILIAN COMPLAINT STATEMENTS

If the supervisor uses their BWC to record a civilian complaint, the supervisor must categorize the video as a complaint. Further, any administrative interviews require consent prior to recording per Penal Code 633.5.

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WHEN THE MUTE FUNCTION OF THE BWC IS AUTHORIZED

1. Once activated, the BWC shall remain activated and in recording mode, with audio, for the entirety of the call for service. When the deputy clears the call for service they may stop recording and return their BWC to Ready Mode. If the enforcement contact resumes, the deputy shall re-activate the BWC and continue in Recording Mode.
2. Deputies may mute their BWC for administrative reasons only. Deputies will do the following:
 - a. While in the recording mode (activated), state the reason for the muting of audio prior to the deactivation of the audio; and
 - b. Unmute the BWC once the purpose for muting has concluded.
3. For the purpose of this policy section, “administrative reasons” includes;
 - a. Discussion of tactics related to an incident.
 - b. Training related discussions between the trainee and training officer.
 - c. Any reason a supervisor may authorize. Prior to muting the audio of the BWC, the deputy will identify the authorizing supervisor.

WHEN SLEEP MODE IS AUTHORIZED

Deputies may place their BWC’s in Sleep Mode when involved in a non-work-related activity (i.e., using the restroom or when using a telephone for personal reasons). Deputies should conduct personal phone calls between calls for service.

Deputies are authorized to place their BWC in Sleep Mode while they are performing administrative duties within their assigned workstation and not in view of or in areas accessible by the public (i.e., briefing, writing reports, Code-7, recharging their BWC and other actions not meeting the requirements for a BWC Activation or Ready Mode).

Deputies shall place their BWC’s back in Ready Mode when these activities are concluded.

WHEN ACTIVATION OF THE BWC IS PROHIBITED

Deputies will not use the BWC in the following circumstances:

1. BWC’s shall not be used to record non-work-related personal activity.
2. A potential witness who requests to speak to a deputy confidentially or desires anonymity.
3. A victim or witness requests that he or she not be recorded as a condition of cooperation and the interests of justice require such cooperation.
4. During tactical briefings, or the discussion of safety and security procedures.
5. Public or private locker rooms, changing rooms, and restrooms, unless taking enforcement action.

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6. Doctor's or lawyer's offices, unless taking enforcement action.
7. Medical or hospital facilities, unless taking enforcement action.
8. At a school, where minor children are present, unless taking enforcement action.
9. During Sheriff's Office or supervisory meetings.
10. Situations where recording would risk the safety of a confidential informant, citizen informant, or undercover personnel.
11. Any incident a deputy believes the recording would interfere with their ability to conduct an investigation, or may be inappropriate, because of the victim or witness's physical condition, emotional state, age, or other sensitive circumstances (e.g., a victim of rape, incest, or other form of sexual assault).

LIVE STREAM FUNCTION

The Sheriff's Office recognizes the importance of being able to Live Stream critical incidents to help with the response and deployment of personnel on a call for service. BWC's have the ability to stream live footage via a desktop application or a mobile device. Supervisors can only Live Stream an event if the deputy is actively recording. Live Stream access will be limited to the rank of Sergeant or higher and Dispatcher Supervisors.

Supervisors may use Live Stream under the following circumstances:

1. Supervisors shall consider battery life and type of call before activating the Live Stream function on a BWC, since the operation can affect the device's battery life.
2. The on-duty dispatch supervisor will only use the function for confirming a deputy's status if they fail to respond to the radio traffic to confirm they do not need assistance or at the direction of the Watch Lieutenant.
3. Supervisors shall only activate Live Stream on a critical incident, Priority 1 call for service, or to confirm a deputy's status when not answering radio traffic.
4. To eliminate the distractions to the deputy from the BWC, anyone activating the Live Stream function will notify the deputy over the radio that the function will be activated.
 - a. The radio code 10-25 will be used to notify the deputy that a supervisor will start the Live Stream function on his camera.
 - b. Once the supervisor has completed the Live Stream, he will use the radio code 10-25A to notify the deputy. The BWC will give the deputy no indication that the supervisor has stopped the Live Stream and will continue to function normally.
5. Supervisors will not use the function for routine calls for service or to harass an employee.

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DOCUMENTATION AND STORAGE

1. Required Classification of BWC Recordings

- a. For each incident recorded on a BWC, deputies shall ensure incident recordings have the event type and other information using the BWC equipment and software that best describes the content of the video (i.e., arrest, traffic stop, report). Each incident captured on the BWC shall be tagged with the corresponding incident/case number. BWC recordings; however, are not a replacement for written reports or other required documentation. This shall be completed within one week of the video's recording.
 - i. The system is programmed to auto-tag the BWC video, to the units call for service. This process will only occur after the camera is docked and the videos have been uploaded to the storage database. If the deputy chooses to use the auto-tagging feature, no manual entries should be made on the video prior to docking. It is the responsibility of each deputy to confirm all the videos were properly auto-tagged by the system within one week of uploading.
- b. Deputies shall ensure their BWC is docked and downloading by the completion of their shift.
 - i. If a deputy is scheduled to work an overtime shift on a Regular Day Off, and they are not issued a second BWC, they may take a BWC home to avoid the necessity to respond to a Sheriff's Office facility to retrieve a BWC. The BWC shall be fully charged prior to the beginning of the scheduled overtime shift.
- c. Unless involved in a use of force, an arrest, or directed by a supervisor, deputies that were authorized to use their BWC while working overtime or away from their primary assignment are permitted to download and classify their recordings during their next regularly scheduled workday.
- d. Incidents captured on BWC within a jail facility may or may not be associated with an incident/case number. For this reason, the following will apply:
 - i. For footage that will require a crime/incident report, you will use the incident/case number in the ID heading and the appropriate Category will be selected. The TITLE will be optional, but is recommended and should reflect the call type.
 - ii. For footage that only requires a CJIS report you will type CJIS followed by the CJIS report number in the ID heading (SO23-XXXXX) and the appropriate Category will be selected. The TITLE will be optional, but is recommended and should be labeled as "CJIS Incident"
 - iii. For footage that does not require a crime/incident report or CJIS report, the ID heading will be labeled with "JAIL" and the facility name where the incident occurred, the Inmates name, Booking number, or the activity that occurred (e.g. AM Loading, KM Transport). The appropriate Category will be selected and the TITLE will be optional but it is recommended you provide the type of incident for the recording (e.g. PC 415, cell search, or transport).

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- iv. All incidents captured on BWC within the jail will be categorized appropriately. For those that do not fit within a criminal categorization, the “Jail Incident” category will be used.
2. Non -BWC Digital Evidence
 - a. Only evidence will be uploaded to the BWC storage system.
 - b. Non -BWC evidence can be uploaded into the BWC storage system. This includes but is not limited to, crime scene photographs, audio recordings, non -BWC videos from third-parties, and other forms of digital media.
 - c. Each incident uploaded within the system shall be tagged with the corresponding incident/case number. Each entry should contain the Case Number for the “ID” and “Category” that matches the BWC footage for the case.
 - i. The title does not need to be changed for non -BWC evidence, but the title should represent the evidence being uploaded. These entries, however, are not a replacement for written reports or other required documentation.
 3. Deputies are required to document any portion of an incident captured on the BWC system under the heading “Physical Evidence” in all investigative/supplemental reports. If a citation is issued, a notation will be placed on the back of the Deputy’s copy indicating the incident was recorded.
 4. BWC recordings may be reviewed by the deputy that captured the video evidence pursuant to DPPM J-3650.

RETENTION OF BWC RECORDINGS

BWC 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 25 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 potential litigation that could involve particular BWC 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.

SUPERVISOR RESPONSIBILITIES

1. Sergeants may conduct reviews of deputy’s BWC recordings pursuant to DPPM J-3650.
2. In the event of an officer involved shooting, use-of-force involving significant injury or death, or pursuit involving great bodily injury or death, supervisors shall take possession

EFFECTIVE: February 5, 2015	REVIEWED: 7/13/2023	REVISED: 7/13/2023	UPDATED: 7/13/2023
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of the BWC of the involved deputy/deputies after the safety briefing and before the deputies are removed from the scene. The supervisor or his designee will dock the BWC or perform a priority upload from the BWC, in the field, if there is appropriate cell service. The chain of evidence shall be documented according to established policy and procedures. Supervisors will ensure data relating to these critical incidents are downloaded as soon as possible following the incident.

REVIEW OF BODY WORN CAMERA POLICY

The Sheriff’s Office will continually review this policy to maintain effectiveness and adherence to local, State, and Federal laws, pursuant to Sheriff’s Office Policy and Procedures Section A-0200.

EFFECTIVE: February 5, 2015	REVIEWED: 7/13/2023	REVISED: 7/13/2023	UPDATED: 7/13/2023
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Kern County Sheriff's Office
Policies and Procedures

TITLE: Body Worn Camera Review		NO: J-3650	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: July 1, 2021	REVIEWED: 07/27/2022	REVISED: 07/27/2022	UPDATED: 07/27/2022

PURPOSE

To establish a policy for the Kern County Sheriff’s Office to review, redact, audit, and produce data captured on body-worn cameras (BWCs). Transparency is paramount to advancing public trust and the core intent of this policy is to ensure events are recorded and law enforcement services are delivered in a professional manner consistent with training, policy, and law. The ability of the Sheriff’s Office to monitor compliance with policies or correct performance issues is essential in fostering employee accountability, improving safety, justifying appropriate employee actions, reducing liability, and preserving evidence for the purposes of criminal investigations.

The primary purpose of reviewing BWC footage will be to identify training deficiencies and to improve performance. Such reviews will also be utilized to ensure members are representing the values of the Sheriff’s Office through adherence to existing policies and procedures.

The Sheriff’s Office will continually review this policy to maintain effectiveness and adherence to local, State, and Federal laws, pursuant to Sheriff’s Office Policy and Procedures Section A-0200.

POLICY

REVIEW OF BWC RECORDINGS

1. Review of recordings is permitted for the following purposes:
 - a. By the deputy to make sure the BWC is working properly.
 - b. A deputy may review their own BWC recording(s) to assist with writing an investigative/supplemental report, memorandum, or prior to making a statement about the incident.
 - c. Prior to courtroom testimony.
 - d. By authorized persons to review evidence.
 - e. In the event of an officer involved shooting, use-of-force involving significant injury or death, or pursuit involving great bodily injury or death, the involved deputy shall have the option to review his or her BWC recording prior to being interviewed but through facilitation by detectives. A deputy shall not review his or

her BWC recording until such facilitation by detectives occurs. A deputy may have an employee representative present during the review of the BWC recording without detectives or supervisors present.

- f. In the event a deputy is involved in an officer involved shooting, use-of-force involving significant injury or death, or pursuit involving great bodily injury or death and they are not equipped with a BWC, their BWC is not activated during the incident, or their BWC recording is obstructed, that deputy may be permitted to view other available BWC footage if such viewing is deemed reasonable and appropriate by detectives.
 - g. To prepare for an Internal Affairs Unit investigation, to include reviewing the data with their representative, outside the presence of any supervisor or investigator.
 - h. By authorized Sheriff's Office personnel participating in an official investigation such as a personnel complaint, administrative inquiry, or criminal investigation.
 - i. For other reasons not specified, with permission of the Sheriff or designee.
2. By personnel assigned to the Body Worn Camera Unit in the performance of their duties as outlined in this policy.
 3. Field Training Officers and Detentions Training Officers and their supervisors may view BWC recordings to evaluate the performance of their trainees.
 4. Recordings may be used to provide formal training opportunities with notification made to the involved deputy prior to the training. If the involved Sheriff's Office personnel object to the use of the recording for training, they may submit a written request through their respective chain of command to contest the use of the recording. The commander will review the objection and determine if the objection outweighs the training value.
 5. In no event shall any recording be used or shown with the intent to ridicule or embarrass any employee or any member of the public.
 6. Employees shall not obtain, attempt to obtain, record, or convert for their personal use or for the unauthorized use of another person, any information obtained by the BWC system.

COPIES OF BWC SYSTEM RECORDINGS

1. Copies of a BWC recording will be used for official Kern County Sheriff's Office business only.
2. Only authorized employees may duplicate/copy video or audio files and only for legitimate law enforcement purposes.
 - a. Legitimate law enforcement purposes include; court testimony, for the court for evidentiary purposes or for investigative files.
3. Unauthorized duplication, copying, or distribution is expressly prohibited, and personnel who do so may be subject to disciplinary action. BWC recordings shall be safeguarded similar to other forms of evidence. All copies made and not booked into the Sheriff's

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Office Property Room/or used for administrative purposes will be marked for destruction in accordance with current County and Sheriff’s Office destruction policies. It is the responsibility of the person receiving the copy to comply with records retention as outlined in policy.

4. Employees shall not copy any recordings for any personal use or upload to any internet website or social networking sites without the express written authorization of the Sheriff.
 - a. Personal use includes making copies of video for court purposes. A deputy will not make a copy of video footage for the District Attorney’s Office or Defense Attorney.
 - i. There is a standardized procedure for requesting copies of video footage through the BWC Unit.

SUPERVISOR REVIEW

1. Supervisors may review BWC recordings for the following purposes:
 - a. For the purpose of investigating a specific act of employee conduct.
 - b. When completing a use-of-force review.
 - c. When BWC recordings are submitted with any report.
 - d. To conduct reviews of their deputies’ BWC recordings to ensure they are complying with DPPM J-3600 and this policy.
 - e. For the purpose of reviewing tactics and training to identify formal training opportunities, as outlined in Section 4 of the ‘Review of BWC Recordings’ section of this policy.

BODY-WORN CAMERA UNIT

The body-worn camera (BWC) unit will be responsible for reviewing footage beyond a supervisory review. Such reviews are for the purpose of increasing transparency, improving oversight and accountability, and enhancing support for deputies through policy revisions, training, and supervision. These reviews will be for the following reasons:

1. To identify exceptional performance and customer service
2. To ensure compliance with Sheriff’s Office policy and procedures.
3. To complete redactions and to provide recordings in compliance with this policy
4. To ensure a high level of professionalism between department members and the public
5. To identify training deficiencies or commend employees who demonstrate exceptional skill in employing CIT and/or De-Escalation Training.
6. To identify and address policy violations (Any discovery of policy violations will be addressed as provided in DPPM D-200 or DPPM D-300.)

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REQUESTS FOR BWC RECORDINGS

Pursuant to Government Code 6254 (California Public Records Act) in general, BWC video is considered a “law enforcement investigatory file” and does not require full disclosure to the public. Media requests will be processed through the Public Information Officer (PIO). BWC video that is subject to disclosure shall be edited and redacted, when necessary, in order to protect the privacy of people and places depicted in the video. Such editing, redaction, and release will be done by those authorized by the Sheriff or his designee.

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Kern County Sheriff's Office
Policies and Procedures

TITLE: Off-Duty Storage of County Equipment		NO: J-3700	
APPROVED: Donny Youngblood, Sheriff-Coroner			
REFERENCE: DPPM Section G, DPPM Section K-100, Penal Code 25140			
EFFECTIVE: June 10, 2020	REVIEWED: July 28, 2020	REVISED: July 28, 2020	UPDATED: July 28, 2020

POLICY

The Sheriff's Office recognizes the importance of maintaining the security of weapons and other sensitive law enforcement equipment issued to staff. An essential element of maintaining such security is the need to ensure that unauthorized persons cannot gain access to weapons or other specific to law enforcement issued equipment.

This policy is intended to enhance the safety and security of the community by denying unauthorized persons access to items that could pose a threat or security risk to law enforcement and the general public.

This policy shall apply to all staff assigned to the Sheriff's Office that are issued such equipment.

DIRECTIVE #1

While off duty, all employees shall store County owned equipment in a safe manner, secure from theft, use or access by unauthorized persons, as prescribed in this section.

DIRECTIVE #2

All employees who are issued firearms (handguns, shotguns, tactical rifles, less-lethal launchers, etc.) or those employees who are authorized to carry personally owned firearms shall ensure that firearms stored **in any Sheriff's Office vehicles** are secured in a locked gun rack, trunk or lockable trunk vault .

No County owned firearms will be left unattended in the cab or passenger compartment of any personal vehicle, unless they are secured in a lockable compartment (pursuant to Penal Code Section 25140). Additionally, County owned firearms shall not be left in a personal vehicle overnight or for any extended period of time.

Employees will NOT leave firearms locked in their Sheriff's Office vehicles if:

- The employee is on vacation and leaves the vehicle at their duty station;
- The employee is not authorized to participate in the PPV Program and leaves their vehicle parked at their assigned duty location or other secured authorized location;
- The vehicle is left for any other reason for an extended period of time.
- The vehicle is being serviced or repaired.

Under the above-mentioned conditions, the employee will secure their firearms inside their duty station's armory or their residence in a safe and secure manner. All elements of DPPM Sections G-900 and G-1000 apply.

DIRECTIVE #3

Sheriff's Office issued equipment shall not be left unattended in the cab or passenger compartment of any personal vehicle, unless they are secured in a lockable compartment.

The following equipment shall not be left in a vehicle overnight or for any extended period of time:

- Electronic control weapons (Taser), & Taser cartridges
- Handheld radios (HT)
- Electronic devices (tablets, laptops, cell phones, etc.). (Mobile Data Computers must be in the locked position on the docking station).
- Sheriff's Office badge
- Keys and access cards to County facilities

DIRECTIVE #4

All employees shall secure their Sheriff's Office identification card on their person or in their home while off duty. If the identification card is to be left unattended anywhere within a vehicle, it shall be secured in a lockable compartment.

PROCEDURE A

If at any time a Sheriff's Office employee's home or vehicle is burglarized, or they otherwise discover a theft has occurred, and a County owned **firearm or radio** is taken, the employee shall:

- Immediately contact the Communications Center and report the incident;

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EFFECTIVE: June 10, 2020	REVIEWED: July 28, 2020	REVISED: July 28, 2020	UPDATED: July 28, 2020
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The Communications Center shall:

- If a county owned **firearm or radio** is stolen within the boundaries of Kern County, the Communications Center will notify the on-duty Watch Lieutenant.
- The on-duty Watch Lieutenant will contact the on-call Detective supervisor.
- A Detective call-out will be initiated.
- The level of response of investigative personnel will be determined by the on-call Detective supervisor.

*Within the boundaries of Kern County, the Sheriff's Office will investigate all thefts of County property.

PROCEDURE B

If any other County owned equipment is lost or stolen, the employee the equipment is assigned to shall:

- Report the loss to the on-duty Watch Lieutenant immediately by contacting the Communications Center;
- Complete a numbered incident report setting forth the details;
- If stolen in another agency's jurisdiction (outside of Kern County), notify the agency of jurisdiction and have a crime report taken in addition;
- Obtain that agency's case number;

PROCEDURE C

If the employee reporting the loss or theft of county owned equipment is non-sworn, the on-duty Watch Lieutenant shall ensure an incident report is taken.

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EFFECTIVE: June 10, 2020	REVIEWED: July 28, 2020	REVISED: July 28, 2020	UPDATED: July 28, 2020
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Kern County Sheriff-Coroner-Public Administrator CLEAR LPR AND LEARN DATA Program User Agreement:

I acknowledge that I have received, read, and understand the KCSO Policy and Procedures (J – XXXX) for the Use of Clear License Plate Reader (LPR) and Law Enforcement Archival Reporting Network (LEARN) Data Program and agree to comply with its provisions. I agree to use CLEAR LPR technology, LEARN, and any information derived therefrom, only for official and legitimate law enforcement purposes. I understand that any misuse by me of CLEAR LPR technology, LEARN, or information derived therefrom may result in denial of access and referral of the matter to my parent agency, which may result in criminal action or administrative discipline.

Name (Print): _____

Signature: _____

Date: _____



Kern County Sheriff's Office

Policies and Procedures

TITLE: USE OF CLEAR LICENSE PLATE READER (LPR) AND LEARN DATA		NO: J-3800	
APPROVED: Donny Youngblood, Sheriff-Coroner			
REFERENCE: KCSOPPM Section J-1610, Civil Code 1798.90.5, Civil Code 1798.90.51, Civil Code 1798.90.52, Civil Code 1798.90.53, Civil Code 1798.90.55			
EFFECTIVE: March 3, 2020	REVIEWED: 03/03/2020	REVISED: 03/03/2020	UPDATED: 03/03/2020

POLICY

The purpose of this policy is to provide guidance for the use of digital data obtained through the use of CLEAR License Plate Reader (LPR) and Law Enforcement Archival Reporting Network (LEARN) technology (Civil Code § 1798.90.53).

The use of CLEAR LPR and LEARN technology is for official law enforcement purposes with the goal of increasing the efficiency and effectiveness of its public safety efforts in a manner that safeguards the legitimate privacy concerns of law abiding citizens. Designated personnel may use the CLEAR LPR and LEARN systems for official use only and any matches received must be verified before enforcement action is taken.

All users of the systems outlined in this policy will also abide by Kern County Sheriff's Office PPM J-1610, as it relates to this system.

DEFINITIONS

ALPR (Automated License Plate Reader): A system utilizing cameras and computer hardware and software to capture digital images of vehicle license plates and other alpha numeric identifiers. ALPRs may be stationary or mounted on vehicles. The Kern County Sheriff's Office does not deploy ALPRs.

LEARN (Law Enforcement Archival Reporting Network): The proprietary web-based interface developed by Vigilant Solutions. LEARN provides the ability to query ALPR data obtained from commercial and other law enforcement sources, input records, and organize/utilize/monitor surveillance data.

CLEAR LPR Administrator: The financial administrator is responsible for monitoring access for CLEAR LPR access only. CLEAR LPR only includes images obtained from public cameras. CLEAR LPR has restricted access for users. The CLEAR LPR Administrator does not have access or monitor

LEARN Applications.

LEARN Administrator: The Investigations Division Commander or his/her designee is responsible for monitoring and maintaining user access to the LEARN system. LEARN requires a more restrictive access criteria.

LEARN User: A person, typically a law enforcement officer or intelligence analyst, assigned to an investigation and who has been granted access to LEARN.

Detection: The term used in LEARN to describe the record created when an ALPR captures a license plate number or other relevant alpha numeric identifier. The detection may include a color image of the vehicle, an infrared image of the license plate, the license plate as read and interpreted by the system, a time/date stamp, GPS coordinates, and information identifying the ALPR making the capture.

Hot Plate: The term used in LEARN to describe a record of a license plate that is of interest to law enforcement. Hot Plates are entered manually by LEARN users.

Hot List: A list of vehicle license plates that are of interest to law enforcement compiled by individual agencies or entities, which may be shared between agencies through LEARN by mutual agreement. Such license plates are typically associated with wanted or missing persons, stolen vehicles, protective orders, suspected terrorist activity, or other serious criminal activity.

Hit: Notification to a LEARN user that a Hot Plate or a license plate on a Hot List has been the subject of a detection by an ALPR.

ADMINISTRATION

CLEAR LPR and LEARN are two separate systems with two separate administrators.

1. CLEAR is a web-based system that serves as an investigative tool to locate people, businesses, assets, affiliations, etc. The LPR component is added to the CLEAR system and incorporates license plate information obtained from *commercial cameras only*.
 - The Public Administrator serves as the financial administrator for CLEAR LPR. The CLEAR LPR Administrator is responsible for providing CLEAR LPR access to KCSO personnel upon a request made by the employee's supervisor.
 - The primary users of CLEAR LPR are the Public Administrator, Coroner, Detectives, and Deputies. CLEAR LPR may be assigned to others as needed.

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- The CLEAR LPR Administrator shall conduct audits of authorized users of the CLEAR LPR system upon the request of the authorized user’s supervisor.
2. LEARN is a proprietary web-based interface developed by Vigilant Solutions to query data that engages in surveillance methodology that uses cameras and optical character recognition software to collect, organize, interpret, store and share license plate and other visual images. Law enforcement agencies use this technology to record movement and locations of vehicles and individuals for intelligence and investigative purposes.

LEARN has a separate administrator from CLEAR LPR and more restrictive uses and definitions. The Investigations Division Commander or his/her designee serves as the LEARN Administrator. The LEARN Administrator shall be responsible for developing guidelines and procedures to comply with the requirements of Civil Code § 1798.90.5 et seq. This includes but is not limited to (Civil Code § 1798.90.51; Civil Code § 1798.90.53):

- (a) A description of the job title or other designation of the members and independent contractors who are authorized to use or access the LEARN system.
- (b) Training requirements for authorized users.
- (c) A description of how the LEARN system will be monitored to ensure the security of the information and compliance with applicable privacy laws.
- (d) Procedures for system operators to maintain records of access in compliance with Civil Code § 1798.90.52.
- (e) Ensuring this policy and related procedures are conspicuously posted on the Sheriff’s Office website.

The LEARN Administrator shall conduct periodic account audits of authorized users of the LEARN system and ensure access to the database is restricted to only those personnel demonstrating a continuing need for it. The LEARN Administrator shall respond to sharing requests and manage sharing data.

DIRECTIVE A- PARAMETERS OF USE

The CLEAR LPR and the LEARN systems shall be used only by authorized personnel who have been trained and certified in the use of the system pursuant to KCSO requirements.

LEARN shall be used only by authorized personnel who have been granted access by the LEARN Administrator.

No person shall use or authorize the use of any CLEAR LPR or LEARN database information for any reasons other than official law enforcement purposes.

The request for LPR and/or LEARN access for an employee shall be submitted to the designated

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Administrator of the system by the supervisor of the employee for whom the access is being requested for.

The supervisor of the employee who has access to CLEAR LPR and/or LEARN is responsible for monitoring the employee's use of the system to ensure the security of the information and compliance with applicable privacy laws. Any concerns of misuse must be reported immediately to the system's administrator.

The supervisor of an employee who has CLEAR LPR and/or LEARN access must notify the CLEAR LPR Administrator of any changes to the employment status of the employee that requires access removal.

Sheriff's Office members shall not use or allow others to use the database records for any unauthorized purpose (Civil Code § 1798.90.51; Civil Code § 1798.90.53).

No operator may access Sheriff's Office, state or federal data unless otherwise authorized to do so.

Receipt of a Hit alert does not establish probable cause. In the absence of exigent circumstances, the Hit information/data must be confirmed and contact made with the agent noted in the Hit record prior to taking any law enforcement action.

Disclosure of the existence of, or information derived from the LEARN and LPR program should be avoided when appropriate and practical. Investigators should consult with prosecuting attorneys on occasions when LPR and LEARN program information may be used in affidavits, grand jury testimony, or other documents or proceedings.

LEARN Users

- Agree to use LEARN and ALPR technology only for official and legitimate law enforcement purposes. Any misuse of ALPR technology or information derived from it will result in denial of access and referral of the matter to the user's parent agency.
- May research and enter vehicle license plates of interest, addresses and other information appropriate and necessary to pursue investigations.
- Agree to contact agent (when requested/needed) listed in Hot Plate remarks when notice of a detection or Hit is received.
- Shall coordinate and de-conflict license plate numbers in common interest with personnel from other agencies.
- Shall input case or other reference data when performing a search in the LEARN system.

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- Will acknowledge receipt of and compliance with this policy by signing the agreement attached (Attachment A) to this document and submitting it to the CLEAR LPR Administrator.
- Will not enter Hot Plates into the system.

Verified, Positive ALPR Hits Resulting in Arrest

- When an arrest occurs as a result of an ALPR Hit, the ALPR user will notify the case agent listed in the Hot List or Hot Plate record and coordinate as necessary.

DIRECTIVE B - RELEASING LEARN SYSTEMS DATA

All detection data generated from the LEARN systems will be shared with requesting law enforcement agencies or prosecutorial agencies for official law enforcement purposes or as otherwise permitted by law. Hot Plate records will generally not be shared outside of law enforcement agencies.

Data from the LEARN systems shall not be shared with non-law enforcement or non-prosecutorial agencies except when otherwise permitted by law (Civil Code § 1798.90.55).

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Kern County Sheriff's Office
Policies and Procedures

TITLE: CELLULAR SITE SIMULATOR		NO: J-3900	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: October 22, 2020	REVIEWED:	REVISED:	UPDATED:

POLICY:

The purpose of this policy is to set guidelines and requirements pertaining to cellular site simulator technology usage and privacy. Any changes to this policy – including authorized uses of the cellular site simulator technology by the Kern County Sheriff's Office – will be made in compliance with California Government Code section 53166.

It is the policy of the Kern County Sheriff's Office to respect the privacy rights and civil liberties of individuals and to follow the United States Constitution, particularly the First and Fourth Amendments, the California Constitution, and all applicable laws. Kern County Sheriff's Office members shall use only department-approved devices and usage shall be in strict compliance with this policy.

BASIS FOR POLICY

Government Code § 53166(b) requires all law enforcement organizations that use cellular communications interception technology, including cellular site simulator technology, to:

- Maintain reasonable security procedures and practices, including operational, administrative, technical and physical safeguards, to protect information gathered through the use of cellular communications interception technology from unauthorized access, destruction, use, modification or disclosure.
- Implement a usage and privacy policy to ensure that the collection, use, maintenance, sharing and dissemination of information gathered through the use of cellular communications interception technology complies with all applicable laws and is consistent with respect for an individual's privacy and civil liberties. The usage and privacy policy shall be available in writing to the public, and, if the local agency has an internet website, the usage and privacy policy shall be posted conspicuously on that internet website. The usage and privacy policy shall, at a minimum, include all of the following:
 1. The authorized purposes for using cellular communications interception technology and for collecting information using that technology.
 2. A description of the job title or other designation of the employees who are authorized to use or access information collected through the use of cellular

communications interception technology. The policy shall identify the training requirements necessary for those authorized employees.

3. A description of how the local agency will monitor its own use of cellular communications interception technology to ensure the accuracy of the information collected and compliance with all applicable laws, including laws providing for process and time period system audits.
4. The existence of a memorandum of understanding or other agreement with another local agency or any other party for the shared use of cellular communications interception technology or the sharing of information collected through its use, including the identity of signatory parties.
5. The purpose of, the process for, and restrictions on the sharing of information gathered through the use of communications interception technology with other local agencies and persons.
6. The length of time information gathered through the use of communications interception technology will be retained and the process the local agency will utilize to determine if and when to destroy retained information.

HOW THE TECHNOLOGY WORKS

Cellular site simulator technology authorized for use by the Kern County Sheriff's Office cannot and shall not capture, nor receive, any content such as text messages, emails, voicemails, contact lists, images, applications, multimedia messages, or other data contained on the phone. This technology also does not have the capability of listening to phone calls. In addition, cellular site simulator technology cannot and shall not collect subscriber account information (e.g. an account holder's name, address, or telephone number).

Cellular site simulators, as governed by this policy, function by transmitting as a cell tower. In response to the signals emitted by the simulator, cellular devices in proximity of the simulator identify it as the most attractive cell tower in the area and thus transmit signals to the simulator that identifies the device in the same way that they would a networked tower.

A cellular site simulator receives signals and uses an industry-standard unique identifying number assigned by a device manufacturer or cellular network provider to distinguish between the incoming signals until the targeted device is located. Once the cellular site simulator identifies the specific cellular device for which it is looking, it will obtain the signaling information relating only to that particular phone, rejecting all others.

When used in a mass casualty event, the cellular site simulator will obtain signaling information from all devices in the simulator's target vicinity for the limited purpose of locating persons in

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need of assistance or furthering recovery efforts. Any information received from the cellular devices during this time will only be used for these limited purposes and all such information received will be purged at the conclusion of the event in accordance with this policy.

A mass casualty incident includes, but is not limited to a natural disaster (e.g. earthquake, fire, flood, etc.); a terrorist attack; or any other critical incident resulting in imminent loss of life or serious injury.

INFORMATION OBTAINED:

By transmitting as a cell tower, cellular site simulators acquire identifying information from cellular devices. Cellular site simulators employed by the Kern County Sheriff's Office will be limited to providing only:

- (a) Azimuth (an angular measurement in a spherical coordinate system)
- (b) Signal strength
- (c) Device identifier for the target device when locating a single individual or all device identifiers for a mass casualty incident

Cellular site simulators do not function as GPS locators, as they will not obtain or download any location information from the device or its applications.

PROCEDURE A

Cellular site simulators used by the Kern County Sheriff's Office shall not be used to collect the contents of any communication, in accordance with 18 U.S.C. § 3121 (c).

18 U.S.C. § 3121 (c) - A government agency authorized to install and use a pen register or trap and trace device under this chapter or under State law shall use technology reasonably available to it that restricts the recording or decoding of electronic or other impulses to the dialing, routing, addressing, and signaling information utilized in the processing and transmitting of wire or electronic communications so as not to include the contents of any wire or electronic communications.

AUTHORIZED PURPOSES

The authorized purposes for using cellular communications interception technology and for collecting information using that technology are to:

- (a) Locate missing persons
- (b) Locate at-risk individuals

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- (c) Locate victims of mass casualty incidents
- (d) Assist in felony investigations
- (e) Apprehend fugitives

LEGAL AUTHORITY

Cellular site simulator technology may only be used by the Kern County Sheriff’s Office with a search warrant or for an exigent circumstance, with a concurrent application for a search warrant/court order. It is recognized some exigent circumstances, such as a natural disaster with no nexus to criminal activity, do not satisfy the grounds for which a search warrant may be issued as outlined within PC 1524. For instances such as these only, a court order application shall be made no later than 72 hours after use in such an exigent circumstance. When using cellular site simulator technology to assist in an investigation, Kern County Sheriff’s Office personnel may only attempt to locate cellular devices whose unique identifiers are already known to law enforcement, unless used for a mass casualty incident to aid in recovery efforts.

In the case of an exigent circumstance involving danger of death or serious physical injury to any person requiring use of cellular site simulator technology without delay, the technology may be deployed prior to obtaining a court order/search warrant. In every case of a warrantless use of a cell-site simulator, the authorized operator shall ensure that, within 72 hours after the use, an application for a warrant or order authorizing the emergency use of the cell-site simulator is filed with the appropriate court. The application shall set forth the facts and probable cause giving rise to the emergency and need for immediate deployment.

Regardless of the legal authority relied upon, at the time of making an application for use of a cellular site simulator, the application or supporting affidavit should describe in general terms the technique to be employed. When making any application to a court, members of the Kern County Sheriff’s Office shall disclose appropriately and accurately the underlying purpose and activities for which a court order or search warrant is sought. Search warrants for the use of a cellular site simulator must include sufficient information to ensure that the courts are aware that the technology is being used. An application for the use of a cellular site simulator shall inform the court about how law enforcement intends to address the deletion of data not associated with the target phone.

PROCEDURE B

DESIGNATED EMPLOYEES

The Kern County Sheriff’s Office’s cellular site simulator shall be operated and maintained by trained investigators assigned to the Kern County Sheriff’s Office Special Investigations Division. Personnel shall be specifically trained in such technology and authorized for its use by

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the Sheriff, or his/her designee. Such personnel shall be limited to designated investigators assigned to the Investigations Bureau.

Training requirements for the above employees include completion of training by the manufacturer of the cellular communications interception technology or appropriate subject matter experts as identified by the Kern County Sheriff's Office. Such training shall include the applicable State and Federal laws. Operators will familiarize themselves with this Policy and comply with all orders concerning the use of this technology. Moreover, as the law in this area evolves, this policy will be amended as needed to reflect the current state of the law.

PROCEDURE C

AGENCY MONITORING AND CONTROLS

Deployment of a cellular site simulator by the Sheriff's Office must be approved by a trained Special Investigations Division (SID) Sergeant. Any emergency/warrantless use of a cell-site simulator must be approved by a SID Sergeant, and notice shall be given to the SID Lieutenant. The approving SID Sergeant shall be responsible for reviewing all court paper work, or any facts giving rise to an emergency situation, to ensure compliance with this policy and the law.

The Kern County Sheriff's Office will monitor its use of cellular site simulator technology to ensure the accuracy of the information collected and time period system audits. The SID Commander, or their designee, shall annually review all deployment logs to ensure compliance with this policy.

DEPLOYMENT LOG

Each use of the cellular site simulator device requires the completion of a log by the user. The log shall include the following information at a minimum:

- (a) Date(s)/time(s) of use
- (b) Reason for use
- (c) Location used (i.e. Bakersfield, Mojave, Wasco)
- (d) Associated case number(s), if applicable
- (e) Phone number or device identification number (i.e. IMEI or IMSI)
- (f) Name of requesting agency and case agent
- (g) Name of each user of the cellular site simulator
- (h) Results using the cellular site simulator

ANNUAL REPORT

A designated SID Sergeant will be responsible for serving as the Cellular Site Simulator Program Coordinator. The Cellular Site Simulator Program Coordinator shall provide the Sheriff, via the chain of command, with an annual report that contains all of the above information. The report shall also contain the following information for the preceding 12-month period:

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- (a) The total number of times cellular site simulator technology was deployed
- (b) The number of times the Kern County Sheriff's Office used the cellular site simulator for another agency, as well as the identity of those agencies.
- (c) A numerical breakdown and analysis of deployments to include:
 1. Total number of deployments for arrests/attempted arrests
 2. Total number of deployments for at-risk or missing persons
 3. Total number of deployments for search and rescue efforts
 4. Total number of deployments for any other reasons
 5. The effectiveness of each deployment
 6. Geographical areas deployed

PROCEDURE D

ASSISTING OTHER DEPARTMENTS

Any request from an outside agency to use the Kern County Sheriff's Office's cellular site simulator must be approved by the Special Investigation Division Commander, or their designee. Prior to the device being used on behalf of the requesting agency, there must be a written agreement between the requesting agency and the Kern County Sheriff's Office. The requesting agency must agree to adhere to this policy, which shall be provided to them.

The cellular site simulator will be operated by trained members of the Kern County Sheriff's Office designated by this policy. No outside agency members shall operate the cellular site simulator. The requesting agency will be responsible for compliance with all requirements under California Penal Code §§ 1546 – 1546.4.

Upon approval, the cellular site simulator will be utilized for the requesting agency pending availability and only under the following incidents:

- (a) Mass casualty incidents
- (b) Abductions (including kidnappings for ransom)
- (c) Persons missing under suspicious circumstances
- (d) Assault on a peace officer
- (e) Homicide
- (f) Attempted homicide
- (g) Fugitive apprehension

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Should there be simultaneous requests from outside agencies to utilize the cellular site simulator, the Special Investigations Division Commander, or their designee, will determine which agency incident has priority.

PROCEDURE E

SHARING OF INFORMATION

The Kern County Sheriff's Office will share information gathered using cellular site simulator technology with other law enforcement agencies that have a right to know and a need to know the information requested.

A right to know is the legal authority to receive information pursuant to a court order, statutory law or case law.

A need to know is a compelling need is established when the law enforcement agency or individual investigator needs the information in the course of their official authorized duties and there is no other practical way that they can obtain it.

Information will be shared only with agencies in accordance with a lawful purpose and limited to a court order, search warrant, or exigent circumstances on the part of the agency. All requests for information shall be reviewed by the Special Investigations Division Commander, or their designee.

The agency with which the information is shared ("recipient agency") shall be designated as the custodian of such information. The recipient agency shall be responsible for observance of all conditions of the use of the information including the prevention of unauthorized use, retention of information and destruction of information.

PROCEDURE F

RETENTION AND DISPOSAL OF INFORMATION

The Kern County Sheriff's Office may keep captured data as evidence for use in a felony criminal investigation only when specifically authorized in a search warrant. The storage of this information shall be documented in a Kern County Sheriff's Office incident report. The captured data will be downloaded and booked into the Kern County Sheriff's Office Property Room. Any data seized as evidence in this case will be retained pending the adjudication of the respective court case and disposed of in accordance with KCSOPPM J-1800 or other orders of the court.

In all other circumstances where it is not specifically authorized by a search warrant, the Kern County Sheriff's Office shall destroy all information intercepted by the cellular site simulator equipment as soon as the objective of the information request is accomplished in accordance with the following:

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- (a) When the cellular site simulator equipment is used to locate a known cellular device, all data shall be deleted upon locating the cellular device or once daily for a known cellular device.
- (b) When the cellular site simulator equipment is used in a missing person operation or a search and rescue operation, all data must be deleted as soon as the person or persons in need of assistance have been located, and in any event once every ten days, depending on the length of the operation.
- (c) Prior to deploying the cellular site simulator equipment for a subsequent operation, ensure the equipment has been cleared of any previous operational data.
- (d) Aside from evidence, no data derived or recorded by cellular site simulator software or equipment will be stored on any server, device, cloud-based storage system or in any capacity.

It is not likely, given the limited type of data cellular site simulators technology collect (as discussed above), that exculpatory evidence would be obtained by such a device in the course of criminal law enforcement investigations. As in other circumstances, however, to the extent investigators know or have reason to believe that information is exculpatory or impeaching they have a duty to memorialize that information.

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Kern County Sheriff's Office Policies and Procedures

TITLE: Military Equipment Use			NO: J-4000
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: February 28, 2022	REVIEWED: 10/31/2023	REVISED: 10/31/2023	UPDATED: 10/31/2023

PURPOSE

This policy establishes guidelines for the acquisition, funding, use and reporting of “military equipment”, as the term is defined in Government Code section 7070. This policy is provided to fulfill the obligations set forth in Assembly Bill No. 481. These obligations include but are not limited to seeking approval on specific items deemed to be military equipment and requirements related to compliance, annual reporting, cataloging, and complaints regarding these items.

POLICY

The Kern County Sheriff's Office (KCSO) shall have legally enforceable safeguards, including transparency, oversight, and accountability measures in place to protect the public's welfare, safety, civil rights, and civil liberties before military equipment is funded, acquired, or used.

The KCSO will publish the military equipment use policy on the agency's internet website and provide a copy of the military equipment use policy to the Governor or the Governor's designee.

PROCEDURE

A. DEFINITIONS

1. Governing Body – The Kern County Board of Supervisors.
2. Military Equipment – Any of a wide variety of items as defined by California Government Code section 7070, subsections (c)(1) through (c)(16)
3. Deployment and Use – The deployment or use of military equipment shall refer to the use of the military equipment for an authorized purpose. The handling of a firearm or a less lethal device is not considered a deployment. These primer-based items must be fired during an incident to be considered a deployment. Training with any of the items listed in Government Code section 7070(c)(1) through (c)(16) is excluded and is not considered a “deployment” or “use” pursuant to Government Code section 7072.

B. GENERAL

1. The KCSO shall obtain annual approval of the Board of Supervisors prior to engaging in any of the following activities:
 - a. Requesting military equipment made available pursuant to Section 2576a of Title 10 of the United States Code.

- b. Seeking funds for military equipment including, but not limited to, applying for a grant, soliciting or accepting private, local, state, or federal funds, in-kind donations, or other donations or transfers.
 - c. Acquiring military equipment either permanently or temporarily, including by borrowing or leasing.
 - d. Collaborating with another law enforcement agency in the deployment or other use of military equipment within the territorial jurisdiction of the Board of Supervisors.
 - e. Using any new or existing military equipment for a purpose, in a manner, or by a person not previously approved by the Board of Supervisors pursuant to this policy.
 - f. Soliciting or responding to a proposal for, or entering into an agreement with, any other person or entity to seek funds for, apply to receive, acquire, use, or collaborate in the use of, military equipment.
2. In seeking the approval of the Board of Supervisors, the KCSO shall submit a proposed military use policy, or subsequent amendments, to the Kern County Board of Supervisors and the public via the law enforcement agency's internet website at least 30 days prior to any public hearing concerning the military equipment at issue.
 3. The KCSO shall seek Board of Supervisor approval for military equipment, including, but not limited to, applying for a grant, soliciting or accepting private, local, state, or federal funds, in-kind donations, or other donations or transfers.

The KCSO has the authority to apply for funding prior to obtaining Board of Supervisors approval in the case of exigent circumstances. The KCSO shall obtain Board approval as soon as possible.

4. When stocks of military equipment have reached significantly low levels or have been exhausted, the KCSO may order the necessary stock in a calendar year without Board of Supervisors approval to maintain essential availability for the Department's needs.

Military Equipment items included in the KCSO annual budget and approved by the Board of Supervisors meet sufficient purchase approval requirements. All other military equipment items not identified in the KCSO annual budget require Board of Supervisors approval prior to the item(s) being purchased. In the event military equipment items are purchased prior to obtaining Board approval, the KCSO shall seek approval via a retroactive Board letter as soon as possible after the purchase is made.

C. MILITARY EQUIPMENT USE CONSIDERATIONS

1. The military equipment acquired and authorized by the KCSO is:
 - a. Necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.
 - b. Reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety.
2. Military equipment shall only be used by a KCSO employee only after applicable training, including any course required by the Commission on Peace Officer Standards and Training, has been completed, unless exigent circumstances arise.

D. MILITARY EQUIPMENT REPORTING CONSIDERATIONS

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The KCSO shall submit an annual military equipment report to the Kern County Board of Supervisors that addresses each type of military equipment possessed by the KCSO.

1. The KCSO shall also make each annual military equipment report publicly available on its internet website for as long as the military equipment is available for use.
2. The annual military equipment report shall, at a minimum, include the following information for the immediately preceding calendar year for each type of military equipment:
 - a. A summary of how the military equipment was used and the purpose of its use.
 - b. A summary of any complaints or concerns received concerning the military equipment.
 - c. The results of any internal audits, any information about violations of the military equipment use policy, and any actions taken in response.
 - d. The total annual cost for each type of military equipment, including acquisition, personnel, training, transportation, maintenance, storage, upgrade, and other ongoing costs, and from what source funds will be provided for the military equipment in the calendar year following submission of the annual military equipment report.
 - e. The quantity possessed for each type of military equipment.
 - f. If the KCSO intends to acquire additional military equipment in the next year, the quantity sought for each type of military equipment.
 - g. Within 30 days of submitting and publicly releasing an annual military equipment report, the KCSO shall hold at least one well-publicized and conveniently located community engagement meeting, at which the general public may discuss and ask questions, regarding the annual military equipment report and KCSO's funding, acquisition, or use of military equipment.

E. CATALOGING OF MILITARY USE EQUIPMENT

1. All military use equipment kept and maintained by the KCSO shall be cataloged in a way which addresses each of the following requirements:
 - a. The manufacturers description, quantity, capabilities, and purchase cost of the equipment.
 - b. The purpose of the equipment.
 - c. The authorized uses for which the KCSO proposes to use the equipment.
 - d. The expected lifespan of the equipment.
 - e. The fiscal impact of the equipment, both initially and for the on-going maintenance.
 - f. The training requirements for the particular equipment.
 - g. The legal and procedural rules that govern each authorized use.

F. COMPLIANCE

1. The Compliance and Standards Division (CSD) will ensure that all KCSO members comply with this policy. CSD will prepare an annual report. The Sheriff or designee will be notified of any policy violations and, if needed, the violation(s) will be referred to the Internal Affairs Unit for investigation. All instances of non-compliance will be reported to the Board of Supervisors via the annual military equipment report.
2. Any member of the public can register a question or concern regarding military use equipment by contacting the Kern County Sheriff's Office via email at sheriff@kernsheriff.org. A response to the question or concern shall be completed by the KCSO in a timely manner.

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3. Any member of the public can submit a complaint to any member of the KCSO and in any form (i.e. in person, telephone, email, etc.). Once the complaint is received, it should be routed to the Internal Affairs Unit for further investigation.

G. EQUIPMENT USE

1. Each Division Commander, or designee, will ensure that each deployment or use of a piece of military equipment covered by this policy will be documented in a report. Each deployment and use will be summarized in an email with any applicable case number(s), which will be forwarded to the Compliance and Standards Division at PSU@kernsheriff.org with a subject heading of “AB 481 Deployment.”
2. Each such report and email will be completed and submitted prior to the end of the report writer’s shift, unless specifically authorized by a supervisor to complete the report at a later time.
3. All confirmed instances of non-compliance will be reported to the Board of Supervisors via the annual military equipment report.

H. MUTUAL AID

1. The Kern County Sheriff’s Office acknowledges that all critical incidents are unique, and incidents may arise which overwhelm local resources. These incidents may require assistance from outside agencies. Nothing in this policy shall restrict the Kern County Sheriff’s Office from calling on the assistance of allied agency partners, whether they be federal, state, county, or local agencies, and their resources being used during critical incidents. These agencies should have their own Military Equipment Use policies which have been approved by their own governing bodies, with which the agencies are to comply.

I. MILITARY EQUIPMENT INVENTORY

1. Each Division Commander, or designee, where military equipment is assigned is responsible for ensuring an accurate inventory of each make, model, and quantity of military equipment is maintained for each work location and/or unit under their command.
2. See Military Equipment Use Attachment A of this policy for the equipment inventory.

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**MILITARY EQUIPMENT USE
ATTACHMENT A**

A. MILITARY USE EQUIPMENT

1. Unmanned Aircraft System (UAS): An unmanned aircraft along with the associated equipment necessary to control it remotely.

a. Description, quantity, capabilities, and purchase cost of current UAS:

i. DJI PHANTOM 4 PRO, cost: \$1,500 each, quantity: 2. UAS that weighs approximately 1388 grams and is able to take still photographs and record video with approximately 30 minutes of flight time.

ii. DJI MAVIC 2 ZOOM, cost: \$2,000 each, quantity: 1. UAS with that weighs approximately 905 grams and is able to take still photographs and record video with approximately 30 minutes of flight time.

iii. DJI MAVIC 2 ENTERPRISE DUALS, cost: \$3,000 each, quantity: 3. UAS that has a color and inferred camera as well as audible speaker and light. Capable of video recording and weighs 899 grams, approximately 30 minutes of flight time.

iv. DJI MAVIC 3T ENTERPRISE, cost: \$5,800 each, quantity: 2. UAS that has a color and inferred camera as well as audible speaker and light. Capable of video recording and weighs 920 grams, approximately 45 minutes of flight time.

v. DJI MINI 2, cost: \$500 each, quantity: 2. UAS that has a color camera. Capable of video recording and weighs 242 grams, approximately 30 minutes of flight time.

vi. DJI MINI 3 PRO, cost: \$750 each, quantity: 2. UAS that has a color camera. Capable of video recording and weighs 259 grams, approximately 30 minutes of flight time.

vii. DJI MAVIC 3 PRO, cost: \$2,200 each, quantity: 1. UAS that has a color camera. Capable of video recording and weighs 958 grams, approximately 45 minutes of flight time.

b. Purpose

To be deployed when its view would assist officers or incident commanders with the following situations, which include but are not limited to:

i. major collision investigations.

ii. search for missing persons.

iii. natural disaster management.

iv. crime scene photography.

v. SWAT, tactical or other public safety and life preservation missions.

vi. In response to specific requests from local, state, or federal fire authorities for fire response and/or prevention.

c. Authorized Use

Only assigned operators who have completed the required training shall be permitted to operate any UAS's during approved missions.

d. Expected Life Span

All UAS equipment, 3-5 years.

e. Fiscal Impact

Annual maintenance and battery replacement cost is approximately \$2,500.

f. Training

All Department UAS operators are licensed by the Federal Aviation Administration for UAS operation. In addition, each operator must attend department training and ongoing quarterly training.

g. Legal and Procedural Rules

It is the policy of the Kern County Sheriff's Office to utilize UAS only for official law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal law.

2. Robots: Unmanned machine operating on the ground utilized to enhance the safety to the community and officers.

a. Description, quantity, capabilities, and purchase cost

- i. REMOTEC ANDROS F6-A, cost: \$233,000 each, quantity: 1. The Remotec ANDROS F6-A is a heavy-duty robot. Its stair climbing ability, an arm capable of lifting 65lbs. The F6-A also offers multiple communications options, a chassis and manipulator that allow for accessories and tool combinations, and quick-release pneumatic wheels for rapid width reduction.
- ii. REMOTEC ANDROS HD-1, cost: \$317,000 each, quantity: 1. The Remotec ANDROS HD-1 is a heavy-duty robot. Its stair climbing ability, an arm capable of dragging 70 kilograms. The HD-1 also offers multiple communications options and a chassis and manipulator that allow for accessories and tool combinations.
- iii. AVATAR II Tactical Robot, cost: \$23,000 each, quantity: 1. An AVATAR II can be hand carried or transported inside a rucksack, and both can be remotely operated from a hundred meters away, providing protection and safety to their operators as an observation platform.
- iv. iRobot XM1216 FLIR SUGV, cost: \$2,000 each (federal excess), quantity: 4. The SUGV can be hand carried and operated remotely from over a hundred meters away as an observation platform, providing protection and safety to their operators.
- v. ROBOTEX AVATAR MICRO ROBOT, #2010, cost \$12,300 each, quantity: 2. The RoboteX Avatar Micro Robot enhances the capabilities of tactical teams by allowing them to quickly and safely inspect dangerous situations. The robot is able to navigate various types of terrains, offers video capabilities, and two-way audio communication.

b. Purpose

To be used to remotely to gain visual/audio data, deliver CNT phone, open doors, disrupt packages, and clear buildings.

c. Authorized Use

Only assigned operators who have completed the required training shall be permitted to operate the robots identified at sections 2(a)(i) through (v). Use is established by the Bomb Squad Commander and or Incident Commander.

d. Expected Life Span All robots, 8-10 years.

e. Fiscal Impact

Annual maintenance and battery replacement cost is approximately \$5,000.

f. Training

All robot operators must complete the FBI's 6-week hazardous device school prior to operating the robots identified at sections 2(a)(i) through (v).

g. Legal and Procedural Rules

It is the policy of the Kern County Sheriff's Office to utilize robots only for official law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal law.

3. Armored Vehicles: Commercially produced wheeled armored personnel vehicle utilized for law enforcement purposes.

a. Description, quantity, capabilities, and purchase cost

- i. Lenco BEARCAT, G2, cost: \$218,586.58, quantity: 1. The Lenco Bearcat, G2, is an armored vehicle that seats 10-12 personnel with open floor plan that allows for rescue of down personnel. It can stop various projectiles, which provides greater safety to citizens and officers beyond the protection level of shield and personal body armor.
- ii. Lenco BEARCAT, G3, cost: \$335,666.72 quantity: 1. The Lenco Bearcat, G3, is an armored vehicle that seats 10-12 personnel with open floor plan that allows for rescue of down personnel. The Bearcat G3 has increased ground clearance and

a robust suspension which allows for an emergency response to almost any situation. It can stop various projectiles, which provides greater safety to citizens and officers beyond the protection level of shield and personal body armor.

- b. Purpose
To be used in response to critical incidents to enhance officer and community safety, improve scene containment and stabilization, and assist in resolving critical incidents.
- c. Authorized Use
The use of armored vehicles shall only be authorized by a SWAT commander, based on the specific circumstances of a given critical incident. Armored vehicles shall be used only by officers trained in their deployment and in a manner consistent with Department policy and training.
- d. Lifespan
Lenco Bearcat models G2 and G3, 20+ years.
- e. Fiscal Impact
Annual maintenance cost for both vehicles is approximately \$10,000.
- f. Training
All driver/operators shall attend formalized instruction and be trained in vehicle operations and practical driving instruction.
- g. Legal and Procedural Rules
It is the policy of the Kern County Sheriff's Office to utilize armored vehicles only for official law enforcement purposes, and pursuant to State and Federal law.

4. **NIJ Level IV Armored Caterpillar (CAT) Multi-Terrain Loader (The ROOK):** The ROOK is a custom "armored critical incident vehicle" built on the chassis of a CAT Bulldozer, manufactured by Ring Power. The ROOK is built to increase job safety, versatility, and mission specific response. The ROOK is equipped with powerful mission specific attachments. The ROOK is capable of being used in tight areas both inside and outside, where traditional armored vehicles may not be able to enter.

- a. Description, quantity, capabilities, and purchase cost
ROOK- Modified CAT compact Track Loader chassis, cost: \$430,000, quantity: 1. The ROOK can be utilized by authorized SWAT personnel to identify, discover and locate threats or hazards, to include explosives and ballistic threats. The ROOK may be used to stabilize critical infrastructure and functions to minimize health and safety threats during a terrorist attack. During a terrorist attack, the ROOK will allow for law enforcement protected response.
- b. Purpose
To provide a capability for defensive ballistic protection in indoor and outdoor environments, rescue platforms for elevated structure rescue, and rough terrain environments where certain equipment would be limited.
- c. Authorized Use
The ROOK shall be used by SWAT team members in a manner consistent with Department policy and training. Furthermore, only SWAT team members who have completed the appropriate training, will operate the ROOK.
- d. Lifespan
The ROOK, 25 years
- e. Fiscal Impact
Annual maintenance cost is approximately \$8,000.00.
- f. Training
All driver/operators shall attend formalized instruction and be trained in vehicle operations and practical driving instruction.
- g. Legal and Procedural Rights
It is the policy of the Kern County Sheriff's Office to utilize armored vehicles only for official

law enforcement purposes, and pursuant to State and Federal law.

5. Command-and-Control Vehicles: Vehicles used to transport specialized equipment and provide a mobile office, shelter, and access to Sheriff's Office computer systems on extended events.

a. Description, quantity, capabilities, and purchase cost

- i. BOMB SQUAD RESPONSE VEHICLE, cost: \$385,000, quantity: 1. The Bomb Squad Response Vehicle is utilized on all Bomb related callouts and contains all necessary equipment required for the safe removal and disposal of explosive materials. This vehicle also provides access to Sheriff's Office computer systems, and can be utilized for other critical incidents, preplanned large events, searching for missing persons, natural disasters, and community events.
- ii. CRISIS NEGOTIATION TEAM (CNT) VEHICLE, cost \$325,000, quantity: 1. The Crisis Negotiation Team Vehicle is utilized on most SWAT/CNT incidents and contains CNT equipment to assist in resolving critical incidents. This vehicle can be used as a mobile office that provides shelter and access to Sheriff's Office computer systems.
- iii. SPECIAL WEAPONS and TACTICS (SWAT) EQUIPMENT VEHICLE, cost \$263,000, quantity 1. The SWAT Equipment Vehicle is utilized on most SWAT related incidents and contains equipment to assist in resolving critical incidents. This vehicle can also be used to provide shelter during critical incidents.

b. Purpose

To be used based on the specific circumstances of a given critical incident, large event, natural disaster or community event that is taking place.

c. Authorized Use

Command-and-Control vehicles shall be used by officers trained in their deployment and in a manner consistent with Department policy and training. Furthermore, only officers who have completed the required California Department of Motor Vehicle endorsements shall operate these vehicles.

d. Lifespan

All Command-and-Control vehicles have a 15+ year lifespan on chassis and vehicle structure and have re-mountable aluminum bodies. Upgrades are needed every several years to maintain IT systems.

e. Fiscal Impact

Annual maintenance cost is approximately \$3,000.

f. Training

The driver/operator shall receive training in the safe handling of the vehicle on a closed training course. Once the operator has shown competence in vehicle handling, the driver/operator will drive the vehicle throughout the city with an experienced driver.

Driver/operators shall also undergo California Department of Motor Vehicles commercial vehicle testing.

g. Legal and Procedural Rules

It is the policy of the Kern County Sheriff's Office to use all Command-and-Control vehicles only for official law enforcement purposes, and in accordance with California State law regarding the operation of motor vehicles.

6. 40 MM Launchers and Rounds: 40MM Launchers are utilized by department personnel as a less lethal tool to launch impact rounds and specialty munitions.

a. Description, quantity, capabilities, and purchase cost

- i. DEFENSE TECHNOLOGY, LMT 40MM SINGLE SHOT LAUNCHER, #1425, cost: \$1000, quantity: 76. The 40MM Single Launcher is a tactical single shot launcher that features an expandable ROGERS Super Stoc and an adjustable Integrated Front Grip (IFG) with light rail. It will fire standard 40mm less lethal ammunition, up to 4.8 inches in cartridge length. It will launch a 40MM less lethal round up to 131 feet and is authorized to be used by trained sworn personnel.

- ii. PENN ARMS, 40MM PUMP MULTI-LAUNCHER 5" CYLINDER, FIXED STOCK w/ COMBO RAIL, cost \$3,300. quantity: 7. The Penn Arms 40mm pump multi-launcher 40MM spring-advance magazine drum launcher with a six-shot capacity and a rifled barrel and 5" cylinder.
- iii. DEFENSE TECHNOLOGY, 40MM EXACT IMPACT SPONGE, #6325, cost: \$22, quantity: 1119. A less lethal 40mm lightweight plastic and foam projectile fired from a single or multi-round purpose built 40mm grenade launcher with a rifled barrel at 325 FPS. The 30-gram foam projectile delivers 120 ft/lbs. of energy on impact. The 40mm Exact Impact Sponge Round provides accurate and effective performance when fired from the approved distance of not less than five (5) feet and as far as 131 feet from the target.
- iv. DEFENSE TECHNOLOGY, 40MM DIRECT IMPACT CS, #6322, cost: \$22, quantity:
0. A less lethal 40MM lightweight plastic and crushable foam projectile fired from a single or multi-round purpose-built 40mm grenade launcher with a rifled barrel at 295 FPS. The 39-gram crushable foam projectile delivers 120 ft/lbs of energy upon impact in addition to dispersion of 5 grams of CS irritant. The 40mm Direct Impact CS Round provides accurate and effective performance when fired from the approved distance of not less than five (5) feet and as far as 120 feet from the target.
- v. DEFENSE TECHNOLOGY, 40MM DIRECT IMPACT OC, #6320, cost: \$22, quantity:
96. A less lethal 40MM lightweight plastic and crushable foam projectile fired from a single or multi-round purpose-built 40mm grenade launcher with a rifled barrel at 295 FPS. The 39-gram crushable foam projectile delivers 120 ft/lbs of energy upon impact in addition to dispersion of 5 grams of OC irritant. The 40mm Direct Impact OC Round provides accurate and effective performance when fired from the approved distance of not less than five (5) feet and as far as 120 feet from the target.
- vi. DEFENSE TECHNOLOGY, FERRETT 40MM LIQUID BARRICADE CS PENETRATOR ROUND, #2262, cost: \$23, quantity: 127. A less lethal 40MM round used to penetrate barriers, such as windows, hollow core doors, wallboard and thin plywood. Upon impacting the barrier, the nose cone ruptures and instantaneously delivers a small CS payload inside of a structure or vehicle. In a tactical deployment situation, the 40mm Ferret is primarily used to dislodge barricaded subjects from confined areas. Its purpose is to minimize the risks to all parties through pain compliance, temporary discomfort and/or incapacitation of potentially violent or dangerous subjects.
- vii. DEFENSE TECHNOLOGY, FERRETT 40MM POWDER BARRICADE OC PENETRATOR ROUND, #2260, cost: \$23, quantity: 70. A less lethal 40MM round used to penetrate barriers, such as windows, hollow core doors, wallboard and thin plywood. Upon impacting the barrier, the nose cone ruptures and instantaneously delivers a small OC payload inside of a structure or vehicle. In a tactical deployment situation, the 40mm Ferret is primarily used to dislodge barricaded subjects from confined areas. Its purpose is to minimize the risks to all parties through pain compliance, temporary discomfort and/or incapacitation of potentially violent or dangerous subjects.
- viii. DEFENSE TECHNOLOGY, FERRET 40MM POWDER BARRICADE ROUND, INERT, #2293, cost \$23, quantity: 3. The Ferret 40 mm Barricade Penetrating Round is filled with an Inert powder. It is a frangible projectile that is spin stabilized utilizing barrel rifling. It is non-burning and used as a training round for our 40mm CN, CS or OC Powder Ferret rounds. Primarily used by tactical teams, it is

designed to penetrate barriers, such as windows, hollow core doors, wallboard and thin plywood. Upon impact the nose ruptures and instantaneously delivers the inert powder.

- ix. DEFENSE TECHNOLOGY, 40MM ROUND MUZZLE BLAST with CS, #6042, cost: \$28, quantity: 10. The 40mm Muzzle Blast CS Round is widely used as a crowd management tool for the immediate and close deployment of chemical agent. It can also be employed in tactical operations such as barricaded subjects for area denial, area contamination, and a means of contaminating crawl spaces and attics. As a pain compliance round it is an excellent device for deploying chemical-laden CS powder at close ranges for indoor or outdoor operations. It has a maximum effective range of 30 feet / 9.1 meters.
- x. DEFENSE TECHNOLOGY, 37/40MM .32 CALIBER RUBBER BALLS ROUND, #6296, cost: \$25, quantity: 12. The 37/40mm .32 caliber rubber balls round is widely used as a crowd management tool. It contains approximately 130 .32 caliber rubber balls. This round is designed for departments that utilize both 37mm and 40mm launchers and is suitable for administering a means of pain compliance over close to medium ranges of fire and for routing crowds or groups that are mildly resistive.
- xi. DEFENSE TECHNOLOGY, 40MM MULTIPLE WOODEN BATON ROUND, #6098, cost: \$25, quantity: 43. The 40mm Multiple Wooden Baton Round is widely used as a crowd management tool by Law Enforcement and Corrections. This round contains three wooden projectiles and uses smokeless powder as the propellant. It is suitable for administering a means of pain compliance over a greater distance than most of its counterparts and is commonly used for routing crowds or groups that are mildly resistive.
- xii. DEFENSE TECHNOLOGY, STINGER 40MM 60-CALIBER RUBBER BALLS ROUND, #6097, cost \$24, quantity: 0. The Stinger 40 mm 60-Caliber Round is most widely used as a crowd management tool by Law Enforcement and Corrections. The round contains approximately eighteen 60-Caliber rubber balls. It utilizes smokeless powder as the propellant and has more consistent velocities and tighter patterns compared to its 37 mm counterpart. It is suitable for administering a means of pain compliance over a greater distance than its 32-Caliber Stinger counterpart. Used for routing crowds or groups that are mildly resistive.

b. Purpose

To limit the escalation of conflict where employment of lethal force is prohibited or undesirable.

c. Authorized Use

Situations for use of the less lethal weapon systems may include, but are not limited to:

- i. Self-destructive, dangerous and/or combative individuals.
- ii. Riot/crowd control and civil unrest incidents.
- iii. Circumstances where a tactical advantage can be obtained.
- iv. Potentially vicious animals.
- v. SWAT/SERT, tactical or other public safety and life preservation missions.
- vi. Training exercises or approved demonstrations.

d. Training

Sworn members utilizing 40MM less lethal chemical agents or impact rounds must be trained in their use by POST certified less lethal and chemical agent instructors.

e. Lifespan

Defense Technology LMT 40mm Single Shot Launcher #1425- 25 years.
Penn Arms 40mm Pump Multi-launcher- 15 years.

Model 6325 40mm Exact Impact Sponge- 5 years.
Model 6322 40 mm Direct Impact CS- 5 years.
Model 6320 40mm Direct Impact OC- 5 years.
Model 2262 40mm Liquid Barricade CS Penetrator round- 5 years.
Model 2260 40mm Powder Barricade OC Penetrator round- 5 years
Model 6042 40mm Round Muzzle Blast, CS- 5 years.
Model 6296 37/40mm .32 Caliber Rubber Balls Round- 5 years.
Model 6098 40mm Multiple Wooden Baton Round- 5 years.
Model 2293 40mm Powder Barricade Round, Inert- 5 years.
Model 6097 40mm Stinger 60 cal. Rubber Balls round- 5 years.

f. Fiscal Impact

Annual maintenance is approximately \$50 for each launcher.

g. Legal and Procedural Rules

It is the policy of the Kern County Sheriff's Office to utilize the 40mm launchers and munitions only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding the use of force.

7. **Less Lethal Launchers and Munitions:** The FN303 is utilized by trained department personnel as a less lethal tool to launch a variety of impact rounds.

a. Description, quantity, capabilities, and purchase cost

- i. FN 303 LAUNCHER, cost: \$900, quantity: 48. The FN 303 Launcher is a shoulder fired less lethal launcher that is capable of firing a variety of projectiles including impact, paint, PAVA/OC powder, and training rounds. The FN 303 is equipped with a magazine that holds 15 projectiles and uses a compressed air-power system to launch fin-stabilized .68 caliber projectiles at point-specific targets up to 50 meters (164 feet). The range of the weapon system helps to maintain space between officers and a suspect reducing the immediacy of the threat which is a principle of De-escalation.
- ii. FN 303 INDELIBLE YELLOW PAINT PROJECTILE, cost: \$5 per projectile, quantity: 495. The FN 303 indelible yellow paint projectile is a .68 caliber, 8.5-gram projectile that utilizes a fin-stabilized polystyrene body and a non-toxic bismuth forward payload for a more accurate and greater effective range. The purpose of the indelible yellow paint round is to minimize the risks to all parties through pain compliance, temporary discomfort, and/or incapacitation of potentially violent or dangerous subjects. This projectile is also used for marking suspects and objects with an indelible yellow colorant to assist in identifying, arresting, or questioning subjects at a later time. The effective range for this round is 50 meters (164 feet) with a maximum range of 100 meters (328 feet). FN303 projectiles are very accurate, however, effectiveness depends on many variables, such as distance, clothing, stature, and the point where the projectile impacts.
- iii. FN 303 PAVA/OC POWDER PROJECTILE, cost \$5 per projectile, quantity: 885. The FN 303 PAVA/OC powder projectile is a .68 caliber, 8.5-gram projectile that utilizes a fin-stabilized polystyrene body and a non-toxic bismuth forward payload for a more accurate and greater effective range. The purpose of the PAVA/OC round is to minimize the risks to all parties through pain compliance, temporary discomfort, and/or incapacitation of potentially violent or dangerous subjects. This round also contains an irritant (OC) for individual suspects, point-specific targets or small-area denial. The active ingredient is 0.5% PAVA/OC in a powder form for ease of storage, deployment and clean-up. The effective range for this round is 50 meters (164 feet) with a maximum range of 100 meters (328 feet). FN303 projectiles are very accurate, however, effectiveness depends on many variables, such as distance, clothing, stature, and the point where the projectile impacts.
- iv. FN 303 CLEAR IMPACT PROJECTILE, cost \$5 per projectile, quantity: 1075. The

FN 303 clear impact projectile is a .68 caliber, 8.5-gram projectile that utilizes a fin-stabilized polystyrene body and a non-toxic bismuth forward payload for a more accurate and greater effective range. The purpose of the clear impact round is to minimize the risks to all parties through pain compliance, temporary discomfort, and/or incapacitation of potentially violent or dangerous subjects. The effective range for this round is 50 meters (164 feet) with a maximum range of 100 meters (328 feet). FN303 projectiles are very accurate, however, effectiveness depends on many variables, such as distance, clothing, stature, and the point where the projectile impacts.

- v. FTC PEPPERBALL LAUNCHER, cost \$600, quantity: 18. The FTC PepperBall launcher is a compressed-air powered launcher designed to fire non-lethal PepperBall projectiles. The FTS PepperBall Launcher is a .68 caliber, semi-automatic launcher with a firing rate of 10-12 RPS. The maximum range of this less lethal launcher is 150 feet and helps to maintain space between officers and a suspect, reducing the immediacy of the threat which is a principle of de-escalation.
- vi. PEPPERBALL CUSTOM CARBINE, cost \$499, quantity: 11. The Pepperball custom carbine is a compressed-air power launcher designed to fire non-lethal Pepperball projectiles. The Pepperball custom carbine is a .68 caliber, semi-automatic launcher with a 10-12 foot pounds of kinetic energy. The maximum range of this less lethal launcher is 150 feet and helps maintain space between officers and a suspect, reducing the immediacy of the threat which is principle of de-escalation.
- vii. PEPPERBALL INERT PROJECTILE, cost \$1 per projectile, quantity: 1875. PepperBall inert projectile contains a harmless, scented powder that is best suited for practice or direct impact when chemical exposure is not desired. Discharged from a PepperBall Launcher, this projectile has a velocity of 280-320 FPS.
- viii. PEPPERBALL LIVE PROJECTILE, cost \$2 per projectile, quantity: 13,250. The basic PepperBall projectile contains 2% PAVA pepper powder, and is designed for direct impact and area saturation, especially in confined, interior spaces. Discharged from a PepperBall Launcher, the projectile has a velocity of 280-350 FPS. The projectile has a direct impact of 60ft and an area of saturation of 150+ft.
- ix. PEPPERBALL LIVE-X PROJECTILE, cost \$3 per projectile, quantity: 375. The Live-X PepperBall projectile contains a concentrated amount of PAVA pepper powder. One round of Live-X contains the equivalent PAVA chemical agent in 10 regular PepperBall Live rounds. Live-X rounds contain 5% PAVA powder and is designed for direct impact and area saturation. Discharged from a PepperBall Launcher, the projectile has a direct impact of 60ft and an area saturation of 150+ft.

b. Purpose

To limit the escalation of conflict where employment of lethal force is prohibited or undesirable. Situations for use of the less lethal weapon systems may include, but are not limited to:

- i. Self-destructive, dangerous and/or combative individuals.
- ii. Riot/crowd control and civil unrest incidents.
- iii. Circumstances where a tactical advantage can be obtained.
- iv. Potentially vicious animals.
- v. SWAT/SERT, tactical or other public safety and life preservation missions.
- vi. Training exercises or approved demonstrations.

c. Authorized Use

Only those officers who have been trained in the use of FN 303 and PepperBall Launchers are authorized to use the FN 303 and PepperBall Launchers.

d. Training

Sworn members utilizing FN 303 and PepperBall launchers and projectiles are trained in their use by POST certified less lethal and chemical agent instructors.

e. Lifespan

FN 303 Launcher- 20 years.
FN 303 Indelible Yellow Paint Projectile- 3 years.
FN 303 PAVA/OC Powder Projectile- 3 years.
FN 303 Clear Impact Projectile- 3 years.
FTC PepperBall Launcher- 20 years.
PepperBall Custom Carbine- 20 years.
PepperBall Inert Projectiles- 3 years.
PepperBall Live Projectiles- 3 years.
PepperBall Live-X Projectiles- 3 years.

f. Fiscal Impact

Annual maintenance is approximately \$50 for each FN 303 and PepperBall Launcher.

g. Legal and Procedural Rules

It is the policy of the Kern County Sheriff's Office to utilize the FN 303 and PepperBall less lethal launchers only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding the use of force.

8. **Grenade Launching Cups:** Cups that attach to 12-gauge shotguns which allow officers to launch canisters of chemical agents or smoke.

a. Description, quantity, capabilities, and purchase cost

- i. COMBINED SYSTEMS CTS LC5 LAUNCHING CUP, cost: \$300, quantity: 8. The LC5 Launching Cups are designed for the 5200 series grenades. The cups can be attached to virtually any 12-gauge shotgun, and the munition launched with the model 1210 Muzzle Bang 12-gauge launching cartridge.
- ii. DEF-TEC NO. 33 12GA GRENADE LAUNCHING CUP, cost \$400, quantity: 8. The Def-Tec No. 33 12-gauge Grenade Launching Cup is designed for Defense Technology grenades. The cups can be attached to virtually any 12-gauge shotgun, and the munition launched with the model 1210 Muzzle Bang 12-gauge launching cartridge.
- iii. DEFENSE TECHNOLOGY, 12-GAUGE TKO/LAUNCHING CUP FOR POCKET TACTICAL GRENADES, #1370, cost \$64, quantity: 1. The launching cup will project the Pocket Tactical Grenade beyond the normal throwing distance. This will extend the ability and safety of the officers involved. Removable shotgun fore end to ensure proper stand-off when using breaching rounds.

b. Purpose

To limit the escalation of conflict where employment of lethal force is prohibited or undesirable.

c. Authorized Use

Situations for use of the less lethal weapon systems may include, but are not limited to:

- i. Self-destructive, dangerous and/or combative individuals.
- ii. Riot/crowd control and civil unrest incidents.
- iii. Circumstances where a tactical advantage can be obtained.
- iv. Potentially vicious animals.
- v. SWAT/SERT, tactical or other public safety and life preservation missions.
- vi. Training exercises or approved demonstrations.

d. Lifespan

Combined Systems LC5 Launching Cup- 25 years
Def-Tec No. 33 12ga Grenade Launching Cup- 25 years
Defense Technology 12ga TKO/Launching Cup for Pocket Tactical Grenades- 5 years.

e. Fiscal Impact

No annual maintenance.

f. Training

Officers utilizing the launching cups are trained in their use by POST certified chemical agent instructors.

g. Legal and Procedural Rules

It is the policy of the Kern County Sheriff's Office to utilize the launching cups only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding the use of force.

9. **Distraction Devices:** A distraction device is ideal for distracting dangerous suspects during assaults, hostage rescue, room entry or other high-risk arrest situations.

a. Description, quantity, capabilities, and purchase cost

- i. DEFENSE TECHNOLOGY LOW ROLL, RELOADABLE BODY DISTRACTION DEVICE, model #8933 cost: \$60, quantity: 25. A non-bursting, non-fragmenting reloadable distraction device that produces a thunderous bang with an intense bright light. Ideal for distracting dangerous suspects during assaults, hostage rescue, room entry or other high-risk arrest situations.
- ii. DEFENSE TECHNOLOGY MULTI-PORT, RELOADABLE BODY DISTRACTION DEVICE, model #7000, cost \$50, quantity: 22. A non-bursting, non-fragmenting reloadable distraction device that produces a thunderous bang with an intense bright light. Ideal for distracting dangerous suspects during assaults, hostage rescue, room entry or other high-risk arrest situations.
- iii. DEFENSE TECHNOLOGY DISTRACTION DEVICE 12-GRAM RELOAD, model #8901, cost \$34, quantity: 33. This Distraction Device Reload is utilized to reload both the Defense Technology low roll and multi-port reloadable distraction devices. The reload utilizes a standard military-style M201A1 type fuse and produces 175dB of output and produces 6-8 million candelas of light.
- iv. ROYAL ARMS FBG-MK4 NFDD FLASH BANG TRAINER, cost \$350, quantity: 1. The FBG-MK4 is a Revolutionary Impact Detonated Flash Bang Training Device which creates 175dB, 4psi of overpressure and 500K CP. The FBG4 Flash Bang Trainer was designed to provide realistic training at a low cost per bang.

b. Purpose

To produce atmospheric over-pressure and brilliant white light and, as a result, can cause short-term (6 - 8 seconds) physiological/psychological sensory deprivation to give officers a tactical advantage.

c. Authorized Use

Diversionary Devices shall only be used:

- i. By officers who have been trained in their proper use.
- ii. In hostage and barricaded subject situations.
- iii. In high-risk warrant (search/arrest) services where there may be extreme hazards to officers.
- iv. During other high-risk situations where their use would enhance officer safety.
- v. SWAT/SERT, tactical or other public safety and life preservation missions.
- vi. During training exercises.

d. Lifespan

Defense Technology Low Roll, Reloadable Body Distraction Device- 5years.

Defense Technology Multi-Port, Reloadable Body Distraction Device- 5 years.

Defense Technology Distraction Device 12-Gram Reload- 5 years.

Royal Arms FBG-MK4 NFDD Flash Bang Trainer- 5 years.

e. Fiscal Impact

No annual maintenance.

f. Training

Prior to use, officers must attend diversionary device training that is conducted by POST certified instructors.

g. Legal and Procedural Rules

It is the policy of the Kern County Sheriff's Office to utilize the launching cups and distraction devices only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding the use of force.

10. **Rifles:** Guns that are fired from shoulder level, having a long spirally grooved barrel intended to make bullets spin and thereby have greater accuracy over a long distance.

a. Description, quantity, capabilities, and purchase cost

- i. COLT M-4 CARBINE, model #LE6933-EPR, cost \$1,085, quantity: 308. The Colt M-4 Carbine is a semi-auto rifle that fires an intermediate-power cartridge (5.56mm) which is more powerful than a standard pistol but less powerful than a standard rifle. It is a short, barreled rifle (11.5 inches) which allows a trained deputy better control inside of structures with greater accuracy than a handgun.
- ii. DANIEL DEFENSE 5.56mm CALIBER RIFLE, model #DDM4, cost \$2,000, quantity: 20. The Daniel Defense DDM4 is an AR15 style firearm and features M-LOK attachment technology. It is built around a Cold Hammer Forged, 10.3-inch barrel, and fires an intermediate-power cartridge (5.56mm). The short barrel allows a trained deputy better control inside of structures with greater accuracy than a handgun.
- iii. LWRC INTERNATIONAL 5.56mm CALIBER RIFLE, model #M6IC-PSD, cost \$2,300, quantity: 13. The LWRC rifle features a self-regulating short-stroke gas piston system with a NiCorr treated cold Hammer Forged compact 8.5-inch barrel. It fires an intermediate-power cartridge (5.56mm) that allows a trained deputy better control inside structures with greater accuracy than a handgun.
- iv. GA PRECISION GLADIUS .308 CALIBER RIFLE, cost \$4,200. Quantity: 6. The GA Precision Gladius is a bolt action rifle that is chambered in .308 Winchester and has an 18-inch Bartlein stainless 5R barrel. This rifle also comes with a Hawkins Precision M5 detachable magazine system that fits 5 or 10 round AICS magazines. This rifle is primarily used in an overwatch capacity to protect the community during large events and/or critical incidents.
- v. ACCURACY INTERNATIONAL .308 CALIBER RIFLE, model MK II, cost \$4,200, quantity: 1. The Accuracy International MK II is a bolt action rifle that is chambered in .308 Winchester and has an 18-inch barrel. The MK II accepts Accuracy International Chassis System 5 and 10 round magazines. This rifle is primarily used in an overwatch capacity to protect the community during large events and/or critical incidents.
- vi. REMINGTON 700 .308 CALIBER RIFLE, cost \$800, quantity: 2. The Remington 700 .308 caliber rifle is a bolt action rifle that is chambered in .308 Winchester and has a 20-inch barrel. This rifle has a removable magazine system and accepts 5 or 10 round magazines. This rifle is primarily used in an overwatch capacity to protect the community during large events and/or critical incidents.

b. Purpose

To be used as precision weapons to address a threat with more precision and/or greater distances than a handgun, if present and feasible.

c. Authorized Use

Only members that are POST certified are authorized to use a rifle.

d. Lifespan

Colt M4 Carbine- 15 years.

Daniel Defense DDM4 5.56mm rifle- 5 years.

LWRC International M6IC-PSD 5.56mm 10.5" rifle- 5 years.

GA Precision Gladius .308 rifle- 15 years.

Accuracy International MK II .308 rifle- 15 years.

Remington 700 .308 rifle- 15 years.

Colt AR15 5.56mm rifles- 15 years.

e. Fiscal Impact

Annual maintenance is approximately \$50 for each rifle.

f. Training

Prior to using a rifle, officers must be certified by POST instructors in the operation of the rifle. Additionally, all members that operate any rifle are required to pass a range qualification two times a year.

g. Legal and Procedural Rules

It is the policy of the Kern County Sheriff's Office to utilize rifles only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.

11. **Chemical Agent and Smoke Canisters:** Canisters that contain chemical agents that are released when deployed.

a. Description, quantity, capabilities, and purchase cost

i. DEFENSE TECHNOLOGY, TRIPLE-CHASER SEPARATING CANISTER, CS, #1026, cost: \$34, quantity: 0. The Triple-Chaser CS consists of three separate canisters pressed together with separating charges between each. When deployed, the canisters separate and land approximately 20 feet apart allowing increased area coverage in a short period of time. This canister can be hand thrown or launched from a fired delivery system. The canister is 6.5 inches by 2.7 inches and hold approximately 3.2 oz. of active agent payload. It has an approximate burn time of 20-30 seconds.

ii. DEFENSE TECHNOLOGY, FLAMELESS TRI-CHAMBER CS GRENADE, #1032, cost \$38, quantity: 71. The design of the Tri-Chamber Flameless CS Grenade allows the contents to burn within an internal can and disperse the agent safely with reduced risk of fire. The grenade is designed primarily for indoor tactical situations to detect and/or dislodge a barricaded subject. This grenade will deliver approximately .70 oz. of agent during its 20-25 seconds burn time. The Tri-Chamber Flameless Grenade can be used in crowd control as well as tactical deployment situations by Law Enforcement and Corrections but was designed with the barricade situation in mind. Its applications in tactical situations are primarily to detect and/or dislodge barricaded subjects. The purpose of the Tri-Chamber Flameless Grenade is to minimize the risks to all parties through pain compliance, temporary discomfort, and/or incapacitation of potentially violent or dangerous subjects. The Tri-Chamber Flameless Grenade provides the option of delivering a pyrotechnic chemical device indoors, maximizing the chemicals' effectiveness via heat and vaporization, while minimizing or negating the chance of fire to the structure. The Tri-Chamber Flameless Grenade is NOT to be launched utilizing a launching cup.

iii. DEFENSE TECHNOLOGY, SPEDE-HEAT CONTINUOUS DISCHARGE CHEMICAL GRENADE, CS, #2042, cost: \$46, quantity: 38. The Spede-Heat CS Grenade produces a high volume, continuous burn, and expels its payload in approximately 20-40 seconds. The payload is discharged through four gas ports on top of the canister, three on the side, and one on the bottom. This launchable grenade 6.12 inches by 2.62 inches and holds approximately 2.9 oz. of active agent.

iv. DEFENSE TECHNOLOGY, OC/CS AEROSOL GRENADE, #1050, cost: \$59, quantity: 0. The OC Flameless Expulsion Grenade is designed for indoor use. This grenade contains no CFC's, is not a fire hazard and requires minimal decontamination by comparison to smoke, powders, or liquids. The Aerosol Grenade is most commonly used in tactical situations by Law Enforcement and Corrections and was designed with indoor operations in mind when a non-fire-

producing delivery system is desired. It is most effective when used in confined areas and close to the target area. Used to minimize the risks to all parties through pain compliance, temporary discomfort and/or incapacitation of potentially violent or dangerous subjects. The Aerosol Grenade is ideal for cell extractions or barricade situations where the use of pyrotechnic, powder, or liquid devices is not practical or desired. The OC and CS combination provide sufficient effects in confined areas of up to 1,500 square feet. The Aerosol Grenade is not recommended for outdoor use.

- v. DEFENSE TECHNOLOGY, STINGER RUBBER BALL GRENADE, OC, #1089, cost \$52, quantity: 15. The Stinger OC Grenade is a maximum effect device that delivers four stimuli for psychological and physiological effects: rubber pellets, light, sound, and OC. The Stinger Grenade is most widely used as a crowd management tool by Law Enforcement and Corrections. The Stinger Grenade has an initial 1.5 second delay that initiates fuse assembly separation, followed by another .5 second delay before the blast which is sufficient to project the rubber balls and chemical agent in a 50-foot radius.
- vi. DEFENSE TECHNOLOGY, STINGER CS RUBBER BALL GRENADE, #1088, cost \$54, quantity: 22. The Stinger CS Rubber Ball Grenade is a maximum effect device that delivers four stimuli for psychological and physiological effects: rubber pellets, light, sound, and CS. The Stinger Grenade is most widely used as a crowd management tool by Law Enforcement and Corrections. The Stinger Grenade has an initial 1.5 second delay that initiates fuse assembly separation, followed by another .5 second delay before the blast which is sufficient to project the rubber balls and chemical agent in a 50-foot radius.
- vii. DEFENSE TECHNOLOGY, HAN-BALL GRENADE, CS, #1092, cost \$39, quantity: 10. The Han-Ball™ CS Grenade is an outdoor use grenade expelling its payload in approximately 15-20 seconds. The rubber ball round has an overall size of 4.8 in. tall, including the fuze head, and 3.1 in. diameter. This launchable grenade holds approximately 1.6 oz. of active agent which is expelled through three ports around the equator of the ball. Due the intense heat generated by this grenade, it should not be used inside a building or near flammable material.
- viii. COMBINED SYSTEMS, CTS CS BAFFLED CANISTER GRENADE, #5230B, cost \$39, quantity: 32. The CTS CS Baffled Canister Grenade 5230B is a pyrotechnic grenade designed for indoor use delivering a maximum amount of irritant smoke throughout multiple rooms with minimal risk of fire. This launchable grenade 6.20 inches by 2.60 inches.
- ix. DEFENSE TECHNOLOGY, OC AEROSOL GRENADE 1.3% FOGGER, 6 OUNCE, #56854, cost: \$22, quantity: 2. The 6 oz. OC Aerosol Grenade will deliver its payload of 1.3% MC% OC in 20-25 seconds. This is an anatomized mist which enhances the pungent 1.3% OC formulation. Ideal for area denial areas like attics, garages, etc. This device has minimum clean up. The canister may also be handheld to direct the spray pattern. This product is designed to provide room clearing ability with minimum clear up requirements.
- x. DEFENSE TECHNOLOGY, STINGER 32 CALIBER RUBBER BALL GRENADE, #1090, cost \$5, quantity: 0. The Stinger Rubber Ball Grenade is a maximum effect device that delivers three stimuli for psychological and physiological effects: rubber pellets, light, and sound. The Stinger Rubber Ball Grenade is most widely used as a crowd management tool by Law Enforcement and Corrections. The Stinger Rubber Ball Grenade has an initial 1.5 second delay that initiates fuse assembly separation, followed by another .5 second delay before the blast which is sufficient to project the rubber balls in a 50-foot radius.

- xii. DEFENSE TECHNOLOGY, POCKET TACTICAL GRENADE, SAF-SMOKE, #1017, cost: \$27, quantity: 0. The Pocket Tactical Saf-Smoke™ Grenade is small, and lightweight. The Saf-Smoke will burn approximately 20-40 seconds. At 4.75 in. by 1.4 inches in size, it easily fits in most tactical pouches. This is a launchable grenade; however, it is normally used as a signaling or covering device. Though it is slightly over four inches in length, it produces a smoke cloud so fast it appears to be an enveloping screen produced by a full-size tactical grenade.
- xiii. DEFENSE TECHNOLOGY, LARGE STYLE MAXIMUM SMOKE HC, #1073, cost \$41, quantity: 10. The Maximum Smoke Grenade is designed specifically for outdoor use in crowd control situations with a high-volume continuous burn that expels its payload in approximately 1.5 – 2 minutes through four gas ports located on the top of the canister. This grenade can be used to conceal tactical movement or to route a crowd. The volume of smoke and agent is vast and obtrusive. This launchable grenade is 6.0 in. by 2.6 in. and holds approximately 2.9 oz. of active agent.
- xiv. DEFENSE TECHNOLOGY, MILITARY STYLE RED SMOKE, #1067, cost \$49, quantity: 0: The Maximum Smoke Grenade is designed specifically for outdoor use in crowd control situations with a high-volume continuous burn that expels its payload in approximately 30-40 seconds through four gas ports located on the top of the canister. This grenade can be used to conceal tactical movement or to route a crowd. The volume of smoke and agent is vast and obtrusive. This launchable colored smoke grenade is 6.0 in. by 2.35 in. and holds approximately 2.9 oz. of active agent.
- xv. COMBINED SYSTEMS, CTS WHITE SMOKE CANISTER GRENADE, #5210B, cost \$38, quantity: 10. The CTS white smoke canister grenade is a pyrotechnic smoke grenade used for concealment or as a signaling device. It can be hand thrown or launched and can be used indoors with minimal risk of fire.
- xvi. DEFENSE TECHNOLOGY, FIRST DEFENSE 1.3% MK-9 STREAM OC AEROSOL, #56895, cost: \$55, quantity: 6. The MK-9 features an easy-to-use trigger handle, is intended for use in crowd management and will deliver 14 short bursts of OC at an effective range of 18-20 ft. This 1.3% MC OC aerosol product utilizes a stream delivery method providing a target-specific, strong concentrated stream for greater standoff.
- xvii. DEFENSE TECHNOLOGY, FIRST DEFENSE .7% MK-9S HV VAPOR AEROSOL, #43896, cost \$54, quantity: 25. The MK-9S features an easy-to-use trigger handle, is intended for use in crowd management and will deliver 8-10 short bursts of OC at an effective range of 10-15 ft. This .7% MC OC aerosol product utilizes a vapor delivery method providing a high concentration of OC in a powerful mist inflaming the mucous membranes and exposed skin. Onset is immediate and very intense, resulting in an intense burning sensation that evaporates quickly when exposed to fresh air. Non-flammable / Electronic Discharge Weapon (EDW) safe.
- xviii. DEFENSE TECHNOLOGY, FIRST DEFENSE OC MK-21 HIGH VOLUME STREAM, #5721, cost \$280, quantity: 1. The MK-21 features a trigger handle, is intended for use in crowd control management and delivers short bursts of OC. This item is no longer in production.
- xix. DEFENSE TECHNOLOGY, FIRST DEFENSE 1.3% MK-46V STREAM OC AEROSOL #43046, cost: \$495, quantity: 1. The MK-46 features a trigger handle, is intended for use in crowd management and will deliver 26 short bursts of OC at an effective range of 25-30 ft. This 1.3% MC OC aerosol product utilizes a stream delivery method providing a target-specific, strong concentrated stream for greater

standoff.

b. Purpose

To limit the escalation of conflict where employment of lethal force is prohibited or undesirable. Situations for use of the less lethal weapon systems may include, but are not limited to:

- i. Self-destructive, dangerous and/or combative individuals.
- ii. Riot/crowd control and civil unrest incidents.
- iii. Circumstances where a tactical advantage can be obtained.
- iv. Potentially vicious animals.
- v. SWAT/SERT, tactical or other public safety and life preservation missions.
- vi. Training exercises or approved demonstrations.

c. Authorized Use

Only officers who have received POST certification in the use chemical agents are authorized to use chemical agents.

d. Training

Sworn members utilizing chemical agent canisters are certified by POST less lethal and chemical agent instructors.

e. Lifespan

5 years from manufacturing date.

f. Fiscal Impact

No annual maintenance.

g. Legal and Procedural Rules

It is the policy of the Kern County Sheriff's Office to utilize chemical agents only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding the use of force.

12. Explosive Breaching Tools: Tools that are used to conduct an explosive breach.

a. Description, quantity, capabilities, and purchase cost

- i. DETONATING CORD, cost: \$0.57 per foot, quantity: 4000 feet. The detonating cord is a thin, flexible plastic tube usually filled with [pentaerythritol tetranitrate](#) (PETN, pentrite). With the PETN exploding at a rate of approximately 6400 m/s, any common length of detonation cord appears to explode instantaneously. It is a high-speed [fuse](#) which explodes, rather than burns, and is suitable for detonating [high explosives](#).
- ii. BLASTING CAP, cost: \$12-\$18, quantity: 98. A blasting cap is a small sensitive primary explosive device generally used to detonate a larger, more powerful and less sensitive secondary explosive such as TNT, dynamite, or plastic explosive. Blasting caps come in a variety of types, including non-electric caps, electric caps, and fuse caps, however, only non-electric caps are used for explosive breaching.
- iii. DETASHEET, cost: \$100/lb, quantity: 20. A plasticized explosive primarily consisting of pentaerythritol tetranitrate (PETN, pentrite). With the PETN exploding at a rate of approximately 6400 m/s, any common length of detonation cord appears to explode instantaneously. It operates as a secondary explosive.
- iv. REMINGTON 870 EXPRESS BREACHING SHOTGUN, cost: \$500, quantity: 1. This weapon allows for breachers to safely utilize shotgun breaching rounds to destroy deadbolts, locks, and hinges. The stand-off that is attached to the end of the barrel allows for positive placement of the gun into the correct position and vents gases to prevent overpressure. This weapon can also defeat windows and sliding glass doors with a flash bang round. A less lethal 2.4- inch 12-gauge shotgun round firing a ballistic fiber bag filled with 40 grams of lead shot at a velocity of 270-290 feet per second (FPS).
- v. MOSSBERG MODEL 930 BREACHING SHOTGUN, cost \$600, quantity: 1. This weapon allows for breachers to safely utilize shotgun breaching rounds to destroy

deadbolts, locks, and hinges. The stand-off that is attached to the end of the barrel allows for positive placement of the gun into the correct position and vents gases to prevent overpressure. This weapon can also defeat windows and sliding glass doors with a flash bang round. A less lethal 2.4 inch 12-gauge shotgun round firing a ballistic fiber bag filled with 40 grams of lead shot at a velocity of 270-290 feet per second (FPS).

- vi. ROYAL ARMS TESAR-1 ORANGE CAP 275 GRAIN COPPER FRANGIBLE BREACHING ROUND, cost: \$5 per round, quantity: 5. The round is fired from a breaching shotgun or PAN disrupter and is used to destroy deadbolts, locks, and hinges.
- vii. ROYAL ARMS TESAR-2 BACK CAP 425 GRAIN COPPER FRANGIBLE BREACHING ROUND, cost: \$5 per round, quantity: 5. The round is fired from a breaching shotgun or PAN disrupter and is used to destroy deadbolts, locks and hinges.
- viii. ROYAL ARMS TESAR-3 GREEN CAP 375 GRAIN CLAYVON FRANGIBLE BREACHING ROUND, cost: \$5 per round, quantity: 59. The round is fired from a breaching shotgun or PAN disrupter and is used to destroy deadbolts, locks and hinges.
- ix. ROYAL ARMS FTR-P1 TRAINING AMMUNITION (POLY SHOT), cost: \$5 per round, quantity: 5. The round is fired from a breaching shotgun or PAN disrupter and is used for training purposes. It also can be used for fracturing glass panels.
- x. ROYAL ARMS FB-82H 12-GAUGE 82 GRAIN FLASH BANG HARD BREACHING ROUND, cost: \$5 per round, quantity: 0. The rounds are fired from a breaching shotgun or PAN disrupter and is used as a diversionary round and can be used to break glass.
- xi. ROYAL ARMS MB-70S 12-GAUGE MUZZLE BLAST FLASH BANG SOFT BREACHING ROUND, cost: \$6 per round, quantity: 20. The round is fired from a breaching shotgun or PAN disrupter and is used as a diversionary round and can be used to break glass.
- xii. L-TECH ENTERPRISES 12-GAUGE EOD BK10 BLANK, cost \$1.46 per round, quantity: 15. The round is fired from a PAN Disrupter and used to propel fluid toward a target and disrupt the contents or components.
- xiii. L-TECH ENTERPRISES 12-GAUGE EOD BK20 BLANK, cost \$1.46 per round, quantity: 14. The round is fired from a PAN Disrupter and used to propel fluid toward a target and disrupt the contents or components.
- xiv. L-TECH ENTERPRISES 12-GAUGE EOD BK40 BLANK, cost \$2.46 per round, quantity: 14. The round is fired from a PAN Disrupter and used to propel fluid toward a target and disrupt the contents or components.
- xv. L-TECH ENTERPRISES 12-GAUGE EOD BK90 BLANK, cost \$2.80 per round, quantity: 11. The round is fired from a PAN Disrupter and used to propel fluid toward a target and disrupt the contents or components.
- xvi. L-TECH ENTERPRISES 12-GAUGE EOD BK110 BLANK, cost \$3.00 per round, quantity: 27. The round is fired from a PAN Disrupter and used to propel fluid toward a target and disrupt the contents or components.
- xvii. L-TECH ENTERPRISES 12-GAUGE EOD DISINTEGRATING PROJECTILE (AVON) BLANK, cost \$5.00 per round, quantity: 0. The round is fired from a PAN Disrupter and uses a disintegrating projectile to destroy locks and latching mechanisms.
- xviii. DEFENSE TECHNOLOGY DRAG STABILIZED 12-GUAGE BEAN BAG ROUND, cost \$5.00, quantity: 27. The rounds are fired from a breaching shotgun or PAN disrupter and is used to break glass.

b. Purpose

To safely gain entry into a structure.

c. Authorized Use

Explosive breaching may only occur after authorization by the Incident Commander or SWAT Commander in the field, and during training exercises.

d. Lifespan

Detonating Cord- 10 years.

Blasting Caps- 10 years.

Detasheet- 2 years.

Breaching Shotguns- 25 years.

Royal Arms Tesar-1 Orange Cap 275 grain copper frangible breaching round- 5 years.

Royal Arms Tesar-2 Back Cap 425 grain copper frangible breaching round- 5 years.

Royal Arms Tesar-3 Green Cap 375 grain clayvon frangible breaching round- 5 years.

Royal Arms FTR-P1 Training Ammunition (poly shot)- 5 years.

Royal Arms FB-82H 12-Gauge 82 grain flash bang hard breaching round- 5 years.

Royal Arms MB-70S 12-Gauge muzzle blast flash bang soft breaching round- 5 years.

L-Tech Enterprises 12-Gauge EOD BK10 blank- 5 years.

L-Teck Enterprises 12-Gauge EOD BK20 blank- 5 years.

L-Tech Enterprises 12-Gauge EOD BK40 blank- 5 years.

L-Tech Enterprises 12-Gauge EOD BK90 blank- 5 years.

L-Tech Enterprises 12-Gauge EOD BK110 blank- 5 years.

L-Tech Enterprises 12-Gauge EOD disintegrating projectile (AVON) blank- 5 years.

Defense Technology Drag Stabilized 12-Gauge Bean Bag round- 5 years.

e. Fiscal Impact

Annual maintenance is approximately \$200.

f. Training

All officers who use explosive breaching tools shall attend 80 hours of explosive breaching instruction and must additionally receive annual training for explosive operations. All officers responsible for explosive breaching will be certified by CalOSHA.

g. Legal and Procedural Rules

It is the policy of the Kern County Sheriff's Office to utilize explosive breaching tools only for official law enforcement purposes, and pursuant to State and Federal law.

13. **Two (2) Bell OH-58A+:** The Bell OH-58A+ are helicopters used for patrol operations in Kern County. They are used to assist the Kern County Sheriff's Office and allied agencies with the use of a thermal camera along with a spotlight. These were obtained at no cost from the military in the 1990's and were outfitted with cameras, lights, radios and computers to function in a law enforcement capacity. One helicopter was manufactured in 1969 and the other in 1970.

a. Description, quantity, capabilities, and purchase cost

Two small Bell helicopters which are used for patrol and search and rescue missions. These were obtained from the military in the 1990's at no cost. The Sheriff's Office has spent several hundred thousand dollars to outfit these helicopters for law enforcement use since they were obtained from the military.

b. Purpose

To provide overhead support for law enforcement activities, including patrol response and search and rescue incidents.

c. Authorized Use

The Bell OH-58A+ helicopters are used on a day and night basis to support patrol operations. They are not certificated by the FAA, so they are unable to be used for any type of civilian operations/transport, unless necessary for the mission (i.e. to transport a missing person as a result of a search and rescue mission)

d. Lifespan

No set life span, however, several safety systems do not meet current FAA guidelines. One of the helicopters has been taken out of service due to safety issues discovered. The

Sheriff's Office is using parts from this helicopter to keep the other OH-58A+ running at a reduced cost. These are both expected to be taken out of service and returned to the military in FY 23/24.

e. Fiscal Impact

Annual maintenance cost is approximately \$100,000.

f. Training

All pilots complete regular (quarterly) currency flights, both night and day, with an inhouse certified flight instructor.

g. Legal and Procedural Rights

Due to being non-certificated by the FAA, they are unable to be used for civilian use and must be used for a law enforcement purpose.