

# KERN COUNTY SHERIFF'S OFFICE

## Detentions Bureau Policies and Procedures

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**TITLE:            DETENTIONS BUREAU ADMINISTRATION**

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**A-100**

<b>EFFECTIVE:</b>	<b>REVIEWED:</b>	<b>REVISED:</b>	<b>UPDATED:</b>
06-30-90	01-20-21	06-10-13	01-20-21

**APPROVED BY:**     Detentions Bureau Chief Deputy James Morrison

**REFERENCE:**        Title 15, Section 1029, C.C.R.

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### **POLICY**

The Kern County Sheriff's Office Detentions Bureau shall be under the administration and direction of a Chief Deputy, appointed by the Sheriff. Division Commanders and Section Managers will be responsible for assigning staff within their respective sections based on personnel allocated by the Detentions Bureau Chief Deputy.

Division Commanders and Section Managers shall ensure that the day-to-day operations of their respective divisions or sections comply with:

- a.     The Constitutions of the United States and the State of California.
- b.     The laws of the State of California and the United States.
- c.     California Code of Regulations (Title 15 and applicable sections of Title 24).
- d.     County Ordinances
- e.     Court rulings
- f.     Sheriff's Office policy
- g.     Detentions Bureau policy
- h.     Applicable Section policy
- i.     Applicable provisions of Memorandums of Understanding with employee bargaining groups.

**Procedure: Review of Administrative Policies and Procedures****The Section Managers will:**

- Keep up-to-date on changing laws, standards and court rulings pertaining to administrative practice.
- Conduct occasional inspections of their facility.
- Review the administrative policies and practices of their assigned section to ensure compliance with laws, standards and court rulings.
- Submit written recommendations for needed changes in administrative policies and practices to the Division Commander or Detentions Bureau Chief Deputy as needed.

# KERN COUNTY SHERIFF'S OFFICE

## Detentions Bureau Policies and Procedures

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**TITLE:** MAINTAINING BUREAU POLICIES

**A-200**

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<b>EFFECTIVE:</b>	<b>REVIEWED:</b>	<b>REVISED:</b>	<b>UPDATED:</b>
June 30, 1990	05-19-2022	10-05-18	05-19-2022

**APPROVED BY:** Detentions Bureau Chief Deputy James Morrison

**REFERENCE:** Title 15, Section 1029, C.C.R.

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### **POLICY**

The Detentions Bureau Chief Deputy will be responsible for the development, maintenance, and updates of the Detentions Bureau Policies and Procedure Manual (DBPPM). This function will normally be assigned to the Compliance Section.

The Detentions Bureau Policies and Procedures manual shall address all applicable Title 15 and Title 24 regulations and any other statutory requirements. The manual shall be made available to all applicable employees and will be reviewed at least every two years.

The official version of the Detentions Bureau Policy and Procedure Manual will be maintained on the SheriffNet intranet website. Any printed copies of the manual will be maintained and updated from this source.

### **DEFINITIONS:**

- **Effective:** Date the policy was originated.
- **Reviewed:** Date the policy was most recently reviewed biennially as required by this section.
  - The Compliance Section manager will review all sections of this manual biennially as directed by the Detentions Bureau Chief Deputy.
- **Revised:** Date of a significant change or modification of an existing policy.
  - The Detentions Bureau Chief Deputy shall approve all revisions to DBPPM polices, except for revisions to appendices as detailed below.

- **Updated:** Date there is a non-substantive change, such as the correction of a grammatical error, punctuation, a minor word is changed, a change in format, or an attachment is updated.
  - The Compliance Section manager shall update DBPPM policies as directed by the Detentions Bureau Chief Deputy.
- **Appendix:** A subsection of Detentions Bureau policy that provides standing direction specific to a section or facility. Appendices shall be attached to a specific DBPPM section or to the manual as a whole.
  - A section manager shall add, delete, revise, or update appendices that are specific to the section under their command.
  - Section managers will review appendices specific to their section biennially.

Appendices apply only to the section to which they are specific. If any part of an appendix conflicts with Detentions Bureau Policy, the DBPPM section shall be adhered to. Any remaining part of an appendix that does not conflict with the DBPPM shall remain in effect. Any staff who believes such a conflict exists shall notify their supervisor.

#### **DIRECTIVE #1:**

The official version of the DBPPM will be on SheriffNet. Sheriff's administration will not distribute printed copies of DBPPM revisions, nor track where printed copies of the manual are kept. Division or section managers and unit supervisors have the option of determining if and where printed copies of the DBPPM will be kept in their area of responsibility. It will be that manager or supervisor's responsibility to update any printed copy versions of the DBPPM they choose to have available for their staff and volunteers.

#### **Procedure A: Development and Revision of Policies and Procedures**

**Any member of the Sheriff's Office shall request a modification of this manual by:**

- Making any recommendations for changes or additions in memorandum form, including the reason for the change or addition/deletion by citing specifics, current law or other pertinent information, section number, and language to be deleted or added;

- Forward the memorandum through the chain of command to the Detentions Bureau Chief Deputy.

**The Supervisor will:**

- Review the memorandum;
- Attach any supplemental information or comments to the original memorandum;
- Forward the memorandum to the next level in the chain of command.

**DIRECTIVE A-1**

All memorandums submitted under this section, regardless of content, shall be forwarded to the section manager.

**The Section Manager Will:**

- Review the memorandum;
- Attach any supplemental information or comments to the original memorandum;
- Forward the memorandum to the division manager.

**The Division Commander will:**

- Review the memorandum;
- Evaluate the request and attach a recommendation;
- Forward the request and recommendation to the bureau chief deputy.

**The Bureau Chief Deputy will:**

- Review the memorandum and recommendations;
- Determine if policy should be developed or the policy and/or procedure should be revised. If necessary, return the memorandum for clarification or additional justification;
- Approve or disapprove the development request or revision;

- If revisions to policy and procedure or the development of new policy and procedure are approved, and the change or new policy and procedure will affect the terms and conditions of employment, arrange for a meet and confer with the appropriate employee bargaining unit(s);
- Route all approved revisions or any policy and procedure development criteria to the Compliance Section to make the manual revisions;

If requests for changes or development are disapproved, send a memorandum notifying the originator of the request that it has been disapproved, along with the original request and all comments.

- Route any correspondence regarding the proposed revision to the Compliance Section for archiving.

## **DIRECTIVE A-2**

Procedure A is separate from the regular policy development and revision process conducted by the Compliance Section. The Compliance Section will develop and revise the policies and procedures of this manual as directed by the Detentions Bureau Chief Deputy. The Compliance Section manager will facilitate the review and approval process for policy revisions or development that are initiated by or referred to the Compliance Section.

### **Procedure B: Revision of Policy and Procedure Sections**

When a policy revision has been approved by the Chief Deputy, the Compliance Section will:

- Make all approved changes to the appropriate policy, noting the date of revision;
- Keep a copy of the policy that was changed for a period of at least five (5) years;
- Cause the Detentions Bureau Policy and Procedure Manual on the SheriffNet intranet site to be updated.
- Coordinate with the Training Section to distribute notification of the revision in the form of an agency-wide training bulletin.
- Coordinate with the Technology Support Section to update the publicly posted version of the manual accordingly.

Once the revised policies have been placed on SheriffNet, the Compliance Section will notify County Counsel of the changes.

The supervisors of each affected Section will notify their staff of the changes in policy.

### **Procedure C: Retention of Obsolete Policies and Procedures**

The Detentions Bureau Compliance Section will:

- Maintain a master file of the Detentions Bureau policy and procedure manual.
- Add any revisions to the master file of the policy and procedure manual.
- Maintain all obsolete policies and procedures in the master file of the policy and procedure manual.
- Purge copies of all obsolete policies and procedures after a minimum period of (5) years after the policy or procedure has been replaced or amended.

### **Procedure D: Revision of Section Specific Appendices**

The manager of a section within the Detentions Bureau is authorized to attach an appendix specific to his/her section to a Detentions Bureau policy or to the manual as a whole. The attachment of appendices shall be made in consultation with the manager of the Compliance Section.

Any staff member shall request modification of an appendix using the process described in Procedure A, routing the memorandum to the relevant section manager via the chain of command.

#### **The Section Manager will:**

- Review the memorandum and recommendations;
- Determine if appendix should be developed or revised. If necessary, return the memorandum for clarification or additional justification;
- Approve or disapprove the development request or revision;

- If revisions to the appendix or the development of a new appendix is approved, and the change will affect the terms and conditions of employment, confer with the division manager regarding the necessity of a meet and confer with the appropriate employee bargaining unit(s);
- Route approved revision or added appendix to the Compliance Section to make the manual revisions on SheriffNet and the public website;
- If requests for changes or development are disapproved, send a memorandum notifying the originator of the request that it has been disapproved, along with the original request and all comments.

The Compliance Section will make approved changes to appendices using the same process described in Procedure B above and will retain obsolete appendices as described in Procedure C above.



# KERN COUNTY SHERIFF'S OFFICE

## Detentions Bureau Policies and Procedures

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**TITLE: POST ORDERS**

**A-300**

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<b>EFFECTIVE:</b>	<b>REVIEWED:</b>	<b>REVISED:</b>	<b>UPDATED:</b>
09-18-2003	01-20-21	08-02-13	01-20-21

**APPROVED BY:** Detentions Bureau Chief Deputy James Morrison

**REFERENCE:**

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### **POLICY**

To provide staff with descriptions of their duties that are specific to the posts to which they are assigned, each section will keep written post orders for employee use at each post to which officers are assigned. Each section manager or his/her designee will develop orders for each designated post at their facility, which will be kept in a place that is accessible to the officer assigned to that post. The official version of all post orders will be maintained on the SheriffNet intranet website. Any printed copies of the post orders will be maintained and updated from this source.

### **Procedure A. Developing Post Orders**

**The Section Manager or his/her designee will:**

- Identify each post to which deputies are assigned within the section.
- For each post identified, describe in writing the specific tasks and responsibilities for that post. Additionally, when applicable, indicate the circumstances in which a task is to be done or the approximate times at which each task is to be done.
- Ensure that the post orders are in compliance with applicable Sheriff's Office, Bureau, and Section Policies and Procedures.
- Maintain a master copy of the completed post orders on the SheriffNet intranet website.
- If the post orders are for a position that does not have a fixed duty station (e.g., a Search and Escort deputy) or access to a computer terminal, a printed copy of

the post orders will be maintained at a location determined by the section manager.

### **Procedure B. Maintaining Post Orders**

Whenever a Sheriff's Office, Bureau, or Section Policy is changed, added, or deleted, the Section Manager or his/her designee will review the relevant post orders and make any changes necessary for the post orders to be in compliance with current policy.

Any staff member may request a change in post orders by writing a memorandum indicating the recommended changes and the reasoning behind them. The memorandum will be directed to the section manager through the chain of command (see DPPM C-600). The section manager will approve or disapprove of the changes. If the changes are disapproved, the section manager will send a memorandum notifying the staff member who requested the change that the change was not approved. If the change is approved, the section manager or his/her designee will make the appropriate changes in the relevant post orders.

#### **Upon any change in post orders, the section manager or his/her designee will:**

- Add any revisions to the master file of the post orders and distribute copies to all relevant posts.
- Maintain all obsolete post orders in the master file of post orders.
- Purge copies of all obsolete post orders after a minimum period of (5) years after the post orders were replaced or amended.



**Procedure B - Identification of Records Eligible for Destruction**

**When records which are eligible for destruction are identified, each facility's Sheriff's Support Supervisor will:**

- Pull the records from the files, put them in boxes, and place them in a designated secure location.
- Complete an "Authorization to Destroy Records" form (Attachment A).
- Submit the form to the Section Manager.

**The Section Manager will:**

- Review the form and forward it to the Division Commander.

**The Division Commander will:**

- Review the form and, when approved, forward it to the Detentions Bureau Chief Deputy.

**The Detentions Bureau Chief Deputy will:**

- Review the form and, when approved, forward it to the County Counsel's Office.
- Once approved, route the form back to the Division Commander.

**The Division Commander will:**

- Give the authorization form to the Sheriff's Support Supervisor.
- Direct the clerk to destroy the records.

**The Sheriff's Support Supervisor will:**

- Destroy the records.
- Retain the authorization form in a file designated for Authorization to Destroy Records for ten years.

# KERN COUNTY SHERIFF'S OFFICE

## Detentions Bureau Policies and Procedures

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**TITLE: JAIL VIDEO MONITORING SYSTEMS**

**A-500**

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**EFFECTIVE DATE:** 7-25-14

**REVISED:** 7-2-15

**APPROVED BY:** Detentions Bureau Chief Deputy Shelly Castaneda

**REFERENCE:** Government Code section 6253.9

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### **PURPOSE**

Jail Video Monitoring Systems used in Sheriff's Office detention facilities are designed to enhance safety and security for the inmate population, jail staff, and the general public. Video or audio data obtained from the Jail Video Monitoring Systems will be available on a need to know basis and will be used both in real time for security purposes, and to review previously recorded incidents for the purpose of assisting management in analyzing those incidents and ensuring compliance with rules, regulations, policies, and law.

### **POLICY**

This policy applies to all types of camera systems, monitors, and recording devices used for security purposes at various Sheriff's Office detention facilities. This policy sets forth limited authorized use of video images and audio recordings obtained from these systems and mandates the required storage time.

Sheriff's employees, contractors, or vendors with access to the Jail Video Monitoring System are required to comply with this policy.

### **DIRECTIVE #1- PROHIBITED USES OF JAIL VIDEO MONITORING SYSTEM RECORDINGS**

- Recordings may not be used for any personal use or uploading to any internet web site without the express written authorization of the Sheriff.
- In no event shall any recording be used or shown with the intent to ridicule or embarrass any employee or any member of the public.
- In no event shall video images reviewed on a system monitor be video recorded by another video recording device (cell phone, tablet computer, or other device).
- Recordings shall not be reviewed by any supervisor for the sole purpose of determining whether an employee (or employees) is engaged in misconduct without due cause. This does not preclude a supervisor from viewing recordings as part of normal, responsible,

supervisory practices.

Audio and video from the Jail Video Monitoring System shall not be used in any manner in violation of the law or County rules, policies or procedures. This data shall in no manner be used for any improper, illegal, offensive or harassing purpose. Activities prohibited by this policy include, but are not necessarily limited to the following:

- Accessing or sending of any material or communication in violation of any federal, state, or local law, ordinance, or regulation.
- Unauthorized or improper downloading, accessing, viewing or sending of any audio or video images is prohibited

## **DIRECTIVE #2 - VIEWING JAIL VIDEO MONITORING SYSTEM RECORDINGS**

Access to review video images or audio recordings on the Jail Video Monitoring System will be limited to the following members of the Sheriff's Office:

- Sheriff's Senior Deputies (Includes Detentions Senior Deputies)
- Sheriff's Sergeants (Includes Detentions Sergeants)
- Sheriff's Lieutenants (Includes Detentions Lieutenants)
- Commanders
- Chief Deputies
- Undersheriff
- Sheriff
- Internal Affairs Investigators

Review of recordings is permitted for the following purposes:

1. By Deputies, Senior Deputies, or Sergeants for the purpose of completing their reports.  
**Note\*** Review by line staff deputies will be under the supervision of those with "view" access as listed in Directive #2 above.
2. By a Facility Manager or Supervisor as part of their normal, responsible supervisory practices.
3. Any sworn personnel conducting an investigation of incidents captured by the Jail Video Monitoring System may review the video evidence prior to completing an investigative/supplemental report. Unforeseen circumstances may occur that prohibit involved personnel from viewing the video evidence prior to completing the investigative/supplemental report (i.e. emergency circumstances, maintenance issues,

etc.). Under these circumstances, personnel will be required to complete their report with timelines prescribed in Department Policy. If there are any additional observations viewed by the reviewing personnel believed to be relevant, the sworn personnel shall document those observations in a supplemental report.

4. By a Deputy or Senior Deputy, with supervisor approval, who is conducting follow-up on a specific case or incident and finds it necessary to review a video involving jail personnel.
5. By the Sheriff, Undersheriff, Chief Deputy, Commander, Lieutenant, or Sergeant who is conducting a review of a critical incident, such as a use of force, citizen or inmate complaint, or evaluation of Sheriff's Office business practices.
6. By Internal Affairs Investigators while conducting an administrative inquiry or as part of a personnel investigation.
7. By the Compliance Section Sergeant while conducting various performance audits.
8. As directed by the Sheriff.

### **DIRECTIVE #3 –PRIVACY**

All Kern County employees, employees from other agencies and departments, and the general public, who enter Sheriff's Office detention grounds or facilities, shall be subject to video/audio recording. All County rules, regulations, and guidelines, as they presently exist and as they may be amended in the future, regarding ethical and appropriate behavior by County employees and the appropriate use of County resources, apply to the use of Jail Video Monitoring System. Criminal or Civil action brought against employees may be appropriate where laws or rights are violated.

#### **Employees should have no expectation of privacy in any material generated by the Jail Video Monitoring System.**

The contents of any video or audio data obtained by the Jail Video Monitoring System may be disclosed to authorized parties without the permission of those depicted in the recordings.

Employees must not assume their activities, or recordings of those activities, are confidential or private. Only authorized Sheriff's Office staff will have access to the entire network.

Data obtained from the Jail Video Monitoring System are "public records" under Government Code section 6253.9 (part of the Public Records Act) that provides that, although records are in electronic format, they are still subject to review and inspection by the public.

### **DIRECTIVE #4 – USE OF CAPTURED VIDEO & AUDIO**

Video and audio data obtained from the Jail Video Monitoring System may be used to enhance the mission or work tasks of the County or the Sheriff's Office. Uses may include communication and exchanges for professional development, to maintain currency of training or

education, as supplemental information to performance audits, or to discuss issues related to the employee's department activities.

The video and audio captured by the Jail Video Monitoring System is intended for use in carrying out government business. The Kern County Sheriff's Office retains all personal property rights in any matter created by the Jail Video Monitoring System. Such matter is not the property of the employee or inmate.

Recordings may be used for the purposes of training with the approval of the appropriate Detentions Bureau Division Commander. The Division Commander will consider the training value of the recording and 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.

Any audit utilizing video and / or audio captured by a jail video monitoring system shall be conducted by the Lerdo Compliance Section.

**Notice of County's Rights:**

This usage information is subject to Public Disclosure and/or subpoena by the Courts. All electronic media communications are considered at all times to be County records.

**DIRECTIVE #5 – STORAGE**

Video and audio recorded by the Jail Video Monitoring System will be stored electronically for a period of 13 months. The system will automatically write over data that has been stored longer than 13 months.

**Procedure A: Requests for copies of jail incident video/audio**

The operation of the Jail Video Monitoring System will create a demand for copies of individual video/audio data of incidents that occur in the jail. Requests for copies of video/audio may come from a variety of sources including KCSO Detectives, KCSO Internal Affairs, County Counsel, allied law enforcement agencies and the media. The following procedures shall be followed for the release of video/audio data.

**DIRECTIVE A-1: Requests from authorized representative of the Kern County Sheriff's Office**

- The request will be made directly to the affected facility Administrative Sergeant. The request must include all pertinent information needed to be able to search for and identify the specific incident. This information may include:
  - Approximate date and time of incident
  - Inmate's name
  - Officers involved
  - Description and location of the incident
  - CJIS Incident number or ILEADS case number if one is available



**DIRECTIVE A-2: Requests from an allied law enforcement agency or County Counsel:**

- The request will be directed to the affected facility Administrative Sergeant. The Administrative Sergeant will direct the requesting agency to send him/her an email for tracking purposes. The email will contain the following:
  - Approximate date and time of incident
  - Inmate's name
  - Officers involved
  - Description and location of the incident
  - Name of the person and Agency requesting the information
- The facility Administrative Sergeant will work with the requester to determine what video/audio data needs to be recorded.
- Upon approval by the appropriate Detentions Bureau Division Commander, the facility Administrative Sergeant will locate and download the requested information and make it available to the requester.
- All approved data requests/releases will be logged and maintained by the affected Administrative Sergeant.

**DIRECTIVE A-3: Media / Press / Other requests:**

All requests for video/audio data by the media, resulting from a subpoena or other court order, or from any source not listed above will be directed to the KCSO Civil Litigation/Risk Management Unit Supervisor and the affected section manager (lieutenant).

**Procedure B: Maintenance**

Maintenance problems with the Jail Video Monitoring System shall be immediately brought to the attention of the applicable facility's Administrative Sergeant, as soon as possible, using the following procedure.

**Staff discovering a maintenance problem will:**

- Send an email to the Administrative Sergeant explaining the problem. Carbon copy (CC) a copy of the email to the applicable section manager and the Technology Services Section at [TSS@kernsheriff.com](mailto:TSS@kernsheriff.com).

**The Administrative Sergeant will:**

- Evaluate the problem and determine whether the problem is maintenance or technology related.

- If the issue is one of maintenance, such as a dirty lens, the Administrative Sergeant will complete a maintenance request using the online maintenance request system.
- If the issue is of a technical nature, arrangements will be made with Sheriff's Technology Services Section to have the problem repaired.

# KERN COUNTY SHERIFF'S OFFICE

## Detentions Bureau Policies and Procedures

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**TITLE: MEDIA ACCESS TO INMATES**

**A-600**

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<b>EFFECTIVE:</b>	<b>REVIEWED:</b>	<b>REVISED:</b>	<b>UPDATED:</b>
June 30, 1990	01-20-21	10-22-13	01-20-21

**APPROVED BY:** Detentions Bureau Chief Deputy James Morrison

**REFERENCE:** Title 15, Section 1045, C.C.R.

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### **POLICY**

All inquiries received from the media regarding access to inmates will be referred to the section manager or the on-duty Shift Supervisor.

Inmates are allowed to correspond freely with, or be interviewed by, the media as long as such access will not disrupt the security, order, or safety of the facility.

All news releases will be conducted pursuant to DPPM I-100. Inmates that are victims of a crime within a facility will be identified by age and gender only due to safety and security concerns.

### **Procedure A: Media Access to Inmates**

**Prior to an interview with an inmate being granted, the following steps will be taken:**

1. The media will be asked to submit a written request for an interview with the inmate. This request may be faxed or scanned and emailed to the facility. The written request will be taken to the inmate. The inmate will write on the request if he/she wishes to submit to the interview. The inmate will sign the request.
2. If the inmate consents to the interview, the shift supervisor will inform his/her staff, the media, and the inmate to be interviewed of the time, place and conditions under which the interview will take place.
3. If the inmate does not consent to the interview, the shift supervisor will notify the media requesting the interview.

4. The original request from the media will be filed in the inmate's folder.
5. Camera(s) and recording equipment will not be brought into the facility without prior approval of the shift supervisor.

**Note:** Generally, there is no problem with media persons bringing cameras and recording equipment into the facilities. However, these items may be searched prior to being brought into security areas. Searching of these items is at the discretion of the section manager or shift supervisor.

Persons bringing cameras into a facility shall be cautioned not to take identifiable photographs of inmates, unless the inmate grants written consent.

Cameras and recording equipment may be excluded if they pose a threat to the security and safety of the facility.

# KERN COUNTY SHERIFF'S OFFICE

## Detentions Bureau Policies and Procedures

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**TITLE: PUBLIC INFORMATION PLAN**

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**A-700**

<b>EFFECTIVE:</b>	<b>REVIEWED:</b>	<b>REVISED:</b>	<b>UPDATED:</b>
10-01-90	01-20-21	09-26-13	01-20-21

**APPROVED BY:** Detentions Bureau Chief Deputy Francis Moore

**REFERENCE:** Title 15, Section 1045, C.C.R.; G.C. 6254(f) (1)

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### **POLICY**

In order to foster cooperation and communication with the community, while protecting sensitive information, the following policy has been established to instruct staff on what information may be released to the public regarding individual inmates and inmate programs. Personnel will cooperate with the news media, public, or other governmental agencies, but will release authorized information only. Information about movement of inmates or facility security procedures will not be released.

### **PROCEDURE A: Release of Information Regarding County Inmates**

**Upon request for information regarding a county inmate, personnel will:**

- Determine if the inmate is currently in custody and is a County inmate. (If the inmate is a federal contract inmate, refer to Procedure B of this section.) If the County inmate is currently in custody, personnel will release the following information regarding the inmate upon request:
  - Name and booking number.
  - Charges and bail amount (if bail is set).
  - Arresting agency.
  - Date and time of arrest and booking.
  - Court date and/or scheduled out-date.
  - Facility at which the inmate is housed.

- Location of arrest.
- Date of birth.
- Physical description.
- Sentence
- If the inmate is not currently in custody, staff may release the person's:
  - Name
  - Date of release.
  - Type of release (i.e. bail, citation, etc.)
- Refer all other requests for information to the Sheriff's Office Records Section.

**DIRECTIVE A-1**

If the disclosure of a particular item of information would endanger the safety of a person involved in an investigation or would endanger the successful completion of the investigation or a related investigation, the item of information may be withheld. The section manager or his/her designee will make this determination.

The Sheriff's Office will make all reasonable attempts to honor other agency's requests that information regarding an inmate whom they have arrested be confidential pursuant to the above paragraph. In such cases, Sheriff's personnel who receive requests for such confidential information will refer the requestor to the arresting agency.

**PROCEDURE B: Release of Information Regarding Federal Contract Inmates**

**Upon request for information regarding a federal contract inmate, personnel will:**

- Determine if the inmate is currently in custody. If the inmate is in custody, personnel will release the following information regarding the inmate.
  - Booking number and federal number.
  - The mailing address for the facility at which the inmate is housed.

- The name and phone number of the agency for which the inmate is being detained.

Requests for any other information regarding federal contract inmates will be referred to the agency for which the inmate is being detained.

**Procedure C: Release of Information Regarding Inmate or Facility Programs**

**Upon request by anyone, clerical or security personnel will make available:**

- The following State Laws and State Board of Corrections Publications:
  - California laws pertaining to county and city adult detention facilities.
  - Title 15, California Code of Regulations.
  - Title 24, California Code of Regulations.
- Bureau and section procedures relating to:
  - Inmate Welfare Fund – Accounting
  - Public Information Plan.
  - Inmate Education Plan.
  - Visiting
  - Correspondence
  - Library Service
  - Exercise and Recreation
  - Books, newspapers, and periodicals.
  - Access to telephone.
  - Inmate Orientation
  - Individual/Family service program.

- Voting
- Religious Observances
- Responsibility for Health Care Services.

Requests for other types of information will be referred to the shift supervisor.

Upon request, the Facility Shift Supervisor shall release bureau and section policies and procedures relating to:

- Access to court and counsel
- Inmate grievance procedure.
- Rules and disciplinary penalties.
- Forms of discipline.
- Plans for and limitations on discipline.

Staff members are not required to give a copy of these publications or procedures to the public, but they must let an individual read the information or publications if requested.



# KERN COUNTY SHERIFF'S OFFICE

## Detentions Bureau Policies and Procedures

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**TITLE: POPULATION ACCOUNTING**

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**A-800**

<b>EFFECTIVE:</b>	<b>REVIEWED:</b>	<b>REVISED:</b>	<b>UPDATED:</b>
06-30-90	01-20-21	10-26-20	01-20-21

**APPROVED BY:** Detentions Bureau Chief Deputy Francis Moore

**REFERENCE:** Title 15, Section 1040, C.C.R.

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### **POLICY**

The daily tracking and recording of prisoner population serves as a valuable aid in planning, budgeting, and statistical analysis. Daily prisoner population accounting is a task performed by the Detentions Bureau Population Management Section.

#### **Procedure A. Compiling and Dispensing Inmate Population Statistics**

Each day between midnight and 0100 hours, CJIS will automatically compile an inmate population statistics report and update a computer file on a network drive. Population Management's Sheriff's Support Technicians will have access to this file, as designated by a Population Management Sergeant.

#### **The Population Management Sheriff's Support Technician will:**

- Compile the data for use in completing the monthly, quarterly, and annual jail profile surveys that will be transmitted electronically to the Board of State and Community Corrections.

# KERN COUNTY SHERIFF'S OFFICE

## Detentions Bureau Policies and Procedures

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**TITLE:** TIME OFF REQUESTS **A-1000**

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**EFFECTIVE DATE:** 07-25-09

**REVISED:** 4-14-11

**APPROVED BY:** Detentions Bureau Chief Deputy

**REFERENCE:** DPPM B-100, B-400, B-410; KCDOA MOU Article IV– Sections 2 and 4; KLEA MOU Article VI- Sections 2 and 3; County Ordinance 3.24.060; C. S. R. 1101.00; KCPPM Chapter 1

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### POLICY

Vacation and Compensatory Time Off (CTO) are benefits established for all full time county employees. These benefits are negotiated for Detentions Deputies and Deputy Sheriffs by their appropriate bargaining units (KCDOA and KLEA respectively). County Ordinance and Policies also regulate the use of vacation leave, compensatory time off, and sick leave.

The Kern County Sheriff's Office will adhere to the applicable County Ordinances and policies and will honor each Memorandum of Understanding (M.O.U.). Additionally, the following procedures have been established to effectively manage these leave benefits.

### DEFINITION(S):

- **Request for Vacation or Compensatory Time Off (CTO):** A personal communication via memorandum or email to the responsible supervisor as designated by proper authority.
- **Sick Leave:** A leave of absence necessitated by the illness of, or resulting from an accidental injury to, the employee or member of the employee's immediate family.
- **Shift Bid Period:** The six-month period of time beginning on the date shift bids take effect and ending on the date the subsequent shift bids take effect.

### DIRECTIVE #1

Failure to comply with applicable County Ordinances and this policy may result in

disciplinary action.

## **DIRECTIVE #2**

Within the Lerdo Facilities Division, requests for time off using vacation and CTO will be submitted and resolved as follows:

- Requests for time off **during the first seven days** of a new shift bid period will:
  - Be accepted only after the shift bid has been completed;
  - Be submitted to the shift supervisor who **will** be in charge of the requesting employee's unit after the shift bids take effect;
  - Be reviewed and approved in the order in which they are received.
- Requests for time off **beyond the first seven days** of a new shift bid period will:
  - Be limited to dates within that shift bid period;
  - Not be accepted until the shift bids become effective;
  - Requests received within the first week of the new shift bid period will be approved or denied by the shift supervisor at the end of the supervisor's first work week;
    - If multiple employees request the same date(s), the shift supervisor will approve the request(s) of the employee(s) with the highest seniority, up to the number of staff who can be allowed time off based on minimum staffing levels.
  - Requests received after the first week will be processed for approval in the order which they are received.
- Requests for time off for the **following or subsequent shift bid periods** will not be accepted unless special circumstances exist and the request is approved by the affected Section Manager.

**DIRECTIVE #3**

Within the Downtown Services Division, requests for time off using vacation or CTO will be resolved in accordance with the KLEA MOU and relevant sectional policies.

**DIRECTIVE #4**

Supervisors shall take due consideration to ensure that staff do not work more than 16 hours in one day.

**DIRECTIVE #5**

Each facility will maintain a log book in the Shift Supervisors' office that is used to record all types of time off for each squad or unit. Such types of time off include vacation, compensatory time off, training, administrative leave, military leave, medical leave, sick leave and leaves of absence.

**Procedure A: Requests for Vacation or CTO****The Person Requesting Time Off will:**

- Submit a request for time off to their immediate supervisor using a department memorandum form or via email.
- Include pertinent information that will aid the supervisor in their decision to approve or deny the request.

**The Shift Supervisor will:**

- Accept the request and examine the workload and staffing requirements for the requested period of time off.
- Ensure that requested vacation taken in one instance does not exceed twice the amount the employee currently earns for one year.
- Approve or deny the request. A denial requires a written reason.
- Return a copy of the memo to the employee or reply to their email request.
- Maintain the original memo or print out the email and place it in the employee's Supervisory File (D-500 file).

- Make notations in the appropriate logbook(s) and scheduling system indicating:
  - Type of leave requested (vacation or CTO);
  - The requesting employee's name;
  - Whether the leave is approved, denied, or pending;
  - Date of decision;
  - Initials and ID number of the supervisor making the decision.

**Procedure B: Requests for Use of Sick Leave****In accordance with DPPM B-400, staff requesting the use of Sick Leave will:**

- Personally contact the on-duty Supervisor of their facility or work site, when possible, at least two hours prior to the beginning of their next shift.

If an employee or an employee's family member becomes sick or injured while they are at work, the employee may request the immediate use of sick leave without prior notification.

**The Shift Supervisor will:**

- Accept the request and examine the workload and staffing requirements for the requested period of time off;
- Supervisors may inquire into the employee's condition if there is reason to believe the use of sick leave is not warranted;
- Request a medical statement if required or deemed necessary according to section B-400 of the Departmental Policy and Procedures Manual;
- Approve or deny the request;
- Make notations in the appropriate logbook(s) and scheduling system indicating:
  - The sick leave request;

- The requesting employee's name;
- Whether the sick leave usage is approved or denied;
- Date of decision;
- Initials and ID number of the supervisor making the decision.

# KERN COUNTY SHERIFF'S OFFICE

## Detentions Bureau Policies and Procedures

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**TITLE:** JAIL LOG BOOKS

**A-1050**

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**EFFECTIVE DATE:** 08-18-14

**REVISED:**

**APPROVED BY:** Detentions Bureau Chief Deputy Shelly Castaneda

**REFERENCE:** DBPPM A-400; PREA §115.13, §115.15

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### **POLICY**

Jail log books serve as documentation of operational activities in the Detentions Facilities, inmates being guarded at hospitals and a record of staff on duty at any given time. Jail personnel will maintain jail log books that contain complete and accurate information pertaining to the operational activities of each Detentions Facility.

#### **DIRECTIVE #1:**

The jail log books will be ordered and placed annually by the Administrative Sergeant or their designee. The old log books will be collected by facility administrative staff and stored in a secure area for a period of at least ten years. The old log books will not be destroyed without first ensuring through Risk Management and County Counsel, that there is no longer an official need for the books.

#### **DIRECTIVE #2:**

The Lerdo Minimum Facilities do not have individual log books for each housing unit. All Security checks are recorded on an electronic spreadsheet by the Female Minimum Duty Deputy. At the end of each shift, the security check logs are sent via e-mail to the Facility Administrative Sergeant to be archived.

The Male and Female Facility Duty Deputies will record all other information as outlined in Procedure B in their respective Duty Office Log Books.

#### **DIRECTIVE #3:**

Staff will not use corrective tape or fluid in log books. Corrections will be made by crossing the error out with a single line and then writing in the correct entry. Staff will enter their CAD ID and initials next to any such correction.

**DIRECTIVE #4:**

Any rejected bookings at Central Receiving Facility (CRF) will be documented in the IRC log book. The entry will include:

- Time
- Name and CAD ID of Deputy
- Name, date of birth and identification (driver's license or social security number) of rejected inmate
- Reason for the rejection

**Procedure A: Log Book Placement**

Each Squad will have a separate log book for the following areas:

- Supervisor Office
- All facility control stations (Master Control or Duty Office)
- All inmate housing areas (with the exception of Lerdo Minimum)
- Any workstation where inmates are moved in or out of the facility

Each facility may have a single log book for:

- Posts that are not manned 24 hours per day, but require documentation of activity
- Any workstation where inmates are moved in or out of the facility
- Any other location designated by the Section Manager

**Procedure B: Logging Duties of Personnel - Staff**

All personnel that are assigned to work in an area where log books are placed are responsible for keeping the log book complete and accurate.



**Staff will:**

- Review the previous shift log book when reporting to duty and before relieving the on-duty deputy
- Make complete and accurate log book entries pertaining to their duties and activities during the shift
- Staff supervising housing areas or holding cells where inmates will be held longer than one (one) hour will record the time of security checks in the log book, and initial the entry

**Staff Log Books will include:**

- Deputy on duty by name and CAD ID#
- Completion of all pre-stamped entries
- Time and result of inmate population counts
- Time of security checks
- Documentation of gender announcement (i.e; male deputy entering female housing unit, or female deputy entering male housing unit)
- Time, name and booking numbers of inmates received, transferred or released
- Time meals are served
- Mail Pass
- Time cleaning supplies were issued
- Inmate medical and mental health care including:
  - Medication Pass
  - Doctor or Nurse Sick Call or Triage
  - Blood Draws
  - Correctional Mental Health (CMH) visits or evaluations
- Laundry Pass
- Commissary pass
- Scheduled inmate movements (Class, church, infirmary)
- Rec Yard (refusals, closure due to weather, maintenance issues, etc.)
- Professional visits or teleconference
- Time, description and case number of all shift incidents including
  - Inmate fights (Code Yellow)
  - Inmate assaulting deputy (Code Red)
  - Medical priorities
  - Safety cell placement or removal
  - Restraint chair placement or removal

- Suicide cell placement or removal
- Sobering cell placement or removal
- Housing search
- Any lock downs
- Any other unusual occurrences

### **Procedure C: Logging Duties of Personnel – Hospital Guard**

When an inmate is transported to a hospital for emergency medical care, or being guarded at a hospital after being admitted for treatment, a log book will be maintained on scene to document all pertinent information and events.

Any deputy assigned to transport or escort an inmate to a hospital for emergency treatment will take a hospital guard log book from the facility where the inmate is housed.

The hospital guard log book will include:

- Transporting deputy's name and CAD ID#
- Inmate name and booking number
- Name of hospital transported to
- Type of restraints used
- Location in hospital
- Significant changes in medical condition or behavior of inmate
- If the inmate is admitted to the hospital
- Contact with hospital staff
- Any contact with non-hospital staff
- Authorized visits or phone calls
- Attempted contact by unauthorized persons
- Movement to a different area in the hospital
- Time the deputy went off duty
- Time inmate returned to the facility

Once an inmate has been admitted to the hospital for care, documentation will be continued in a Central Receiving Facility (CRF) hospital guard log book. Continuity of documentation will be indicated in both log books – e.g.; “Continued in Central Receiving Hospital Log #3”, “Continued from Pre-Trial Hospital Log #2”.

When the transporting deputy is relieved, they will return the facility hospital log book to the facility shift supervisor.

**Procedure D: Logging Duties of Personnel – Shift Supervisor****The Shift Supervisor will:**

- Review the previous Shift Supervisor's log book when reporting to duty and before relieving the on-duty shift supervisor
- Make complete and accurate entries in the Shift Supervisor's log book pertaining to their duties and activities
- Sign their name, CAD ID# and time in the corresponding log book when conducting a supervisory check of a post or housing unit
- Review all facility log books periodically to ensure that complete and accurate information are being recorded
- Sign their name, CAD ID# and time in any log book inspected

**Shift Supervisor Log Books will include:**

- Shift Supervisor name and CAD ID#
- Name and assignments of all deputies working
- Name and type of leave used for deputies taking time off
- Name of deputies and type of coverage working overtime
- Time, detailed description and case numbers of any unusual incidents occurring during the shift, including:
  - Inmate fights (Code Yellow)
  - Inmates assaulting deputies (Code Red)
  - Medical priorities
  - Inmates transported for emergency medical treatment (indicate whether ambulance or patrol car)
  - Safety cell placement or removal
  - Restraint chair placement or removal
  - Name and time of any deputies injured during the shift
  - Any other unusual occurrences

# KERN COUNTY SHERIFF'S OFFICE

## Detentions Bureau Policies and Procedures

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**TITLE: INMATE RECORDS**

**A-1100**

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<b>EFFECTIVE:</b>	<b>REVIEWED:</b>	<b>REVISED:</b>	<b>UPDATED:</b>
June 30, 1990	01-20-21	8-01-13	01-20-21

**APPROVED BY:** Detentions Bureau Chief Deputy James Morrison

**REFERENCE:** Title 15, Section 1041, C.C.R.

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### **POLICY**

Each facility will maintain accurate and current records for each person detained at that facility. County Inmate records will follow inmates transferred to other Kern County Sheriff's Detention facilities and upon release, inmate records will be transferred to the Kern County Sheriff's Arrest Records Section, with the exception of records maintained by the Bureau Classification Unit as a Classification history.

Federal inmate records will be archived at the Maximum Medium facility for five years.

Appropriate portions of the inmate record will follow the inmate upon transfer to other agencies.

### **PROCEDURE A: INMATE FILES**

Section managers will ensure that inmate file folders contain at a minimum, the following:

#### **COUNTY INMATE FILES:**

- Court records
- Inmate booking form
- The original field arrest data
- Notification of telephone monitoring
- All computer update papers

- Inventory forms for all clothing, property, money and valuables taken from the individual.
- FBI and C.I.I. criminal histories, if available.
- Inmate disciplinary reports, disciplinary appeals and responses to appeals
- Inmate grievances and responses
- Inmate request slips and responses

**FEDERAL INMATE FILES:**

- Inmate booking form
- Federal property form
- Federal inmate summary form
- ARIETIS or federal warrant
- Notification of telephone monitoring
- Intake paperwork
- Inmate disciplinary records, disciplinary appeals and responses
- Inmate grievances and responses
- Inmate request slips and responses
- Inmate disciplinary reports

# KERN COUNTY SHERIFF'S OFFICE

## Detentions Bureau Policies and Procedures

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**TITLE:           SEX AND ARSON OFFENDER NOTIFICATIONS**

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**A-1200**

<b>EFFECTIVE:</b>	<b>REVIEWED:</b>	<b>REVISED:</b>	<b>UPDATED:</b>
June 30, 1990		01-07-20	01-07-20

**APPROVED BY:**     Detentions Bureau Acting Chief Deputy James Morrison

**REFERENCE:**        P.C. 290, 457.1, Registrant Form

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### **POLICY**

Sections 290(b) and 457.1(c) of the California Penal Code require jail facilities to notify individuals convicted of specified crimes of their obligation to register with law enforcement agencies pursuant to PC290(a) and 457.1(b)m. The jail facilities must notify the Department of Justice and appropriate agencies of certain information.

Personnel will ensure the reporting and notification requirements are fulfilled.

### **DIRECTIVE #1**

For persons required to register, see PC290(a): If the conviction is for PC220, facility clerical staff will contact the sentencing court to determine if the offense involved a rape or sodomy.

### **Procedure A: Sex Offender Preparation - Misdemeanor Conviction**

#### **The facility clerical staff will:**

- Review the CJIS inmate flag list daily (IMMNTFLG). For sex offenders, the flag type will be 'SEX'.
- Select those commitments convictions that fall within the guidelines of PC290.
- Determine if such convictions are misdemeanor or felony.
  - a. If all such convictions are misdemeanors, continue with Procedure A.
  - b. If one or more of such convictions are a felony, refer to Procedure B.

- Complete the portions of Department of Justice Form SS-8047 (Notice of sex offender registration requirement) that can be done from the information contained in the inmate's file.
- Place the partially completed SS-8047 form in the inmate's file.

**Procedure B: Sex Offender Preparation - Felony Conviction****The facility clerical staff will:**

- Obtain the inmate's out date in CJIS for the commitment that requires the inmate to register pursuant to PC290.
- Determine a date 45 days prior to the out date (notification date).

If the date selected is a non-court day, add a sufficient number of days to get a court day so it will print out on the other appointment list.

- Complete as much of the top portion of Form SS-8047 as possible.
- Give the SS-8047 forms to the Shift Supervisor.

**The Shift Supervisor will:**

- Assign sufficient staff to complete SS-8047 forms.

**Assigned personnel will:**

- Obtain the necessary information from the inmate.
- Notify the inmate of their duty to register.
- Have the inmate read and sign the form.
- Obtain a rolled print of the inmate's right thumb on the form.
- Give a copy of the signed SS-8047 form to the inmate.
- Give the completed SS-8047 forms to the clerical staff.

**Procedure C: Sex Offender Release - Misdemeanor Conviction**

**The Releasing Officer, during the normal release procedure, will:**

- Obtain the inmate's intended residence address from the inmate.
- Complete the remainder of Form SS-8047.
- Notify the inmate of his requirement to register with the law enforcement agency having jurisdiction where he intends to reside.
- Have the inmate read and sign Form SS-8047.
- Give a copy of Form SS-8047 to the inmate.
- Route completed Form SS-8047 to the facility clerical staff.

**Procedure D: Sex Offender - Notification - Felony Conviction**

**The Shift Supervisor will:**

- Assign sufficient staff to complete SS-8047 forms.

**Assigned personnel will:**

- Obtain the necessary information from the inmate.
- Notify the inmate of their duty to register.
- Have the inmate read and sign the form.
- Obtain a rolled print of the inmate's right thumb on the form.
- Give a copy of the signed SS-8047 form to the inmate.
- Give the completed SS-8047 forms to the clerical staff.

**DIRECTIVE D-1**

Occasionally inmates convicted of felony sex offenses will be released prior to their scheduled out-dates due to modifications, etc. In those situations, the inmate will be notified of their duty to register at the time of release. The forms will be distributed in accordance with this procedure.



**Procedure E: Arson Offender****The Facility Clerical Staff will:**

- Review the CJIS inmate flag list daily (IMMNTFLG). For arson offenders, the flag type will be 'ARS'.
- Select those commitments that include convictions that fall within the guidelines of PC457.1.
- Obtain the inmate's out date in CJIS for the commitment that requires the inmate to register pursuant to PC457.1.
- Determine a date 45 days prior to the out date (notification date).

If the date selected is a non-court day, add a sufficient number of days to get a court day so it will print out on the other appointment list.

- Complete as much of the top portion of Form SS-8049 (Notification of arson offender registration) as possible.
- Give the SS-8049 forms to the Shift Supervisor.

**The Shift Supervisor will:**

- Assign sufficient staff to complete SS-8049 forms.

**Assigned personnel will:**

- Obtain the necessary information from the inmate.
- Notify the inmate of their duty to register.
- Have the inmate read and sign the form.
- Obtain a rolled print of the inmate's right thumb on the form.
- Give a copy of the signed SS-8049 form to the inmate.
- Give the completed SS-8049 forms to the clerical staff.

# KERN COUNTY SHERIFF'S OFFICE

## Detentions Bureau Policies and Procedures

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**TITLE: OFFENDERS SUBJECT TO DNA SAMPLE COLLECTION A-1210**

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<b>EFFECTIVE:</b>	<b>REVIEWED:</b>	<b>REVISED:</b>	<b>UPDATED:</b>
09-05-08	03-01-21	03-01-21	03-01-21

**APPROVED BY:** Detentions Bureau Chief Deputy James Morrison

**REFERENCE:** Penal Code Section 296, 296.1, 298, 298.1; Title 15, CCR, Section 1059

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### **POLICY**

The Detentions Bureau recognizes the need to collect DNA samples from prisoners who meet the criteria established in Penal Code (PC) Section 296.1(a) and to protect the integrity of the California Department of Justice DNA Data Bank. To this end, the Detentions Bureau will collect DNA specimens (e.g., blood, saliva), and right thumbprints from qualifying prisoners in accordance with the following procedures.

### **DIRECTIVE #1**

The following provisions shall apply to the collection of DNA specimen samples:

#### **County Inmates**

- The Classification Unit shall be responsible for determining the sampling status of inmates at the time of the prisoners' initial classification following booking;
- The Classification Unit shall be responsible for coordinating the collection of required DNA samples and for mailing these samples to the Department of Justice;
- DNA specimens shall be collected only by detentions deputies or deputy sheriffs trained and qualified for the collection of specimen samples;
- DNA specimens will be collected from qualifying inmates prior to the release of the inmate. Qualified inmates with scheduled bail bonds shall be required to submit to a DNA sample and print impression prior to release.

**Federal Contract Inmates**

- DNA specimen sample requests for federal inmates will be processed by the Federal Liaison Supervisor. The Federal Liaison Supervisor will be responsible for ensuring that such requests are completed and returned to the requesting agency in a timely manner.

**DIRECTIVE #2**

- **Confidentiality of DNA Profiles:** Any person who knowingly uses an offender sample or DNA profile for other than criminal identification or exclusion purposes, or who knowingly discloses other DNA forensic identification information, including tampering with DNA sample collection kits, may be subject to disciplinary or criminal action (PC 299.5 and subsections).

**DIRECTIVE #3**

**DNA Collection Kit**

Facility medical personnel shall not be used to collect the DNA specimens or blood samples. Personnel contracted specifically for DNA collection by the Kern County Sheriff's Office shall perform the withdrawal of blood in a medically approved manner.

**DEFINITIONS:**

When used in this policy:

- Qualifying Inmate: In accordance with Penal Code Section 296.1(a), the following persons are subject to DNA sample collection:
  - Adults arrested for any felony offense specified in PC Section 290 or attempt to commit any felony offense described in PC Section 290, or any felony offense that imposes upon a person the duty to register in California as a sex offender under PC Section 290;
  - Adults convicted or adjudicated of any felony offense on or after November 3, 2004;
  - Adults currently in custody for violations of probation, parole, or any other supervised release government program for a felony offense (PC Section 3056, PC Section 1203.2(a));
  - Adults in custody after conviction of any misdemeanor offense with a past

felony conviction or adjudication on record;

- Adults arrested for murder or voluntary manslaughter, or any attempt to commit murder or voluntary manslaughter;
- Adults in custody who are required to register under Section 457.1 (arson);
- Beginning January 1, 2009, all adults arrested and charged with any felony offense;
- Upon any court order requiring a defendant to provide a DNA sample as a condition of their sentence.

**Procedure A: Classification Deputy Responsibilities**

**The Classification Deputy (ies) will:**

- Review each booking and determine if the inmate qualifies for DNA collection per PC Section 296.1;
- Add any inmates found to qualify for DNA collection to appointment lists for collection in the jail management system (IMMNTAPT);
- Confirm with the California Department of Justice, via Record, Arrest, Prosecution (RAP) sheet, to determine if the inmate has or has not provided DNA samples;
  - If the inmate has already provided the required sample, update the inmate's information in JMS and do not proceed with sample collection from that inmate;
- Pursuant to Penal Code Section 296.1(a), notify and provide each qualifying inmate with written notification that they must submit to DNA testing. (Attachment A), (Attachment A-1 Spanish version);
- Obtain a Buccal swab sample from the inmate and complete the DNA Collections kit including all identifying information and required prints on DOJ forms;
- Secure the collection kit. Once the security seal has been placed on the kit, it is ready for mailing and is considered "sealed" until the CAL DNA laboratory opens it;

- Mail the collection kit to the appropriate State collections office in a timely manner;
- Make every reasonable effort to gain voluntary compliance prior to submitting a refusal form or advising the inmate that a refusal will result in additional charges; (P.C. 298.1(a)). If an inmate refuses to submit to testing, the Classification/DNA supervisor shall be notified and the provisions of Procedure C shall be adhered to;
- Update information in the jail management system indicating when the inmate has completed the submission of DNA.

**Procedure C: Refusal of Qualifying Inmate to Submit to DNA Sample Collection**

If a qualifying inmate refuses to provide the required DNA sample and the Classification Deputy is unable to gain voluntary compliance, the deputy will notify the Classification Supervisor to obtain authorization to use reasonable force of obtain the sample.

The Classification Supervisor will:

- Attempt to gain voluntary compliance from the qualifying inmate or authorize the Classification Deputy to complete an inmate refusal form (Attachment B), (Attachment B-1 Spanish version);
- Order the Classification Deputy to schedule an appointment with the contracted phlebotomist for a blood draw sample;
- Complete a written authorization form prior to the use of force (Attachment C). The authorization shall include the fact that the offender was asked to provide the requisite specimen, sample, or impression and refused;
- Direct the Classification Deputy to complete a supplemental booking using PC 298.1(a), including a probable cause declaration and arrest report. The deputy will submit the arrest report to the District Attorney's Office and forward a copy to the Classification Supervisor by the end of the shift;
- Coordinate with other units as needed to accomplish any required use of force, cell extraction, and/or transportation of the inmate;
  - If, at the time of the appointment, a cell extraction is conducted for collection, it shall be videotaped in accordance with PC 298.1;
  - If at any time before or during the use of force the inmate agrees to provide the needed specimen, they shall be allowed to cooperate.

# KERN COUNTY SHERIFF'S OFFICE

## Detentions Bureau Policies and Procedures

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**TITLE:** INCIDENT REPORTS

**A-1500**

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**EFFECTIVE DATE:** 07-11-94

**REVISED:** 08-01-13

**APPROVED BY:** Detentions Bureau Chief Deputy Francis Moore

**REFERENCE:** Title 15, Section 1044, C.C.R., KCSD Report Writing Manual

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### **POLICY**

In order to properly document incidents occurring in the Detentions Bureau and to have meaningful statistics available, the following policy has been established to specify what circumstances require staff to document an incident and how the incident will be documented.

Nothing in this policy is meant to contradict the Sheriff's Office Report Writing Manual and detentions staff are expected to adhere to all applicable sections of this policy, and the Report Writing Manual when documenting any incident.

### **DIRECTIVE #1**

The following provisions will be adhered to when documenting incidents that occur in the Detentions Bureau:

- If an incident is documented on an Incident Report (see procedure B), then all supplemental reports relevant to that report must be completed on a Supplemental Incident Report form. A CJIS Incident Supplemental Report is **not** sufficient for this purpose.
- With the exception of the officer writing the original report, any officer involved in a use of force incident will complete a Supplemental Incident Report describing his/her actions during the incident.
- Incident Reports and CJIS Incident Reports will be completed before the end of the reporting officer's shift, unless the shift supervisor approves other arrangements.

- Completed Incident Reports will be reviewed by a shift supervisor within 24 hours.

#### **Procedure A. Documentation of Incidents in a CJIS Incident Report**

The reporting officer will complete a CJIS Incident Report or CJIS Incident Supplemental Report, as appropriate, in any of the following circumstances:

- Any use of force as defined in Department Policy and Procedure Section F-100.
- Any incident resulting in physical harm, or a serious threat of physical harm, to any person. This includes inmate fights.
- Any fire, regardless of size.
- Any inmate death.
- Any threat to the security of a facility.
- A hunger strike by any inmate.
  - Continued refusals to accept meals or acceptance of a meal that ends a hunger strike. (CJIS Incident Supplemental Report).
- The initiation of formal disciplinary action against any inmate.
- Referral of an inmate to Medical Staff or Correctional Mental Health Staff.
- An incident resulting in a change of an inmate's housing location, not including routine movements initiated by Classification.
- The discharge of an inmate laborer.
- Lost or found inmate property.
- Any time an inmate is placed in a safety cell under the provisions of Section C-100 of this manual.
- Any attempt suicide, self-destructive behavior, or any placement of an inmate on suicide watch pursuant to section C-200 of this manual.

- Removal of an inmate from suicide watch (CJIS Incident Supplemental Report)
- When segregating an inmate with a mental illness or developmental disability pursuant to Section C-250 of this manual.
- Any time an inmate is restrained under the provisions of Section C-300 of this manual.
- Any time an inmate is detained in a sobering cell for longer than six hours under the provisions of Section C-1200 of this manual.
- Any other incident as deemed appropriate by supervisory or command staff, or as required in any other policy section.

Staff will complete the synopsis of a CJIS Incident as described in the Report Writing Manual. Additionally, when completing the narrative portion of a CJIS Incident, staff will use the report format described in the Report Writing Manual (i.e., Injuries, Involved Officers, Details, etc.)

In cases where a CJIS report is to be completed in conjunction with an Incident Report, the Incident Report number will be entered in the designated section of the CJIS report. Additionally, the narrative portion of the CJIS Report will include only a synopsis. The remainder of the narrative portion will refer the reader to the corresponding Incident Report.

#### **Procedure B. Documentation of Incidents on an Incident Report**

In addition to a CJIS Incident, the reporting officer will complete an Incident Report or Supplemental Incident Report, as appropriate, in any of the following circumstances:

- Any violation of law, or suspected violation of law (including inmate fights)
- Any use of force as described in DPPM F-100
- Any incident for which a criminal complaint will be filed.
- Any other incident as deemed appropriate by supervisory or command staff, or as required in any other policy section.

Incident Reports written in the Detentions Bureau will conform to the Sheriff's Office Report Writing Manual. CJIS Incident Codes will **not** be used on Incident Reports.



# KERN COUNTY SHERIFF'S OFFICE

## Detentions Bureau Policies and Procedures

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**TITLE:** NOTIFICATION OF INMATE RELEASE OR ESCAPE **A-1800**

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**EFFECTIVE DATE:** 09-18-03

**REVISED:** 03-13-15

**APPROVED BY:** Detentions Bureau Chief Deputy Shelly Castaneda

**REFERENCE:** P.C. 646.92, DBPPM K-700

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### **POLICY**

In keeping with its mission to protect the community and pursuant to Penal Code 646.92, it is the policy of the Kern County Sheriff's Office to notify any person the court identifies as a victim of the offense, a family member of the victim or a witness to the offense upon request when an inmate is to be released or escapes.

All information relating to any person who receives notice under this section shall remain confidential and shall not be made available to the person convicted of violating this section.

### **Procedure A: Requests for Notification**

**Any staff member who receives a request from a victim or witness to be notified when an inmate is released or escapes will:**

- Confirm that the inmate in question is in custody.
- Fill in the contact information (name, phone number, etc.) of the person requesting notification on an Inmate Release Notification Form (Attachment A); **Note\*** A victim may designate another person for the purpose of receiving notification. If the victim wishes to do so, complete the secondary contact information section of the form.
- Confirm the person's preferred method of contact (phone, e-mail, certified mail) and check the appropriate box.
- Forward the form to clerical staff.

**Upon receipt of an Inmate Release Notification Form, clerical staff will:**

- Attempt to confirm the person requesting notification's status as a protected person in CLETS and/or CJIS.
- Indicate in CJIS that there is a notification request on file for the inmate. The notation will be entered as an appointment (IMMNTAPT) for the inmate under the appointment code NTIFY, with the comment RELEASE NOTIFICATION REQUIRED.
- Forward a copy of the form to the Classification Sheriff's Support Technician.
- Attach the original form to the front of the inmate's file.

**Procedure B: Advance Notification of Release****The Classification Sheriff's Support Technician will:**

- Upon receipt of an Inmate Release Notification Form, confirm that the notification has been entered into CJIS.
- Monitor the charges and case disposition of all inmates for whom notification has been requested to identify any such inmates who have been convicted of PC 646.9 (Stalking) or a felony involving domestic violence.

**For any inmate identified as detailed above, the Classification Sheriff's Support Technician will:**

- At least twenty days prior to the inmate's scheduled release date, send a Notification of Release Letter (**attachment B**) by certified mail to the person(s) requesting notification. Record the date that the notification was sent on the Inmate Notification Release Form (**attachment A**).
- At least fifteen days prior to the inmate's scheduled release date, contact the person(s) requesting notification via the noted preferred method and advise them of the inmate's scheduled release date. Record the date and time of the notification or attempted notification on the Inmate Notification Release Form (attachment A).
- If phone contact is preferred and the person requesting notification can no longer be reached at the number(s) indicated, the SST will make a reasonable attempt to locate the person (such as asking the person who answers if they know where

the requesting person can be reached, or looking in the phonebook).

- File and maintain the Inmate Notification Release Form and all documentation for the certified letter for a minimum of five (5) years.

**Procedure C: Notification upon Release (Including EMP, Sheriff's Parole or Temporary Release pursuant to DBPPM K-700)**

**When preparing an inmate file for release upon which an Inmate Release Notification Form is attached, facility clerical staff will:**

- Contact the person(s) requesting notification via the noted preferred method and notify them of the pending release.
- If phone contact is preferred and the person requesting notification can no longer be reached at the number(s) indicated, the SST will make a reasonable attempt to locate the person (such as asking the person who answers if they know where the requesting person can be reached, or looking in the phonebook).
- Document the notification or attempt to notify on the Notification Form.
- File the form with the rest of the inmate's release paperwork.

**DIRECTIVE C-1**

If an inmate is released to another agency, the Inmate Release Notification Form will be given to the transporting officer with the rest of the paperwork that accompanies transferred inmates.

**Procedure D: Notification in the event of Escape**

When retrieving the file of an inmate who has escaped and an Inmate Release Notification Form is attached to that file, the facility clerical staff will notify the shift supervisor that a request for notification is on file of the escaped inmate.

**The shift supervisor or his/her designee will:**

- Attempt to contact the person(s) requesting notification and notify them of the escape.
- If phone contact is preferred and the person requesting notification can no longer be reached at the number(s) indicated, the supervisor or his/her designee will

make a reasonable attempt to locate the person (such as asking the person who answers if they know where the requesting person can be reached, or looking in the phonebook).

- If the shift supervisor is unable to make contact, he/she will notify the classification deputy, who will attempt notification.
- If the classification deputy is unable to make contact, the classification supervisor will coordinate follow-up attempts to make contact.
- Document the notification or attempts to notify on the Notification Form.
- Place the form in the inmate's file.

#### **Procedure E: Retention of the Notification Form**

**The clerical staff member responsible for tearing down the inmate's file after release will:**

- Forward the Inmate Release Notification Form to the Classification Sheriff's Support Technician.
- All Inmate Release Notification Forms will be retained for a minimum of five (5) years.

# KERN COUNTY SHERIFF'S OFFICE

## Detentions Bureau Policies and Procedures

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**TITLE:** FOREIGN CONSULAR NOTIFICATION **A-1900**

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**EFFECTIVE DATE:** 12-12-03 **REVISED:** 03-05-15

**APPROVED BY:** Detentions Bureau Chief Deputy Shelly Castaneda

**REFERENCE:** 1963 VCCR, P.C. 834(c), DPPM J-110

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### **POLICY**

Penal Code 834(c) requires California law enforcement agencies to conform to the 1963 Vienna Convention on Consular Relations Treaty (VCCR). The Treaty obligates law enforcement officers to advise "without delay" any foreign national who is arrested or detained that they have the right to speak to an official from their country's consulate. If an individual chooses to exercise that right, the law enforcement official is required to notify the appropriate consulate. In the case of certain countries, such notification is required regardless of the foreign national's wishes.

Compliance with the treaty, through prompt and courteous notifications to foreign nationals and consulate officers, will make it easier for the United States to insist on similar treatment towards Americans overseas. Thus, it is the policy of the Detentions Bureau to attempt to identify foreign nationals and advise them of their right to consular notification as part of the inmate receiving process. When such notification is requested or required, staff will ensure that notification is completed as soon as reasonably possible.

Typical services of a consular officer include 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 in communicating with the foreign national.

### **DIRECTIVE #1**

Sheriff's staff will not advise foreign governments of any request for political asylum made by foreign nationals. The consular notification requirements still apply. However, staff will refer all requests for, or inquiries regarding, political asylum to the United States Department of State.

**DEFINITIONS:**

For purposes of this policy, the following definitions will apply:

- **Foreign National:** any person 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.
- **Consular Officer:** a citizen of a foreign country employed by that country's government and authorized to provide assistance on behalf of that government to its citizens abroad. "Honorary Consuls" and "Diplomatic Officers" will be treated in the same manner. All have identification cards issued by the Department of State.
- **Notification:** an advisement, preferably by fax, to a consular officer of the presence and general situation of a foreign national (i.e., arrested and detained). Specifics of the detention need not be released.
- **Optional Notification:** means the foreign national may request that consular notification be made.
- **Mandatory Notification:** the designated Sheriff's personnel will make the consular notification, regardless of the wishes of the foreign national.

**Procedure A: Advising Foreign Nationals of their Right to Consular Notification**

When an arrestee at intake says that he/she is a citizen of a country other than the United States, the receiving deputy will:

- Attempt to determine what country the inmate is a citizen of. This can be accomplished by asking the inmate or examining any travel documents the inmate possesses. Enter this information as prompted by CJIS.
- Determine if the inmate is a federal contract inmate being received from another penal institution. If this is the case, no consular notification is required. Enter this information as prompted by CJIS.
- Determine if the inmate's country requires mandatory consular notification. CJIS will do this automatically when the inmate's country is entered.

**If the inmate's country requires notification, the receiving deputy will:**

- Read the statement provided by CJIS to the inmate.
- Ensure that the facility's clerical staff receives the notification fax form that is printed automatically by CJIS.
- Notify the Shift Supervisor.

**If the inmate's country does not require notification, the receiving deputy will:**

- Read the statement provided by CJIS to the inmate. This will include asking the inmate if he/she wants his/her consular officer notified. Enter the inmate's response (Y/N) into CJIS.
- If the inmate requests to have his/her consular officer notified, ensure that the facility's clerical staff receives the notification fax form that is automatically printed by CJIS, and notify the shift supervisor of the request.

**DIRECTIVE A-1**

If an inmate who is a foreign national requests to have his/her consular officer notified of his/her arrest after the booking process has been completed, the staff member receiving the request will advise the shift supervisor. The shift supervisor will ensure that a Notification of Arrest, Detention, or Death Form (Attachment C) is completed and forwarded to the appropriate foreign consulate.

**DIRECTIVE A-2**

If CJIS is inoperable or does not print the necessary notification forms, staff will complete the notification procedure manually as described in Section J-110 of the Department Policy and Procedure Manual by printing out and completing Attachments A-C located on SheriffNet.

**Procedure B: Notification to an Inmate's Consular Officer**

Upon receiving a notification fax form, clerical staff will:

- Complete and fax the form to the appropriate consulate.

- Enter the required information onto the Foreign Consular Notification Log (Attachment D).
  - Once the Foreign Consular Notification Log is full, forward the log to the facility administrative sergeant, who will retain the log for a minimum of five (5) years.
- Place the notification fax form and the fax confirmation receipt in the inmate's file.

**Note:** The Central Receiving Facility Jail Office maintains a current list of foreign consulate contacts.



# KERN COUNTY SHERIFF'S OFFICE

## Detentions Bureau Policies and Procedures

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**TITLE:** SHIFT BIDS- CLERICAL STAFF

**A-2000**

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**EFFECTIVE DATE:** 9-16-05

**REVISED:** 08-01-13

**APPROVED BY:** Detentions Bureau Chief Deputy Francis Moore

**REFERENCE:** DPPM J-1400

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### **POLICY**

If the Sheriff continues to allow clerical staff in the Detentions Bureau to bid for shifts and/or assignments, this policy will govern the process to be used in order to ensure a fair and orderly bid process. Prior to beginning the bid process, each section manager or his/her designee will establish a work schedule based on staffing levels and the needs of the Sheriff's Office.

### **DEFINITION(S):**

**Rank:** For the purposes of establishing seniority for the bid process, rank will be considered in the following order, from highest to lowest:

- Sheriff's Senior Services Specialist (SSSS)
- Sheriff's Services Specialist (SSS)
- Sheriff's Services Technician (SST)
- Office Services Assistant (OSA)

This policy does not establish any supervisory relationships between specific ranks of clerical staff. This definition is provided here to clarify ranking for the establishment of seniority.

### **DIRECTIVE #1**

Shift bids will be held every six months and will be finalized within two weeks of the effective date of the bid. The section manager will establish the dates for bids to take place.

**DIRECTIVE #2**

The bid process detailed in this policy establishes procedures for clerical staff to bid for assignments within the section to which they are assigned. Clerical staff that wishes to transfer from one section to another must do so using the procedures for voluntary transfer as detailed in the Department Policy and Procedures Section J-1400.

**Procedure A. Establishing the Seniority List**

The section manager or his/her designee will establish a list of all clerical staff within the section that are eligible to bid. The list will be divided by rank and within each rank, staff will be ordered by seniority as follows:

- **Time in Rank:** Time in rank shall be computed from the date the employee was officially promoted to that rank in a permanent, allocated position within the Kern County Sheriff's Office. If time in rank is equal, seniority will be determined by time in service.
- **Time in Service:** Time in service shall be computed as the total length of unbroken employment with the Kern County Sheriff's Office in a permanent, full-time position. Time in service shall not be affected by unpaid leave (e.g. suspension or other leave without pay). If time in service is equal, a lottery will be used to establish seniority among tied employees.
- **Lottery:** The section manager will coordinate a fair and impartial lottery to establish seniority for employees who are tied after time in rank and service have been considered. The results of such a lottery will only be effective for the current bid.
  - In the event that a clerical employee transfers into the section after the lottery has been completed, a new lottery will be held only to break a tie between the newly transferred employee and other bidding employees. Lottery results between employees that were unaffected by the transferred employee will stand.
  - Any confirmed discrepancy in the lottery will be resolved by re-drawing the lottery for the affected employees. Lottery results for any employees unaffected by the discrepancy will stand.

**Procedure B. Conducting the Shift Bid Process**

Once the section work schedule and seniority list have been established, the section manager or his/her designee will coordinate the bid process. The actual bid will be accomplished by bid sheet; there will be no bid at which employees attend.

The bid process will occur as follows:

- At least thirty days prior to the bid, the section manager or his/her designee will distribute the seniority list, a list of biddable shifts/assignments, and a bid sheet on which bidding employee will indicate their desired shift/assignment in order of choice.
- Bidding employees must turn their completed bid sheets in to their facility administrative sergeant at least one week before the bid is scheduled to take place.
  - Any employee wishing to change his/her bid choices after turning the bid sheet must contact their facility administrative sergeant to make the change. The employee must initial the altered bid sheet for the changes to be valid.
- On the scheduled day of the bid, the section manager or his/her designee will assign each bidding employee in order of seniority to the first position on her/his list of choices that is available at the time of the employee's bid.
- At least two weeks prior to the bid results taking effect, the section manager will ensure that the final results of the bids are posted in a location where the affected staff is able to examine them.

**DIRECTIVE B-1**

The section manager reserves the right to make exceptions and assign employees to specific shifts in the following circumstances:

- To provide for emergency situations that may arise.
- To correct or prevent an obvious imbalance in the experience level of personnel assigned to any given shift/assignment.
- To provide for re-training or appropriate supervision of personnel whose job performance is substandard or unsatisfactory.

- To compensate for temporary vacancies due to injuries, illness, leaves of absence, resignations, or terminations.
- When, in the opinion of the section manager, a shift has too many employees assigned to light duty, the facility manager may assign the light duty employee(s) with the least seniority at any time.
- To utilize special training or unique skills of an employee for the betterment of the division.

Such administrative assignments shall not be made in a capricious manner.