



**DONNY YOUNGBLOOD**  
Sheriff-Coroner

1350 Norris Road, Bakersfield, California 93308-2231  
Telephone (661) 391-7500

*Kern County*

**SHERIFF**

**ISSUE: 18-02**

**TRAINING BULLETIN**

**DATE: January 9, 2018**

### **Annual Pursuit Training PC 13519.8 Compliance**

To be in compliance with PC 13519.8, **all** sworn personnel, with the exception of Detention Deputy Classifications, who are authorized to operate a Code 3 (marked/unmarked) equipped vehicle, must have mandatory pursuit training on an annual basis. To maintain compliance with this state statute the Training Section has developed a Power Point presentation and driving test on SheriffNet. The reading of the power point, which includes pursuit training, and the taking of the driving test will satisfy the annual pursuit training requirement of PC 13519.8. The review of the power point and taking of the test will have to be completed on an annual basis at the beginning of each year. Supervisors will assure their personnel complete the training and driving test each year. The Training Section will distribute the power point and test annually.

Per PC 13519.8(c)(1); all law enforcement officers who have received their basic training before January 1, 1995 shall participate in supplementary training on high speed vehicle pursuits, as prescribed and certified by the commission. The power point presentation and driving test on SheriffNet will also satisfy the statute requirement for personnel who fall under this category.

It is important that supervisors assure their personnel complete this training. Sworn personnel who have to complete this mandatory training will need to complete the reading of the power point and taking of the test by February 9, 2018. Sworn personnel must get all 10 test questions correct to pass the test. Supervisors can click the following link to assure their personnel completed the annual pursuit training.

Please use this link to take the test:

[Click here for the test.](#)

Use this link below to review the test results: (Only for supervisors and Sergeant above).

[Click here for the test results.](#)

If you are unable to access the links when you click on them, you can go to SheriffNet, Administrative Services Bureau, Personnel Division, Training Section. The Training Section web page will have access to the power point and test.



*Kern County*

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**ISSUE: 18-04**

**TRAINING BULLETIN**

**DATE: January 16, 2018**

### **JMS Incident Codes - Suicide Attempt**

On April 1, 2017, the Board of State and Community Corrections (BSCC) published a new revision of Title 15, Minimum Standards for Local Detention Facilities. Title 15 Section 1030, now mandates that a multi-disciplinary administrative review of suicides and attempted suicides be conducted. To ensure that all such incidents are identified for review, it is necessary for deputies to utilize both of the following incident type codes when documenting a suicide attempt in JMS: **7014 ATTEMPT SUICIDE / 4017 INMATE SUICIDE WATCH**

### **DBPPM H-1200: Inmates with Disabilities**

On August 28, 2012, a Federal court order (Order Distributing and Enforcing County Jail Order and Plan), was issued by Judge Claudia Wilken, in the matter of *Armstrong v. Brown*, Case Number C94-2307 CW. The case establishes rules governing housing and accommodations for inmates who have a disability. The California Department of Corrections and Rehabilitation (CDCR) is responsible for notifying county jails of parolees/inmates housed in their facilities that have a known disability. Such inmates are classified as Armstrong Class members.

To ensure compliance with this court order, it is imperative that all Detentions staff become familiar with the requirements of Detentions Bureau Policy and Procedures H-1200 (Inmates with Disabilities).

**Accommodations for disabilities may include, but are not limited to:**

- Housing accommodations such as lower tier, lower bunk;
- Provision of medical equipment such as canes or wheelchairs;
- Alternate forms of communication based on disability (e.g.; written notes for deaf inmates);
- Use of elevators to transport inmates who have a mobility impairment between floors of a facility for access to visiting rooms and attorney booths;
- Access to wheelchair accessible showers.

#### **Identification of inmates with disabilities**

In order to facilitate easy identification and to prevent potential misunderstandings, any inmate who is determined to have an impairment disability will be provided with the appropriate yellow vest to indicate their disability:

- Deaf or hard of hearing – the word “**DEAF**” will be printed on vest.
- Blind or Visually Impaired – the words “**VISUALLY IMPAIRED**” will be printed on vest.
- Mobility Impaired – the words “**MOBILITY IMPAIRED**” will be printed on the vest.

The inmate will be required to wear the vest at all times, with reasonable exceptions (such as showering and sleeping).

Additionally, deputies have the ability to view a list of all inmates who have been identified as having a disability. To view the ADALT flag list:

- Access the Display Summary Transportation (IMDSPTRN) screen in JMS;
- Enter a date of 12/25/25;
- Enter an appointment location of ADALT.

***IMPORTANT***

Please **SIGN IN** to acknowledge your reading after reviewing

the Training Bulletin 18-04

JMS Incident Codes - Suicide Attempt

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**ISSUE: 18-05**

**TRAINING BULLETIN**

**DATE: February 7, 2018**

### **DPPM, B-400 Update**

Department Policy and Procedures Manual (DPPM), Section B-400 has been updated to reflect current Kern County Administrative Policy and Procedures, Labor Codes, and MOUs. Please refer to DPPM, B-400 for further information.



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

<b>TITLE: DUTIES OF PERSONNEL – SICK LEAVE</b>		<b>NO: B-400</b>	
<b>APPROVED: Donny Youngblood, Sheriff-Coroner</b>			
<b>EFFECTIVE:</b> <b>August 1, 1990</b>	<b>REVIEWED:</b> <b>2/1/2018</b>	<b>REVISED:</b> <b>2/1/2018</b>	<b>UPDATED:</b> <b>2/1/2018</b>

**POLICY**

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

**DEFINITIONS**

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

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

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

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

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

**DIRECTIVE A**

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

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

**DIRECTIVE B**

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

**DIRECTIVE C**

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

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

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

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

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

B-400-2

<b>EFFECTIVE:</b> August 1, 1990	<b>REVIEWED:</b> 2/1/2018	<b>REVISED:</b> 2/1/2018	<b>UPDATED:</b> 2/1/2018
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## DIRECTIVE D

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

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

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



*Kern County*

**SHERIFF**

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**ISSUE: 18-07**

**TRAINING BULLETIN**

**DATE: February 8, 2018**

### **Department of Motor Vehicle Memorandums**

Please refer to the attached Department of Motor Vehicle Memorandums regarding the redesign in License and Identification Cards, important reminders on Commercial Indicators, and the discontinued use of the Under Age 21 Officer's Statement DS 367 (REV 1/2015). The attached memorandums also include clarifying information regarding the Chemical Test Admonition pursuant to California Vehicle Codes 23154 and 23161 (after the U.S. Supreme Court decision in *Birchfield V. North Dakota* 579U.S) and new provisions pertaining to alcohol and marijuana prohibitions under California Vehicle Code Section 23220 and 23221





**LAW ENFORCEMENT INFORMATION**  
**MEMO: 18-01**  
**SUBJECT: Driver License and Identification Card Redesign**  
**Memo Date: January 9, 2018**

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**Purpose**

To inform law enforcement of the California Driver License (DL) and Identification Card (ID) redesign.

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**Background**

Beginning October 1, 2020, the federal government will require DL/ID cards to be REAL ID compliant to use as identification to board domestic flights or enter military bases and most federal facilities. The California Department of Motor Vehicles (DMV) will provide a federal compliant REAL ID DL or ID card as an option to customers beginning January 22, 2018.

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**New Information**

Beginning January 22, 2018, DMV will begin producing newly redesigned REAL ID compliant and federal non-compliant DL/IDs (see Attachment). These two specific designs will be the only style of DL/ID cards DMV will issue and the current design will be phased out.

Federal law requires REAL ID cards to have distinct markings. Individuals who are eligible and choose to apply for a REAL ID card will receive a card with a marking of the California grizzly bear and a star in the upper right corner.

Individuals who know they will not be boarding a domestic flight or visiting a secure federal facility or military base, or who have another form of federally approved identification, may decide to not apply for a REAL ID card.

Individuals who chose not to apply for a REAL ID card or who do not meet the requirements of REAL ID, will receive a federal non-compliant card. The federal non-compliant DL and ID card will display the words "Federal Limits Apply."

REAL ID and federal non-compliant DL/ID cards are both valid forms of identification.

Additional information regarding the new card design and security features will be sent by our Investigations Division.

Discriminating against an individual based on possession of a DL issued pursuant to California Vehicle Code (Veh. Code) Section 12801.9 is a violation of the Unruh Civil Rights Act (Section 51 of the Civil Code). An immigration/citizenship status related criminal investigation, arrest, or detention based on the possession of a DL issued pursuant to this section is prohibited and a violation of Veh. Code Section 12801.9(i).


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**Contact**

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Questions regarding the information contained in this memo or changes to the e-mail distribution list may be directed to the Justice and Government Liaison Branch at (916) 657-7732 or via e-mail at [jaglaw@dmv.ca.gov](mailto:jaglaw@dmv.ca.gov).

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**SONIA HUESTIS**  
Assistant Chief Deputy Director  
Acting Deputy Director Communication Programs Division

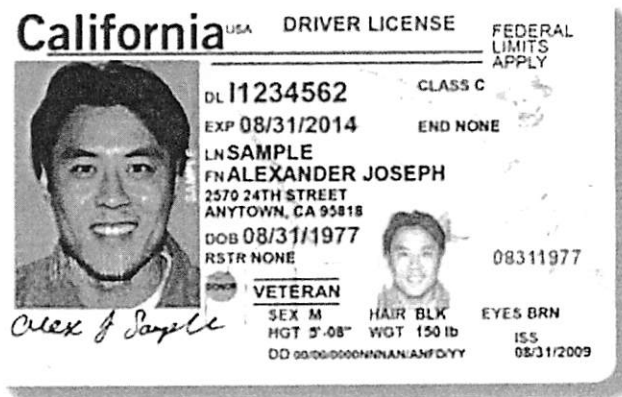
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Law Enforcement Memo 18-01 continued  
ATTACHMENT

**REAL ID Compliant:** All REAL ID Compliant DL/ID cards issued by the State of California will contain a California Grizzly bear with a star in the upper right corner. Below is an example of the design:



**Federal Non-Compliant:** All Federal Non-Compliant DL/ID cards issued by the State of California will contain the words "FEDERAL LIMITS APPLY" in the upper right corners. Below is an example of the design:



# California Driver License and Identification Card Redesign

The California Department of Motor Vehicles (DMV) is redesigning the driver license and identification (DL/ID) card. Effective January 22, 2018, DMV will begin producing the DL/ID card with the new card design.

## REAL ID Card

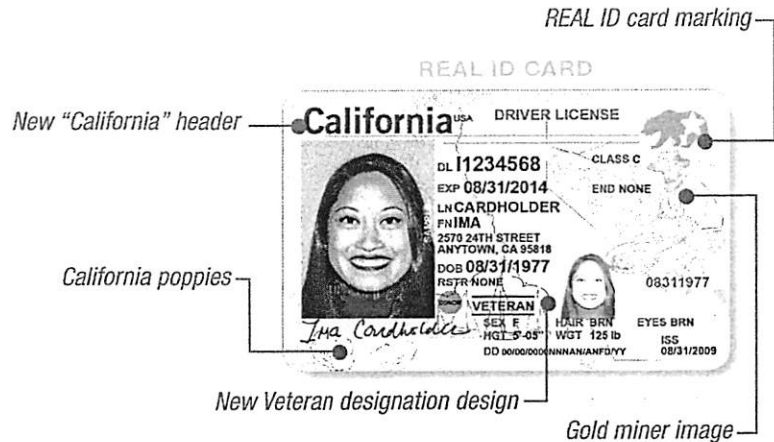
Marking: California Grizzly bear with a star appears in the upper right corner.

Here is a look at the card designs and some important features:

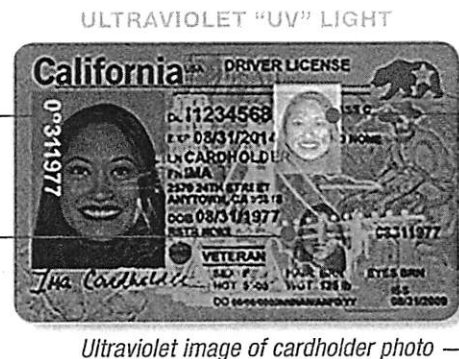
1. Gold miner image in the bottom right corner of the card.
2. California poppies appear on the bottom left of the card.
3. Under ultraviolet "UV" light, UV image of the cardholder photo, the UV image of birth date, and the UV image of the Golden Gate Bridge and Coit Tower appears.
4. New Veteran Designation design.
5. The "California" header changed.



UNDER 21 CARD VERTICAL

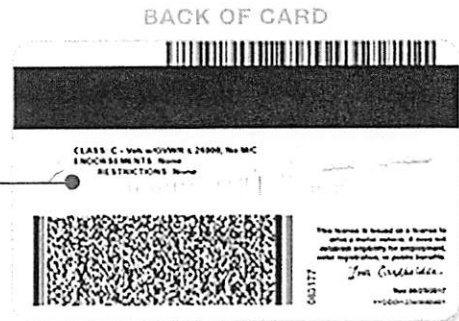


Ultraviolet Birthdate  
Ultraviolet image of Golden Gate Bridge and Coit Tower



Ultraviolet image of cardholder photo

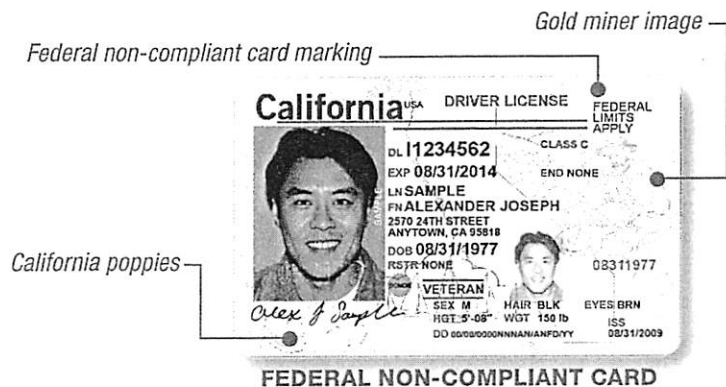
Viewable under normal lighting conditions, the laser perforation of the California Grizzly bear and the state of California.



## Federal Non-Compliant Card

The card has the same features and format as the REAL ID card.

Marking: "Federal Limits Apply" appears in the upper right corner.





**LAW ENFORCEMENT INFORMATION**  
**MEMO: 17-09**  
**SUBJECT: Important Reminder on Commercial Indicators**  
**Memo Date: November 22, 2017**

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**Purpose**

To remind law enforcement to provide commercial indicators on relevant citations.

**Background**

Federal law requires law enforcement to report on citations when the driver of the vehicle holds a commercial license, commercial motor vehicles are involved, or if hazardous materials are being transported. DMV imposes commercial driver license disqualifications on persons involved in certain criminal offenses or serious traffic violations.

It is essential that appropriate boxes on citations are marked when the vehicle is driven by a holder of a commercial license, the vehicle is a commercial motor vehicle as defined in Section 15210 Vehicle Code (Veh. Code), or hazardous materials are being transported as defined in Sections 353 and 2452 Veh. Code:

**New Information**

Driver's Lic. No.		State	Class	Commercial <input type="checkbox"/> Yes <input type="checkbox"/> No		Birth Date
Sex	Hair	Eyes	Height	Weight	Race	
Veh. Lic. No. or VIN		State	Reg. MO/YR	<input type="checkbox"/> COMMERCIAL VEHICLE (Veh. Code, § 15210 (b))		
Yr. of Veh.	Make	Body Style	Color	<input type="checkbox"/> HAZARDOUS MATERIAL (Veh. Code, § 353)		

Commercial driver license disqualification actions are imposed accordingly when court convictions include the appropriate commercial indicators as reported by law enforcement.

**Contact**

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**SONIA HUESTIS**  
 Assistant Chief Deputy Director  
 Acting Deputy Director Communication Programs Division



**LAW ENFORCEMENT INFORMATION**  
**MEMO: 17-10**  
**SUBJECT: Under Age 21 Officer's Statement (DS 367M)**  
**Memo Date: November 28, 2017**

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**Purpose**

To inform law enforcement to discontinue using the Under Age 21 Officer's Statement DS 367M (REV 1/2015).

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**Background**

The Under Age 21 Officer's Statement DS 367M (REV 1/2015) is missing the penalty of perjury statement and will no longer be available.

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**New Information**

Effective immediately, please discard all Under Age 21 Officer's Statement DS 367M forms with the revision date of 1/2015. Due to a printing error, the penalty of perjury statement was omitted. All remaining stock of the 1/2015 revision will be destroyed and replaced with the DS 367M (REV 5/2016), currently available.

Please continue to order from the DMV Materials Management Warehouse following normal supply procedures.

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Acting Deputy Director Communication Programs Division

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**LAW ENFORCEMENT INFORMATION**  
**MEMO: 18-03**  
**SUBJECT: Update - Revised Officer's Statement (DS 367)**  
**Memo Date: January 25, 2018**

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**Purpose**

To clarify information previously provided in Law Enforcement Information Memo 16-09, regarding the Chemical Test Admonition pursuant to California Vehicle Code §§23154 and 23612 after the U.S. SUPREME COURT decision in *Birchfield V. North Dakota* 579 U.S. \_\_\_ (2016).

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**Background**

Item number 4 of the Chemical Test Admonition, including the Drug Admonition, on the backside of page one of the DS 367 (Rev 5/2016) advises: "4. Refusal or failure to complete a test may be used against you in court. Refusal or failure to complete a test will also result in a fine and imprisonment if this arrest results in a conviction of driving under the influence."

Under *Birchfield*, implied consent laws permit the state to impose administrative sanctions for refusal or failure to complete a chemical test, but do not permit the state to criminally punish defendants for refusal to submit to a blood test. Thus, a driver must be admonished that refusal to take either a breath or blood test may result in the loss of driving privileges. However, a defendant cannot be told that refusal to submit to a blood test will result in criminal penalties. The first line of item number 4, "Refusal or failure to complete a test may be used against you in court," is not prohibited by the reasoning in *Birchfield*.

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**New Information**

It has come to the department's attention that some District Attorneys have been prevented from utilizing certain jury instructions as a result of the department's original message to law enforcement that officers may refrain from reading the entirety of item number 4 during a Driving Under the Influence (DUI) contact.

Until the DS 367 revision is completed, officers are to rely on the procedures set forth by their agencies, which shall include reading the first sentence of item number 4 of the Chemical Test Admonition and/or the Drug Admonition: "Refusal or failure to complete a test may be used against you in court." Officers should not read the second sentence of item number 4.

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**Form Revision**

Law enforcement agencies will be notified when the DS 367 is revised. Please continue to order from the DMV Materials Management Warehouse following normal supply procedures.

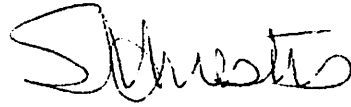
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**LAW ENFORCEMENT INFORMATION**  
**MEMO: 17-12**  
**SUBJECT: Senate Bill 65 – Alcohol and Marijuana Penalties**  
**Memo Date: December 22, 2017**

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**Purpose**

To inform law enforcement of new provisions pertaining to alcohol and marijuana prohibitions under California Vehicle Code (Veh. Code) §§23220 and 23221.

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**Background**

Senate Bill (SB) 65 (Hill, Chapter 232, Statutes of 2017) realigns existing law and adds new provisions that prohibit a person from drinking an alcoholic beverage, or smoking or ingesting marijuana or any marijuana product while driving, or while riding as a passenger in a motor vehicle being driven upon a highway, or off-highway. Convictions for violations of these provisions are punishable as an infraction.

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**New Information**

Effective January 1, 2018, SB 65 establishes the following sections:

- Veh. Code §23220(a) – Prohibits a person from drinking alcohol or smoking or ingesting marijuana or any marijuana product while driving a vehicle on off-highway lands, as described in Veh. Code 23220(c).
- Veh. Code §23220(b) – Prohibits a person from drinking alcohol or smoking or ingesting marijuana or any marijuana product while riding as a passenger in a vehicle being driven on off-highway lands, as described in Veh. Code §23220(c).
- Veh. Code §23221(a) – Prohibits a person from drinking alcohol or smoking or ingesting marijuana or any marijuana product while driving a vehicle upon a highway.
- Veh. Code §23221(b) – Prohibits a person from drinking alcohol or smoking or ingesting marijuana or any marijuana product while riding as a passenger in a vehicle being driven upon a highway.

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ISSUE: 18-08

**TRAINING BULLETIN**

DATE: March 5, 2018

## Changes to Chapter 7 and Administrative Bulletin 11

On February 13, 2018, The Board of Supervisors approved a revision to County Administrative Policy and Procedure Manual Chapter 7, Information Technology and Administrative Bulletin 11, Retention and Destruction of County Records. Below is a summary of the changes. To view the policy and bulletin in its entirety use the following link <https://www.kerncounty.com/cao/policy/>.

## SUMMARY OF KEY CHANGES TO CHAPTER 7 AND ADMINISTRATIVE BULLETIN 11

### County Business that Constitutes and Official Record:

- Is prepared or received, or required to be retained pursuant to State or Federal statute, regulation, or case law; or
- Is required to be retained by a records retention schedule adopted by the Board of Supervisors; or
- Is necessary or convenient to discharge of a public officer's duties and was made or retained for the purpose of preserving its information content for future reference.

### Retention of E-mails, Text Messages, Instant Messages, and Other Electronic Communications:

- E-mails on County accounts:
  - E-mails will be archived by the County for two years.
  - If an e-mail is subject to a current public records request, related to pending litigation, or subject to a retention period longer than two years, *the employee in possession of the e-mail is responsible for preserving it.*
- E-mails to County business on private accounts: The employee *shall* immediately forward the e-mail to their County e-mail account.
- Text messages, instant messages, cellular phone photographs, and any other electronic communications related to County business: the employee *shall* immediately forward any such item to their County e-mail account.

### Records Destruction Process Changes:

- Appendix A to AB11 contains the list of Trustworthy Enterprise Content Management Systems currently approved by ITS for the electronic retention of records. ITS *shall* update the list every two years.
- Departments that have created electronic copies of documents using an approved enterprise content management system may submit request for Board authorization to destroy the original records at any time.
- Department *shall* submit all other destruction request only at the close of each fiscal year.
- Department heads *shall* appoint a specific person or persons to be responsible for public records requests. Department heads and those appointed persons *shall* participate in annual training by County Counsel regarding record retention and responding to public record requests.
- Schedule A to AB 11 provides the retention requirements for specific types of records.

### Technical Guide to Forward Text Messages from Person Cell Phone:

- **iPhone Settings** (NOTE: The following will send ALL texts automatically. May not be available on all models/operating systems).
    - Step 1: On the home screen tap **Settings**.
    - Step 2: Select **Messages** in the Settings.
    - Step 3: Select **Receive At** and add County email at the bottom.
  - **iPhone Settings** (NOTE: To send SELECT texts)
    - Step 1: Open the message thread that contains the message(s) you want to forward.
    - Step 2: Tap and hold the message you want to forward and then tap **More** button.
    - Step 3: Tap the circle next to each message you want to send to your email and then tap the arrow button in the lower-right corner of the Messaging app.
    - Step 4: Type in your email address and click **Send** to forward the message.
  - **Android Settings** (NOTE: Specific messages need to be selected)
    - Step 1: Tap the **Messages** icon on the home screen.
    - Step 2: Tap and hold the thread to forward.
    - Step 3: Enter County email to forward the message.
    - Step 4: Tap **Send** and then the back key.
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**IMPORTANT**

Please [SIGN IN](#) to acknowledge your reading after reviewing  
the Training Bulletin 18-08

Changes to Chapter 7 and Administrative Bulletin 11

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**ISSUE: 18-09**

**TRAINING BULLETIN**

**DATE: March 6, 2018**

## TITLE 15 CHANGES FOR 2017 – PART 2

On April 1, 2017, the Board of State and Community Corrections (BSCC) published a new revision of Title 15, Minimum Standards for Local Detention Facilities. Some of the changes are significant and numerous Detentions Bureau policies are being updated to reflect the mandated changes of the revised regulations. Due to the number of required changes and the related affected policies, Detentions Bureau policies have been updated in two phases. With this second phase, the following policy changes (as underlined) have been made effective as of **March 6, 2018**:

### C-0200 Suicide Prevention Program

Formerly 'Suicide Watch' policy, this has been updated to reflect a comprehensive, proactive, preventative program and to mirror current Title 15 language:

- Adds provisions to facilitate communication between arresting, transporting and receiving deputies regarding an individual's suicide risk;
- Clarifies inmate viewing of legal / general correspondence while on suicide watch;
- Adds requirement for staff to be trained in suicide prevention prior to assignment in a Sheriff's Office jail facility;
- Adds requirement for Shift Supervisor to make notification to Compliance Sergeant in the event of a suicide attempt;
- Adds requirement for the Shift Supervisor to contact the Facility Manager prior to removing an inmate from suicide watch if the inmate has been on watch for ten or more consecutive days, or is a high risk protective custody inmate;
- Adds requirement that when an inmate is released from custody while on suicide watch, the Shift Supervisor will ensure that the 5150 form includes an articulation of the specific facts that support the need for evaluation.
- Adds requirement for a multi-disciplinary administrative review of suicides and attempted suicides to be conducted by the Compliance Section.

### C-0900 Inmate Death

- Adds requirement for the Shift Supervisor to make notification to Correctional Medicine and Correctional Behavioral Health Supervisors of inmate death via telephone call.
- Adds requirement for guarding deputy to make notification of an inmate death occurring at the hospital to the on duty Shift Supervisor of the originating facility.

- Adds requirement for the Shift Supervisor to ensure all facility PIPE readers are downloaded in the event of an inmate death.
- Adds requirement that preliminary incident reviews will be conducted by the Compliance Section within 30 days of an inmate death.

### I-0100 Inmate Discipline

Procedures related to administering inmate discipline have been updated to mirror current requirements of Title 15.

- Adds definition of Disciplinary Separation (Formerly Disciplinary Isolation);
- Clarifies that when an inmate refuses to sign notification of a pending disciplinary hearing, that the hearing will be postponed for 24 hours;
- Specifies that all inmate disciplinary hearings will be conducted within 72 hours of notification;
- Requires that deputies will not conduct or facilitate disciplinary hearings for any incident in which they were involved in or witness to, or for which they initiated the disciplinary action;
- Provides inmates the ability to call witnesses for disciplinary hearings;
- Adds requirement for Classification to document Section Manager review to continue disciplinary separation beyond 30 days.

**Note\* As a result of this Bureau policy update, the following facility manual policies will be deleted:**

CRF – M-100: Loss of Privileges, M-200: Disciplinary Hearings, M-300: Inmate Disciplinary Action;

Pre-Trial – F-180: Inmate Discipline and attachments;

Minimum – E-180: Disciplinary Hearings, E-181: Inmate Disciplinary Action.

### K-0400 Administrative Segregation

- Eligibility criteria for administrative segregation revised to mirror current Title 15 language.
- Procedures for administrative segregation of federal contract inmates revised to current standards.

### **Updated Terminology**

Simultaneous with this policy update, several common policy terms are being updated to reflect proper, accurate, and modern names that should now be considered the new standards:

#### **Old Terms – Discontinue All References**

CJIS (Criminal Justice Information System)  
CJIS incident report  
Correctional Mental Health (CMH)  
Disciplinary Isolation  
iLeads/LERMS Report  
Kern Medical Center

#### **Updated / Modern Terms**

JMS (Jail Management System)  
JMS incident report  
Correctional Behavioral Health (CBH)  
Disciplinary Separation  
Incident Report (representing Crime and Incident Report)  
Kern Medical

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If you have any questions about any of these policy changes, please first review the full applicable policy in the Detentions Bureau Policy and Procedure Manual at:

<http://sharepoint/Detention/DetentionsBureauManual/default.aspx>

If any questions remain, please ask your immediate supervisor for further clarification and/or direction.

***IMPORTANT***

Please **SIGN IN** to acknowledge your reading after reviewing  
the Training Bulletin 18-09

**TITLE 15 CHANGES FOR 2017 – PART 2**

[C-0200 Suicide Prevention Program](#), [C-0900 Inmate Death](#), [C-0900 Attachment A - In Custody Death Checklist](#), [I-0100 Inmate Discipline](#), [I-0100 Attachment A](#), [I-0100 Attachment C](#), [K-0400 Administrative Segregation](#)

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*Kern County*

**SHERIFF**

**ISSUE: 18-12**

**TRAINING BULLETIN**

**DATE: April 16, 2018**

### **PAYMENT PROCESSING TECHNICAL DIFFICULTIES (DMV MEMO)**

Due to technical difficulties with credit card and debit card processing, vehicle transactions will not show as registration in process (RIP) or transaction in process (TIP) for payments made beginning March 27, 2018.

Please refer to the attached Law Enforcement Information Memo 18-08 issued by the California Department of Motor Vehicles (DMV) for additional information.





**LAW ENFORCEMENT INFORMATION**  
**MEMO: 18-08**  
**SUBJECT: Payment Processing Technical Difficulties**  
**Memo Date: April 6, 2018**

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**Purpose**

To inform law enforcement of delays in processing driver license (DL), identification card (ID), and vehicle registration (VR) payments.

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**Background**

DMV provides customers various payment options including the ability to pay online, by telephone, and at Self Service Terminals (SST) using a credit or debit card.

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**New Information**

Customers who conducted a payment transaction on the DMV website, by telephone, or at an SST beginning on March 27, 2018, may experience a delay in their payment processing due to technical difficulties with credit and debit card processing.

Transactions completed at a DMV field office or by mail are not affected.

Until the payment is processed the transaction will not update to the DMV record. DL/ID card and VR renewals will be delayed. Vehicle transactions will not show as a Registration in Process (RIP) or Transaction in Process (TIP).

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**Contact**

Questions regarding the information contained in this memo or changes to the e-mail distribution list may be directed to the Justice and Government Liaison Branch at (916) 657-7732 or via e-mail at [jaglaw@dmv.ca.gov](mailto:jaglaw@dmv.ca.gov).

SONIA HUESTIS  
Deputy Director  
Communication Programs Division



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**ISSUE: 18-13**

**TRAINING BULLETIN**

**DATE: April 17, 2018**

### **NEW DPPM H-560: VIRTUAL MET PROGRAM**

The Kern County Sheriff's Office has partnered with Behavioral Health and Recovery Services (BHRS) to implement a new Virtual MET Program at our substations. This program will extend the mental health services the Kern County Sheriff's Office is able to provide throughout the community.

In preparation of this new program, H-560 has been added to the Department Policy and Procedures Manual (DPPM) and became effective on April 10, 2018. For more information please refer to DPPM H-560.

### **IMPORTANT**

Please [SIGN IN](#) to acknowledge your reading after reviewing  
the Training Bulletin 18-13

**NEW DPPM H-560: VIRTUAL MET PROGRAM**



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

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

### **POLICY**

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

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

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

### **DIRECTIVE A (UNAUTHORIZED USAGE)**

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

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

### **PROCEDURE**

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

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

H-560

EFFECTIVE: April 10, 2018	REVIEWED:	REVISED:	UPDATED:
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*Kern County*

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**ISSUE: 18-14**

**TRAINING BULLETIN**

**DATE: April 17, 2018**

### **Class C Commercial Driver License**

In August of 2017, the Department of Motor Vehicles began issuing passenger and tank endorsements on Class C commercial driver licenses. To provide clarification on when these endorsements may be required, the California Highway Patrol (CHP) has issued Information Bulletin 238 for allied agencies. For additional information refer to the attached CHP bulletin.



# INFORMATION BULLETIN

*for Allied  
Agencies*

April 6, 2018

## BULLETIN NUMBER 238

### CLASS C COMMERCIAL DRIVER LICENSE

Effective August 1, 2017, the Department of Motor Vehicles (DMV) began to issue passenger (P) and tank (N) endorsements, in addition to hazardous materials (H) endorsements, on Class C commercial driver licenses (CDL). This Information Bulletin (IB) provides clarification pertaining to the operation of vehicles which may now be subject to the requirement of holding a Class C CDL with the appropriate endorsement.

Questions have arisen as to the applicability of a Class C CDL for drivers who, prior to August 1, 2017, were operating vehicles with a gross vehicle weight rating (GVWR) of 26,000 pounds or less meeting the definition of a tank vehicle, but who were not previously required to obtain a CDL with an N endorsement. As the DMV can now issue the N endorsement on a Class C CDL, the driver of a tank vehicle, as defined in Section 15210(r) of the California Vehicle Code (CVC), would now be required to hold a Class C CDL with the N endorsement.

Section 15210(r) CVC defines a tank vehicle as follows:

*“Tank vehicle” means a commercial motor vehicle that is designed to transport any liquid or gaseous material within a tank or tanks having an individual rated capacity of more than 119 gallons **AND** an aggregate rated capacity of at least 1,000 gallons that is permanently or temporarily attached to the vehicle or the chassis, including, but not limited to, cargo tanks and portable tanks, as defined in Part 171 of Title 49 of the Code of Federal Regulations. A commercial motor vehicle transporting an empty storage container tank not designed for transportation, with a rated capacity of at least 1,000 gallons that is temporarily attached to a flatbed trailer, is not a tank vehicle.*

When determining whether a vehicle equipped with a single tank or multiple tanks meets the definition of a tank vehicle for the purpose of requiring the N endorsement, it is important to remember that tanks rated 119 gallons or less capacity **DO NOT** contribute to the aggregate rated capacity and are considered to be nonbulk packages.



For example:

- A motor truck with a GVWR of 19,500 pounds with twelve 100 gallon tanks mounted would result in an aggregate capacity of 1,200 gallons, but would not meet the threshold as a tank vehicle per Section 15210(r) CVC due to those tanks, being less than 119 gallons each, **not** contributing to the aggregate capacity of 1,000 gallons. This vehicle may be legally operated with a noncommercial Class C driver license.
- A motor truck with a GVWR of 19,500 pounds with three 300 gallon tanks mounted would result in an aggregate capacity of 900 gallons, but would not meet the threshold as a tank vehicle per Section 15210(r) CVC due to an aggregate capacity of less than 1,000 gallons. This vehicle may be legally operated with a noncommercial Class C driver license.
- A motor truck with a GVWR of 19,500 pounds with four 300 gallon tanks mounted would contribute to the aggregate capacity of 1,200 gallons, due to the 300 gallon tanks being rated more than 119 gallons each. This vehicle would require a Class C CDL with an N endorsement.

It should be noted, if a vehicle is transporting a hazardous materials load, which requires placards to be displayed, or if the vehicle meets the definition of a tank vehicle per Section 15210(r) CVC, the appropriate endorsement is required on the Class C driver license. Hazardous Agricultural Materials certificate holders with a noncommercial Class C driver license are exempt from this requirement.

In regard to passenger carrying vehicles, a Class C CDL with P endorsement may be utilized for vehicles classified as buses per Section 233 CVC which operate with a GVWR less than 26,000 pounds. Prior to the DMV being able to issue the P endorsement on a Class C CDL, a Class B CDL with P endorsement would have been required to operate vehicles classified as buses per Section 233 CVC. Vehicles operated as buses, with a GVWR or gross weight over 26,000 pounds, will still require a Class B CDL with the P endorsement.

Additionally, farm labor vehicles (FLV) are not eligible for a Class C CDL and will still require a Class B CDL with an FLV certificate per Section 12804.9(b)(2)(D) CVC, regardless of the GVWR.

Questions regarding the contents of this IB should be directed to the California Highway Patrol, Commercial Vehicle Section, at (916) 843-3400.

OFFICE OF THE COMMISSIONER

OPI: 062

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**ISSUE: 18-16**

**TRAINING BULLETIN**

**DATE: April 24, 2018**

## **MEDIA ACTIVITY IN PUBLIC PLACES**

Recently Kern County Sheriff's Office deputies have had several interactions with a group associated with a YouTube channel named "San Joaquin Valley Transparency". This group came to the Kern County Jury Services building, and began recording inside, prompting court staff to request law enforcement intervention. This group has also visited several different courthouses and public buildings throughout Kern County, claiming they are simply conducting "Audits" at public buildings to educate the public on their First Amendment rights. They appear to focus on recording public buildings and employees in an attempt to instigate a confrontation with law enforcement. These recorded interactions are subsequently posted to social media and formal complaints are often filed. While individuals do have a right to record in a public place, these rights are not unlimited. The purpose of this training bulletin is to address such issues:

*Rules of Court for Superior Court of the State of California In and For the County of Kern and Rule 1.150* prohibits the use of video/photography in any court building. Per the Rules of Court, civilians and members of the media are not allowed to utilize recording devices inside of any court building without written authorization from a judge using a Judicial Council Form MC-510, Order on Media Request to Permit Coverage. It is important to note, this is only a court rule and is not a punishable offense. However, there is a standing court order, which is enforceable, issued by the Presiding Judge (see attached) that prohibits all recording/photographs inside all court buildings, including Jury Services, absent authorization granted by the court. There are several areas designated as "Media Interview Stations" at 1415 Truxtun Avenue, where recording is allowed after the judge presiding over the proceedings approves the Judicial Council Form MC-510:

- First floor, in front of the Court Lobby display in the Northeast corner of the lobby;
- Second floor, adjacent to Department 1 and Department 2.

Penal Code 166(a)(4) – Contempt of Court is the, "Willful disobedience of the terms as written of any process or court order or out-of-state court order, lawfully issued by a court, including orders pending trial." Personnel are reminded that they must make reasonable attempts to inform involved parties of this order and offer them an opportunity to comply. If they refuse to comply, violation of this court order is a misdemeanor and is the appropriate charge for any violations of this order.



For further information, please refer to the attached *Standing Order Regulating Media Activity Outside of the Courtroom* in Kern County Superior Court case number BCM-16-000006 and the *2018 California Rules of Court*, Rule 1.150.

For all other areas, these groups have a right to enter and record any place open to the public, so long as they are not disrupting business operations. If there is any disruption of business operations, trespassing or other charges may be applicable. Examples include creating a peace disturbance, obstructing the entrance, making threats to staff, or dissuading others from making a report to law enforcement. If you are to encounter such a situation, remain professional and immediately notify a supervisor. Often times, individuals engaged in this type of activity will disperse if ignored or if they encounter minimal interaction. If such a group enters the lobby area of Sheriff's Office buildings to simply record activities, remain professional and allow them to do so. Thoroughly evaluate each instance on a case-by-case basis before taking enforcement action. To further assist personnel in this topic, please review the Featured Video on SheriffNet "Public Recording of Police". You can also view the video by following this link:

<https://www.youtube.com/watch?v=gjqQOmAzRa4>.

## **IMPORTANT**

Please **SIGN IN** to acknowledge your reading after reviewing

**the Training Bulletin 18-16**

**MEDIA ACTIVITY IN PUBLIC PLACES**

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**FILED**  
**KERN COUNTY**

MAR - 3 2016

TERRY McNALLY, CLERK  
BY [Signature] DEPUTY

**SUPERIOR COURT OF THE STATE OF CALIFORNIA**

**IN AND FOR THE COUNTY OF KERN**

**STANDING ORDER REGULATING  
MEDIA ACTIVITY OUTSIDE THE  
COURTROOM**

MISCELLANEOUS NO.: BCM-16-000006

Photographing, recording, and broadcasting in the courthouse facilities of the Kern County Superior Court shall be conducted only in adherence to California Rules of Court, Rule 1.150 and this Standing Order.

The media shall be permitted to photograph, record, or broadcast from within the Kern County Superior Court facilities only if specifically authorized by the judge presiding over the involved proceedings, in an Order on Media Request to Permit Coverage, Judicial Council Form MC-510.

No photographing, recording, or broadcasting by the media shall occur in the hallways of the courthouse in a manner to block or impede the flow of pedestrian traffic in and out of the courtrooms or in the hallways. Media interview stations are designated in each courthouse to allow for the photographing, recording, and broadcasting outside of the courtroom, providing

1 the judge presiding over the proceedings has authorized such coverage in an Order on Media  
2 Request to Permit Coverage, Judicial Council Form MC-510, as follows:

- 3 • 1415 Truxtun Avenue, Bakersfield - First floor, in front of the Court Lobby
- 4 display in the Northeast corner of the lobby;
- 5 • 1415 Truxtun Avenue, Bakersfield - Second Floor, adjacent to Department 1
- 6 and Department 2;
- 7 • 1215 Truxtun Avenue, Bakersfield - First floor, Northwest lobby of the Court.

8 For the following facilities:

- 9 • Juvenile Justice Center, 2100 College Ave, Bakersfield
- 10 • Metro Traffic, 3131 Arrow Street, Bakersfield
- 11 • Delano Regional Court Facility, 1122 Jefferson Street, Delano
- 12 • Shafter Regional Court Facility, 325 Central Valley Highway, Shafter
- 13 • Lamont Regional Court Facility, 12022 Main Street, Lamont
- 14 • Kern River Regional Court Facility, 7046 Lake Isabella Blvd, Lake Isabella
- 15 • Mojave Regional Court Facility, 1773 Highway 58, Mojave
- 16 • Ridgecrest Regional Court Facility, 132 East Coso Ave., Ridgecrest
- 17 • Taft Regional Court Facility, 311 Lincoln Street, Taft
- 18 • Kern River Regional Court Facility, 7046 Lake Isabella Blvd., Lake Isabella
- 19 • Lobby area as designated by Court security personnel on duty

20 There shall be no photography, recording, or broadcasting in the Jury Assembly  
21 Room. There shall be no photography, recording, or broadcasting of jury selection, jurors or  
22 spectators, or conferences between an attorney and a client, witness, or aide; between  
23 attorneys; or between attorneys and the judge at the bench.

24 Dated: March 3, 2016

25   
John S. Somers, Presiding Judge  
Kern County Superior Court

[<< Previous Rule](#) | [\[ Back to Title Index \]](#) | [Next Rule >>](#) | [Printer-friendly version of this page](#)



## 2018 California Rules of Court

### Rule 1.150. Photographing, recording, and broadcasting in court

#### (a) Introduction

The judiciary is responsible for ensuring the fair and equal administration of justice. The judiciary adjudicates controversies, both civil and criminal, in accordance with established legal procedures in the calmness and solemnity of the courtroom. Photographing, recording, and broadcasting of courtroom proceedings may be permitted as circumscribed in this rule if executed in a manner that ensures that the fairness and dignity of the proceedings are not adversely affected. This rule does not create a presumption for or against granting permission to photograph, record, or broadcast court proceedings.

*(Subd (a) adopted effective January 1, 1997.)*

#### (b) Definitions

As used in this rule:

- (1) "Media coverage" means any photographing, recording, or broadcasting of court proceedings by the media using television, radio, photographic, or recording equipment.
- (2) "Media" or "media agency" means any person or organization engaging in news gathering or reporting and includes any newspaper, radio or television station or network, news service, magazine, trade paper, in-house publication, professional journal, or other news-reporting or news-gathering agency.
- (3) "Court" means the courtroom at issue, the courthouse, and its entrances and exits.
- (4) "Judge" means the judicial officer or officers assigned to or presiding at the proceeding, except as provided in (e) (1) if no judge has been assigned.
- (5) "Photographing" means recording a likeness, regardless of the method used, including by digital or photographic methods. As used in this rule, photographing does not include drawings or sketchings of the court proceedings.
- (6) "Recording" means the use of any analog or digital device to aurally or visually preserve court proceedings. As used in this rule, recording does not include handwritten notes on the court record, whether by court reporter or by digital or analog preservation.
- (7) "Broadcasting" means a visual or aural transmission or signal, by any method, of the court proceedings, including any electronic transmission or transmission by sound waves.

*(Subd (b) amended effective January 1, 2007; adopted as subd (a) effective July 1, 1984; previously amended and relettered as subd (b) effective January 1, 1997; previously amended effective January 1, 2006.)*

#### (c) Photographing, recording, and broadcasting prohibited

Except as provided in this rule, court proceedings may not be photographed, recorded, or broadcast. This rule does not prohibit courts from photographing or videotaping sessions for judicial education or publications and is not intended to apply to closed-circuit television broadcasts solely within the courthouse or between court facilities if the broadcasts are controlled by the court and court personnel.

*(Subd (c) amended effective January 1, 2006; adopted effective January 1, 1997.)*

#### (d) Personal recording devices

The judge may permit inconspicuous personal recording devices to be used by persons in a courtroom to make sound recordings as personal notes of the proceedings. A person proposing to use a recording device must obtain advance permission from the judge. The recordings must not be used for any purpose other than as personal notes.

*(Subd (d) amended effective January 1, 2007; adopted as subd (c) effective July 1, 1984; previously amended and relettered as subd (d) effective January 1, 1997; previously amended effective January 1, 2006.)*

**(e) Media coverage**

Media coverage may be permitted only on written order of the judge as provided in this subdivision. The judge in his or her discretion may permit, refuse, limit, or terminate media coverage. This rule does not otherwise limit or restrict the right of the media to cover and report court proceedings.

**(1) Request for order**

The media may request an order on *Media Request to Photograph, Record, or Broadcast* (form MC-500). The form must be filed at least five court days before the portion of the proceeding to be covered unless good cause is shown. A completed, proposed order on *Order on Media Request to Permit Coverage* (form MC-510) must be filed with the request. The judge assigned to the proceeding must rule on the request. If no judge has been assigned, the request will be submitted to the judge supervising the calendar department, and thereafter be ruled on by the judge assigned to the proceeding. The clerk must promptly notify the parties that a request has been filed.

**(2) Hearing on request**

The judge may hold a hearing on the request or may rule on the request without a hearing.

**(3) Factors to be considered by the judge**

In ruling on the request, the judge is to consider the following factors:

- (A) The importance of maintaining public trust and confidence in the judicial system;
- (B) The importance of promoting public access to the judicial system;
- (C) The parties' support of or opposition to the request;
- (D) The nature of the case;
- (E) The privacy rights of all participants in the proceeding, including witnesses, jurors, and victims;
- (F) The effect on any minor who is a party, prospective witness, victim, or other participant in the proceeding;
- (G) The effect on the parties' ability to select a fair and unbiased jury;
- (H) The effect on any ongoing law enforcement activity in the case;
- (I) The effect on any unresolved identification issues;
- (J) The effect on any subsequent proceedings in the case;
- (K) The effect of coverage on the willingness of witnesses to cooperate, including the risk that coverage will engender threats to the health or safety of any witness;
- (L) The effect on excluded witnesses who would have access to the televised testimony of prior witnesses;
- (M) The scope of the coverage and whether partial coverage might unfairly influence or distract the jury;
- (N) The difficulty of jury selection if a mistrial is declared;
- (O) The security and dignity of the court;
- (P) Undue administrative or financial burden to the court or participants;
- (Q) The interference with neighboring courtrooms;
- (R) The maintenance of the orderly conduct of the proceeding; and
- (S) Any other factor the judge deems relevant.

**(4) Order permitting media coverage**

The judge ruling on the request to permit media coverage is not required to make findings or a statement of decision. The order may incorporate any local rule or order of the presiding or supervising judge regulating media activity outside of the courtroom. The judge may condition the order permitting media coverage on the media agency's agreement to pay any increased court-incurred costs resulting from the permitted media coverage (for example, for additional court security or utility service). Each media agency is responsible for ensuring that all its media personnel who cover the court proceeding know and follow the provisions of the court order and this rule.

(5) *Modified order*

The order permitting media coverage may be modified or terminated on the judge's own motion or on application to the judge without the necessity of a prior hearing or written findings. Notice of the application and any modification or termination ordered under the application must be given to the parties and each media agency permitted by the previous order to cover the proceeding.

(6) *Prohibited coverage*

The judge may not permit media coverage of the following:

- (A) Proceedings held in chambers;
- (B) Proceedings closed to the public;
- (C) Jury selection;
- (D) Jurors or spectators; or
- (E) Conferences between an attorney and a client, witness, or aide; between attorneys; or between counsel and the judge at the bench.

(7) *Equipment and personnel*

The judge may require media agencies to demonstrate that proposed personnel and equipment comply with this rule. The judge may specify the placement of media personnel and equipment to permit reasonable media coverage without disruption of the proceedings.

(8) *Normal requirements for media coverage of proceedings*

Unless the judge in his or her discretion orders otherwise, the following requirements apply to media coverage of court proceedings:

- (A) One television camera and one still photographer will be permitted.
- (B) The equipment used may not produce distracting sound or light. Signal lights or devices to show when equipment is operating may not be visible.
- (C) An order permitting or requiring modification of existing sound or lighting systems is deemed to require that the modifications be installed, maintained, and removed without public expense or disruption of proceedings.
- (D) Microphones and wiring must be unobtrusively located in places approved by the judge and must be operated by one person.
- (E) Operators may not move equipment or enter or leave the courtroom while the court is in session, or otherwise cause a distraction.
- (F) Equipment or clothing must not bear the insignia or marking of a media agency.

(9) *Media pooling*

If two or more media agencies of the same type request media coverage of a proceeding, they must file a joint statement of agreed arrangements. If they are unable to agree, the judge may deny media coverage by that type of media agency.

*(Subd (e) amended effective January 1, 2007; adopted as subd (b) effective July 1, 1984; previously amended and relettered as subd (e) effective January 1, 1997; previously amended effective January 1, 2006.)*

**(f) Sanctions**

Any violation of this rule or an order made under this rule is an unlawful interference with the proceedings of the court and may be the basis for an order terminating media coverage, a citation for contempt of court, or an order imposing monetary or other sanctions as provided by law.

*(Subd (f) amended and relettered as subd (f) effective January 1, 1997; adopted as subd (e) effective July 1, 1984.)*

*Rule 1.150 amended and renumbered effective January 1, 2007; adopted as rule 980 effective July 1, 1984; previously amended effective January 1, 1997, and January 1, 2006.*

Chapter 7 adopted effective January 1, 2008.

[\[ Back to Top \]](#)



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**SHERIFF**

**ISSUE: 18-18**

**TRAINING BULLETIN**

**DATE: May 18, 2018**

## Blue Team – Complaint Tracking

All Sheriff's Office personnel will soon start receiving notification from Blue Team when a complaint is lodged against them. The addition of the complaint tracking feature in Blue Team was implemented for several reasons:

PC 832.5 states all law enforcement agencies shall establish a procedure for investigating complaints and all complaints/findings are to be retained for at least 5 years. In conjunction with this section, PC 13012 also mandates that we submit the total number of complaints and their disposition to the California DOJ on an annual basis. The Internal Affairs Unit (IA) currently keeps track of all phone/walk-in complaints that do not rise to a formal complaint. It was recently discovered complaints taken at the field level were not consistently being tracked or reported, as required by law.

Often times complaints taken in the field may not be an actual complaint. Sometimes the complainant just wants to vent frustration about the criminal justice system, has general questions about law enforcement practices, or wants assistance in the form of law enforcement services. If it is a complaint about clarification of policy or a general inquiry, and there is no allegation against an employee, there is no need to enter such a complaint in Blue Team. There are several benefits to using Blue Team to standardize this process.

- When IA receives a formal complaint, currently there is no standardized system to check whether the complainant has previously spoken to a supervisor. This can become an issue when a supervisor has already addressed the matter informally, but the complainant then files a formal complaint because they do not like the outcome. Without being able to see if a complaint was already made at the supervisor level, this can lead to a potential "double jeopardy" situation if the employee was already counseled by the supervisor. Knowing this information from the onset of a complaint can save valuable time and resources, as well as allow complainants to be notified in a timely manner that their complaint was already addressed. Being able to search the complainant by name in Blue Team may also show the complainant has a history of filing frivolous complaints or may show discrepancies/inconsistencies in their allegations. Conversely, it may show

that they have aired several legitimate complaints that may need to be addressed in the form of a training bulletin. This type of information is important in conducting fair and impartial investigations, which serves to maintain the public trust.

- Supervisors are now required to enter field complaints into Blue Team and complete a narrative describing the complaint. The narrative should minimally include the nature of the complaint and what actions the supervisor took in handling the complaint. If the supervisor chooses to speak with the employee, the findings of that conversation should be documented in the Blue Team narrative. Although the supervisor does not have to provide a disposition (sustained, not sustained etc.) enough information should be included, so the Internal Affairs Unit can determine the finding prior to closing out the complaint. This requirement is not intended to take the place of those field complaints the supervisor feels rise to the level of immediate notification up the chain of command. If the supervisor feels the allegations require an immediate notification up the chain of command, there is no need for a Blue Team entry. If the complainant tells the supervisor they want to make a formal personnel complaint, the supervisor will explain the complaint process to them and there will be no need for a Blue Team entry. At that point it will be the responsibility of the citizen to follow through with the complaint process. The supervisor should document in the call for service that the citizen stated they wanted to make a formal complaint and the process for doing so was explained to them.
  - Since these field complaints are being tracked and retained in a separate file for reporting purposes, they will receive more protection from disclosure than current practices allow. They will be processed and retained in the same manner as Adverse Comments, pursuant to PC 832.5/832.7. These will now be deemed 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. Any such complaints entered into Blue Team will allow employees to read, sign, and respond to complaints at the field level pursuant to the Public Safety Officers Procedural Bill of Rights Act (POBRA). No physical file will be maintained and the employee will receive a Blue Team entry to sign along with a standard Adverse Comment letter. Only a digital copy of these documents will be kept on file. Dispatch will continue to enter a Complaint call for service referencing the incident number. All personnel should not enter any comments into the call for service, other than the formal complaint process was explained to the civilian, as this information is subject to a Public Records Request.
-



- The provisions of PC 832.5 will also allow for the data in Blue Team to be purged after 5 years in accordance with law, unless otherwise ordered in a *Pitchess* hearing.
- Just as Adverse Comments are not reviewed for personnel purposes (promotions, transfers, etc.), these will not be either. The Adverse Comment files are retained by law and are only viewed when a proper *Pitchess* has been filed or when an employee signs a waiver authorizing their release in a background investigation.
- The entry of a complaint into the system will only serve to standardize the complaint record keeping process and will serve as a preventative measure. Blue Team is designed to serve as a diagnostic tool to identify potential patterns, so that a supervisor can address issues informally before the behavior escalates to that requiring disciplinary action. The early intervention features of Blue Team are help oriented and not punitive.
- Any complaints taken by IA will be entered into Blue Team by IA personnel. If a complaint is being forwarded to a supervisor to be handled at their level, IA personnel will be responsible for the entry of the complaint and the disposition. However, it is incumbent upon supervisors to notify IA of the disposition.
- Civilian supervisors who field complaints on their civilian subordinates will have to have a sworn supervisor make the Blue Team entry.

**IMPORTANT**

Please **SIGN IN** to acknowledge your reading after reviewing

**the Training Bulletin 18-18**

**Blue Team – Complaint Tracking**

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**DONNY YOUNGBLOOD**  
Sheriff-Coroner

1350 Norris Road, Bakersfield, California 93308-2231  
Telephone (661) 391-7500

*Kern County*

**SHERIFF**

**ISSUE: 18-19**

**TRAINING BULLETIN**

**DATE: May 21, 2018**

## **Welfare and Institutions Code 5150 Application Update**

On April 1, 2018 the application for assessment, evaluation, and crisis intervention or placement for evaluation and treatment (WIC 5150 form) was updated by the California Department of Health Care Services. Effective immediately, the updated version shall be used. Please destroy/discontinue use of all older forms.

A document overview has been provided by Delphina Rojo, the 5150 Class Co-Facilitator on the Mobile Evaluation Team. If you have any questions regarding the updated 5150 application you may contact her Monday through Friday at her desk (661) 868-8127 or on her cell (661) 201-0368.

The updated application has been attached to the end of this training bulletin or you can download it here: [http://www.dhcs.ca.gov/services/MH/Documents/DHCS\\_1801.pdf](http://www.dhcs.ca.gov/services/MH/Documents/DHCS_1801.pdf). For further information please refer to the attached document overview.



BEHAVIORAL  
**HEALTH & RECOVERY**  
SERVICES

# Updated 5150 Application (2018)

## Document Overview

Developed by the Kern BHRS 5150 Class  
Facilitators



**ON APRIL 1, 2018 THE CALIFORNIA DEPARTMENT OF HEALTH CARE SERVICES UPDATED THE WIC 5150 (FORM) APPLICATION.**

# The updated 5150 application is now four (4) pages; only the first and second page are to be completed by the assessor.

## The new 5150 application has a separate section just for a person's "Historical Course" and prompts the assessor to completely identify the person(s) who provided the relevant information.

State of California Department of Health Care Services  
Health and Human Services Agency

**APPLICATION FOR ASSESSMENT, EVALUATION, AND CRISIS INTERVENTION OR PLACEMENT FOR EVALUATION AND TREATMENT**

**DETAINMENT ADVISEMENT**

**Confidential Client/Patient Information**  
See California W&I Code Section 5328 and HIPAA Privacy Rule 45 C.F.R. § 164.508

**Welfare and Institutions Code (W&I Code), Section 5150(f) and (g),** require that each person, when first detained for psychiatric evaluation, be given certain specific information orally and a record be kept of the advisement by the evaluating facility.

Advisement Complete  Advisement Incomplete

**Good Cause for Incomplete Advisement:**

Advisement Completed By: Position: Language or Modality Used: Date of Advisement:

To (name of 5150 designated facility):

Application is hereby made for the assessment and evaluation of \_\_\_\_\_ residing at \_\_\_\_\_ California, for up to 72-hour assessment, evaluation and crisis intervention or placement for evaluation and treatment at a designated facility pursuant to Section 5150, et seq. (adult) or Section 5685 et seq. (minor), of the W&I Code. If a minor, authorization for voluntary treatment is not available and to the best of my knowledge, the legally responsible party appears to be / is:  Parent;  Legal guardian;  Conservator;  Juvenile Court under W&I Code 300;  Juvenile Court under W&I Code 6014602.

If known, provide names, address and telephone numbers in area provided below:

The above person's condition was called to my attention under the following circumstances:

I have probable cause to believe that the person is, as a result of a mental health disorder, a danger to others, or to himself/ herself, or gravely disabled because: (state specific facts):

(CONTINUED ON NEXT PAGE)

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State of California Department of Health Care Services  
Health and Human Services Agency

**APPLICATION FOR 72 HOUR DETENTION FOR EVALUATION AND TREATMENT (CONTINUED)**

**Historical course of the person's medical disorder:**

I have considered the historical course of the person's mental disorder

No reasonable bearing on determination  
 No information available

Advisee's Name	Address	Phone Number	Relation

Based upon the above information, there is probable cause to believe that said person is, as a result of mental health disorder:

A danger to himself / herself.  Gravely disabled adult.  
 A danger to others.  Gravely disabled minor.

Signature, title and badge number of peace officer, professional person in charge of the facility designated by the county for evaluation and treatment, member of the attending staff, designated members of a mobile crisis team, or professional person designated by the county.

Date: \_\_\_\_\_  
Time: \_\_\_\_\_

**X**

Name of Law Enforcement Agency or Evaluation Facility/Person: \_\_\_\_\_ Address of Law Enforcement Agency or Evaluation Facility/Person: \_\_\_\_\_

**NOTIFICATIONS TO BE PROVIDED TO LAW ENFORCEMENT AGENCY**

Notify (office/unit & telephone #): \_\_\_\_\_

**NOTIFICATION OF PERSON'S RELEASE IS REQUESTED BY THE REFERRING PEACE OFFICER BECAUSE:**

The person has been referred to the facility under circumstances which, based upon an allegation of facts regarding actions witnessed by the officer or another person, would support the filing of a criminal complaint.

Weapon was confiscated pursuant to Section 8102 W&I Code. Upon release, facility is required to provide notice to the person regarding the procedure to obtain return of any confiscated firearm pursuant to Section 8102 W&I Code.

**SEE SUBSEQUENT PAGES FOR DEFINITIONS AND REFERENCES**

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State of California Department of Health Care Services  
Health and Human Services Agency

**DEFINITIONS AND REFERENCES**

"Gravely Disabled" means a condition in which a person, as a result of a mental disorder, is unable to provide for his or her basic personal needs for food, clothing and shelter. SECTION 5008(h) W&I Code

"Gravely Disabled Minor" means a minor who, as a result of a mental disorder, is unable to use the elements of life which are essential to health, safety, and development, including food, clothing, and shelter, even though provided to the minor by others. Intellectual disability, epilepsy, or other developmental disabilities, alcoholism, other drug abuse, or repeated antisocial behavior do not, by themselves, constitute a mental disorder. SECTION 5585.25 W&I Code

"Peace officer" means a duly sworn peace officer as that term is defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code who has completed the basic training course established by the Commission on Peace Officer Standards and Training, or any parole officer or probation officer specified in Section 830.5 of the Penal Code when acting in relation to cases for which he or she has a legally mandated responsibility. SECTION 5008(i) W&I Code

**Section 5152.1 W&I Code:** The professional person in charge of the facility providing 72-hour evaluation and treatment, or his or her designee, shall notify the county mental health director or the director's designee and the peace officer who makes the written application pursuant to Section 5150 or a person who is designated by the law enforcement agency that employs the peace officer, when the person has been released after 72-hour detention, when the person is not detained, or when the person is released before the full period of allowable 72-hour detention if all of the conditions apply.

(a) The peace officer requests such notification at the time he or she makes the application and the peace officer certifies at that time in writing that the person has been referred to the facility under circumstances which, based upon an allegation of facts regarding actions witnessed by the officer or another person, would support the filing of a criminal complaint.

(b) The notice is limited to the person's name, address, date of admission for 72-hour evaluation and treatment, and date of release.

If a police officer, law enforcement agency, or designee of the law enforcement agency, possesses any record of information obtained pursuant to the notification requirements of this section, the officer, agency, or designee shall destroy that record two years after receipt of notification.

**Section 5150.05 W&I Code:**

(a) When determining if probable cause exists to take a person into custody, or cause a person to be taken into custody, pursuant to Section 5150, any person who is authorized to take that person, or cause that person to be taken, into custody pursuant to that section shall consider available relevant information about the historical course of the person's mental disorder if the authorized person determines that the information has a reasonable bearing on the determination as to whether the person is a danger to others, or to himself or herself, or is gravely disabled as a result of the mental disorder.

(b) For purposes of this section, "information about the historical course of the person's mental disorder" includes evidence presented by the person who has provided or is providing mental health or related support services to the person subject to a determination described in subdivision (a), evidence presented by one or more members of the family of that person, and evidence presented by the person subject to a determination described in subdivision (a) or anyone designated by that person.

(c) If the probable cause in subdivision (a) is based on the statement of a person other than the one authorized to take the person into custody pursuant to Section 5150, a member of the attending staff, or a professional person, the person making the statement shall be liable in a civil action for intentionally giving any statement that he or she knows to be false.

(d) This section shall not be applied to limit the application of Section 5328.

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State of California Department of Health Care Services  
Health and Human Services Agency

**DEFINITIONS AND REFERENCES (CONTINUED)**

**Section 5152.2 W&I Code:** Each law enforcement agency within a county shall arrange with the county mental health director a method for giving prompt notification to peace officer pursuant to Section 5152.1 W&I Code.

**Section 5585.50 W&I Code:** The facility shall make every effort to notify the minor's parent or legal guardian as soon as possible after the minor is detained. Section 5585.50 W&I Code.

A minor under the jurisdiction of the Juvenile Court under Section 300 W&I Code is due to abuse, neglect, or exploitation.

A minor under the jurisdiction of the Juvenile Court under Section 601 W&I Code is due to being adjudged a ward of the court as a result of being out of parental control.

A minor under the jurisdiction of the Juvenile Court under Section 602 W&I Code is due to being adjudged a ward of the court because of crimes committed.

**Section 8102 W&I Code [EXCERPTS FROM]:**

(a) Whenever a person who has been detained or apprehended for examination of his or her mental condition or who is a person described in Section 8100 or 8103, is found to own, have in his or her possession or under his or her control, any firearm whatsoever, or any other deadly weapon, the firearm or other deadly weapon shall be confiscated by any law enforcement agency or peace officer, who shall retain custody of the firearm or other deadly weapon. "Deadly weapon," as used in this section, has the meaning prescribed by Section 8100.

(b)(1) Upon confiscation of any firearm or other deadly weapon from a person who has been detained or apprehended for examination of his or her mental condition, the peace officer or law enforcement agency shall issue a receipt describing the deadly weapon or any firearm and listing any serial number or other identification on the firearm and shall notify the person of the procedure for the return, sale, transfer, or destruction of any firearm or other deadly weapon which has been confiscated. A peace officer or law enforcement agency that provides the receipt and notification described in Section 33800 of the Penal Code satisfies the receipt and notice requirements.

(2) If the person is released, the professional person in charge of the facility, or his or her designee, shall notify the person of the procedure for the return of any firearm or other deadly weapon which may have been confiscated.

(3) Health facility personnel shall notify the confining law enforcement agency upon release of the detained person, and shall make a notation to the effect that the facility provided the required notice to the person regarding the procedure to obtain return of any confiscated firearm.

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# 5150 Application (2018)

## Page 1

### APPLICATION FOR ASSESSMENT, EVALUATION, AND CRISIS INTERVENTION OR PLACEMENT FOR EVALUATION AND TREATMENT

### DETAINMENT ADVISEMENT

Confidential Client/Patient Information  
See California W&I Code Section 5328 and HIPAA Privacy Rule 45 C.F.R. § 164.508

My name is \_\_\_\_\_  
I am a (peace officer/mental health professional) with (name of agency). You are not under criminal arrest, but I am taking you for examination by mental health professionals at (name of facility). You will be told your rights by the mental health staff.

Welfare and Institutions Code (W&I Code), Section 5150(f) and (g), require that each person, when first detained for psychiatric evaluation, be given certain specific information orally and a record be kept of the advisement by the evaluating facility.

*If taken into custody at his or her residence, the person shall also be given information:*

Advisement Complete

There is now a check box [X] for the minor section. You will select the box that best describes who is responsible for the minor.

Good Cause for Incomplete Advisement

a few personal items with have to approve. Please need assistance turning ice or water. You may call and leave a note to s or family where you n.

Advisement Completed By: \_\_\_\_\_ Po \_\_\_\_\_

d: \_\_\_\_\_ Date of Advisement: \_\_\_\_\_

To (name of 5150 designated facility): \_\_\_\_\_

Application is hereby made for the assessment, evaluation and crisis intervention placement for evaluation and treatment at a designated facility pursuant to Section 5150, et seq. (adult) or Section 5885 et seq. (minor), of the W&I Code. If a minor, authorization for voluntary treatment is not available and to the best of my knowledge, the legally responsible party appears to be: (Check one):  Parent;  Legal Guardian;  Conservator;  Juvenile Court under W&I Code 300;  Juvenile Court under W&I Code 601/602.

Note, you will now provide the contact information regarding the minor's guardians in the "Called to attention" area.

If known, provide names, address and telephone numbers in area provided below: \_\_\_\_\_  
The above person's condition was called to my attention under the following circumstances: \_\_\_\_\_

You will now be completing a 2<sup>nd</sup> page of the form.

I have probable cause to believe that the person is, as a result of a mental disorder, or to himself/ herself, or gravely disabled because: (state specific) \_\_\_\_\_

(CONTINUED ON NEXT PAGE)



# 5150 Application (2018)

## Page 2

### APPLICATION FOR 72 HOUR DETENTION FOR EVALUATION AND TREATMENT (CONTINUED)

**Historical course of the person's medical disorder:**

I have considered the historical course of the person's mental disorder

No reasonable bearing on determination

No information available

Advisee's Name	Address	Phone Number	Relation

Based upon the above information, there is probable cause to believe that said person is, as a result of mental health disorder:

A danger to himself / herself.       Gravely disabled adult.

A danger to others.       Gravely disabled minor.

*Signature, title and badge number of peace officer, professional person in charge of the facility designated by the county for evaluation and treatment, member of the attending staff, designated members of a mobile crisis team, or professional person designated by the county.*

Name of Law Enforcement Agency or Evaluation Facility/Person: \_\_\_\_\_

Address of Law Enforcement Agency or Evaluation Facility/Person: \_\_\_\_\_

Date: \_\_\_\_\_ Phone: \_\_\_\_\_

Time: \_\_\_\_\_

**NOTIFICATIONS TO BE PROVIDED TO LAW ENFORCEMENT AGENCY**

Notify (officer/unit & telephone #): \_\_\_\_\_

**NOTIFICATION OF PERSON'S RELEASE IS REQUESTED BY THE REFERRING PEACE OFFICER BECAUSE:**

The person has been referred to the facility under circumstances which, based upon an allegation of facts regarding actions witnessed by the officer or another person, would support the filing of a criminal complaint.

Weapon was confiscated pursuant to Section 8102 W&I Code. Upon release, facility is required to provide notice to the person regarding the procedure to obtain return of any confiscated firearm pursuant to Section 8102 W&I Code.

SEE SUBSEQUENT PAGES FOR DEFINITIONS AND REFERENCES

There is a new section for you to write WHO gave you the historical information. The new feature prompts you to add pertinent identifying info about the person.

You are now required to check [X], whether or not, you used HISTORICAL COURSE (events) as additional information to substantiate your hold.

There is now a separate section to write that information.

There is a larger section for Law Enforcement to fill out when the person is to be released into their custody.



BEHAVIORAL  
HEALTH & RECOVERY  
SERVICES

# 5150 Application

# Gravely Disabled adult

# Example Page 1

**APPLICATION FOR ASSESSMENT, EVALUATION, AND  
CRISIS INTERVENTION OR PLACEMENT FOR EVALUATION  
AND TREATMENT**

**DETAINMENT ADVISEMENT**

Confidential Client/Patient Information

See California W&I Code Section 5328 and HIPAA Privacy Rule  
45 C.F.R. § 164.508

Welfare and Institutions Code (W&I Code), Section 5150(f)  
and (g), require that each person, when first detained for  
psychiatric evaluation, be given certain specific information  
orally and a record be kept of the advisement by the evaluating  
facility.

Advisement Complete     Advisement Incomplete

Good Cause for Incomplete Advisement:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

My name is Delphina Rojo  
I am a (peace officer/mental health  
professional) with (name of agency).  
You are not under criminal arrest, but I  
am taking you for examination by mental  
health professionals at (name of facility).  
You will be told your rights by the mental  
health staff.

**If taken into custody at his or her  
residence, the person shall also be  
told the following information:**

You may bring a few personal items with  
you, which I will have to approve. Please  
inform me if you need assistance turning  
off any appliance or water. You may  
make a phone call and leave a note to  
tell your friends or family where you  
have been taken.

Advisement Completed By: <b>DELPHINA ROJO</b>	Position: <b>RSIII</b>	Language or Modality Used: <b>ENGLISH</b>	Date of Advisement: <b>04/01/2018</b>
--	---------------------------	--	--

To (name of 5150 designated facility): PEC

Application is hereby made for the assessment and evaluation of JANE SMITH (2/24/1986)  
residing at 1234 ANY ST BAKERSFIELD, California, for up to 72-hour  
assessment, evaluation and crisis intervention or placement for evaluation and treatment at a designated  
facility pursuant to Section 5150, et seq. (adult) or Section 5585 et seq. (minor), of the W&I Code. If a  
minor, authorization for voluntary treatment is not available and to the best of my knowledge, the legally  
responsible party appears to be / is: (Check one):  Parent;  Legal Guardian;  Conservator;  
 Juvenile Court under W&I Code 300;  Juvenile Court under W&I Code 601/602.

If known, provide names, address and telephone numbers in area provided below:  
The above person's condition was called to my attention under the following circumstances:

I was requested to complete a 5150 evaluation on a 32 year old female who is refusing her family's help and will  
not eat food provided by her family because she believes it is poisoned with bleach. Client's mother, Ann Smith, is  
her primary caregiver.  
\_\_\_\_\_  
\_\_\_\_\_

I have probable cause to believe that the person is, as a result of a mental health disorder, a danger to  
others, or to himself/ herself, or gravely disabled because: (state specific facts):  
The client receives behavioral health services to manage her paranoid schizophrenia symptoms. The client is  
paranoid and anxious. Her hygiene is poor and clothing is disheveled. She told me, "All food smells like bleach."  
The client reports, "I don't need to eat. Please stop asking me to eat." The client declined help from me and stated,  
"All of you are siding with my family." Mother reports that client is not sleeping at night, refuses her medications, is  
wandering into neighbor's homes and tells people that her family is trying to kill her. She is declining to take her  
meds for 3 weeks now & refused to attend her psychiatrist appointment.

(CONTINUED ON NEXT PAGE)





The above person's condition was called to my attention under the following circumstances:

I was requested to complete a 5150 evaluation on a 32 year old female who is refusing her family's help and will not eat food provided by her family because she believes it is poisoned with bleach. Client's mother, Ann Smith, is her primary caregiver.

I have probable cause to believe that the person is, as a result of a mental health disorder, a danger to others, or to himself/ herself, or gravely disabled because: (state specific facts):

The client receives behavioral health services to manage her paranoid schizophrenia symptoms. The client is paranoid and anxious. Her hygiene is poor and clothing is disheveled. She told me, "All food smells like bleach." The client reports, "I don't need to eat. Please stop asking me to eat." The client declined help from me and stated, "All of you are siding with my family." Mother reports that client is not sleeping at night, refuses her medications, is wandering into neighbor's homes and tells people that her family is trying to kill her. She is declining to take her meds for 3 weeks now & refused to attend her psychiatrist appointment.

(CONTINUED ON NEXT PAGE)

DHCS 1801 (04/18)

Page 1 of 4

## Example of "Called to attention" & "Probable cause" section

5150 Application – DHCS 1801 (04/18)



BEHAVIORAL  
HEALTH & RECOVERY  
SERVICES

# 5150 Application

# Gravely Disabled adult

# Example Page 2

**APPLICATION FOR 72 HOUR DETENTION FOR EVALUATION AND TREATMENT  
(CONTINUED)**

**Historical course of the person's medical disorder:**

I have considered the historical course of the person's mental disorder

Client's mother, Ann Smith, reported that the client has not eaten food in 2 days, she will only drink a little cup of coffee that she prepares herself. Mother reports that when Jane is off her medications; after just a month she will stop eating and runs away from family due to her paranoia. Last year during May 2017, she stopped all her meds, refused to take food, became homeless and was placed on LPS conservatorship.

- No reasonable bearing on determination
- No information available

Advisee's Name	Address	Phone Number	Relation
Ann Smith	1234 Any St, Bakersfield	661-555-5555	Client's Biological Mother

Based upon the above information, there is probable cause to believe that said person is, as a result of mental health disorder:

- A danger to himself / herself.
- Gravely disabled adult.
- A danger to others.
- Gravely disabled minor.

Signature, title and badge number of peace officer, professional person in charge of the facility designated by the county for evaluation and treatment, member of the attending staff, designated members of a mobile crisis team, or professional person designated by the county.

<b>X</b> <i>Delphina Rojo RS999</i>	Date: 04/01/2018	Phone: 661-868-8127
	Time: 11:11 am	

Name of Law Enforcement Agency or Evaluation Facility/Person: Kern Behavioral Health & Recovery Services	Address of Law Enforcement Agency or Evaluation Facility/Person: PO Box 1000 93302
---	---

**NOTIFICATIONS TO BE PROVIDED TO LAW ENFORCEMENT AGENCY**

Notify (officer/unit & telephone #): \_\_\_\_\_

**NOTIFICATION OF PERSON'S RELEASE IS REQUESTED BY THE REFERRING PEACE OFFICER BECAUSE:**

- The person has been referred to the facility under circumstances which, based upon an allegation of facts regarding actions witnessed by the officer or another person, would support the filing of a criminal complaint.
- Weapon was confiscated pursuant to Section 8102 W&I Code. Upon release, facility is required to provide notice to the person regarding the procedure to obtain return of any confiscated firearm pursuant to Section 8102 W&I Code.

**SEE SUBSEQUENT PAGES FOR DEFINITIONS AND REFERENCES**



(CONTINUED)

**Historical course of the person's medical disorder:**

- I have considered the historical course of the person's mental disorder

Client's mother, Ann Smith, reported that the client has not eaten food in 2 days, she will only drink a little cup of coffee that she prepares herself. Mother reports that when Jane is off her medications; after just a month she will stop eating and runs away from family due to her paranoia. Last year during May 2017, she stopped all her meds, refused to take food, became homeless and was placed on LPS conservatorship.

- No reasonable bearing on determination
- No information available

Advisee's Name	Address	Phone Number	Relation
Ann Smith	1234 Any St, Bakersfield	661-555-5555	Client's Biological Mother

## Example of "Historical course" section

5150 Application – DHCS 1801 (04/18)



- **Remember to correctly fill in the DATES for the form: there are two (2) DATE sections.**
- **Please include the client's birthdate next to their name, if available.**
- **Remember to SIGN your 5150 application.**
- **Remember to use this version of the 5150 application – DHCS 1801 (04/18) .**

**You can download the application here:**

[http://www.dhcs.ca.gov/services/MH/Documents/DHCS\\_1801.pdf](http://www.dhcs.ca.gov/services/MH/Documents/DHCS_1801.pdf)



BEHAVIORAL  
HEALTH & RECOVERY  
SERVICES

HOPE. HEALING. LIFE.

**Questions regarding the updated 5150 application, please contact:**

**Delphina Rojo**

**661-868-8127 Desk**

**661-201-0368 Cell**

**Mon to Friday, 8:00 am to 5:00 pm**

**5150 Class Co-facilitator**

**Mobile Evaluation Team**



**BEHAVIORAL  
HEALTH & RECOVERY  
SERVICES**

**HOPE. HEALING. LIFE.**

**APPLICATION FOR ASSESSMENT, EVALUATION, AND  
CRISIS INTERVENTION OR PLACEMENT FOR EVALUATION  
AND TREATMENT**

Confidential Client/Patient Information

See California W&I Code Section 5328 and HIPAA Privacy Rule  
45 C.F.R. § 164.508

**Welfare and Institutions Code (W&I Code), Section 5150(f) and (g)**, require that each person, when first detained for psychiatric evaluation, be given certain specific information orally and a record be kept of the advisement by the evaluating facility.

**Advisement Complete**       **Advisement Incomplete**

Good Cause for Incomplete Advisement:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**DETAINMENT ADVISEMENT**

My name is \_\_\_\_\_  
I am a (peace officer/mental health professional) with (name of agency).  
You are not under criminal arrest, but I am taking you for examination by mental health professionals at (name of facility).

You will be told your rights by the mental health staff.

***If taken into custody at his or her residence, the person shall also be told the following information:***

You may bring a few personal items with you, which I will have to approve. Please inform me if you need assistance turning off any appliance or water. You may make a phone call and leave a note to tell your friends or family where you have been taken.

Advisement Completed By:	Position:	Language or Modality Used:	Date of Advisement:
_____	_____	_____	_____

To (name of 5150 designated facility): \_\_\_\_\_

Application is hereby made for the assessment and evaluation of \_\_\_\_\_

residing at \_\_\_\_\_, California, for up to 72- hour assessment, evaluation and crisis intervention or placement for evaluation and treatment at a designated facility pursuant to Section 5150, et seq. (adult) or Section 5585 et seq. (minor), of the W&I Code. If a minor, authorization for voluntary treatment is not available and to the best of my knowledge, the legally responsible party appears to be / is: **(Check one)**:  **Parent**;  **Legal Guardian**;  **Conservator**;  **Juvenile Court under W&I Code 300**;  **Juvenile Court under W&I Code 601/602**.

If known, provide names, address and telephone numbers in area provided below:

The above person's condition was called to my attention under the following circumstances:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I have probable cause to believe that the person is, as a result of a mental health disorder, a danger to others, or to himself/ herself, or gravely disabled because: (state specific facts):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**(CONTINUED ON NEXT PAGE)**

**APPLICATION FOR 72 HOUR DETENTION FOR EVALUATION AND TREATMENT  
(CONTINUED)**

**Historical course of the person's mental disorder:**

I have considered the historical course of the person's mental disorder

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

No reasonable bearing on determination

No information available because:

Advisee's Name	Address	Phone Number	Relation

Based upon the above information, there is probable cause to believe that said person is, as a result of mental health disorder:

**A danger to himself / herself.**

**Gravely disabled adult.**

**A danger to others.**

**Gravely disabled minor.**

*Signature, title and badge number of peace officer, professional person in charge of the facility designated by the county for evaluation and treatment, member of the attending staff, designated members of a mobile crisis team, or professional person designated by the county.*

<b>X</b>	Date:	Phone:
	Time:	

<b>Name of Law Enforcement Agency or Evaluation Facility/Person:</b>	<b>Address of Law Enforcement Agency or Evaluation Facility/Person:</b>
--	---

**NOTIFICATIONS TO BE PROVIDED TO LAW ENFORCEMENT AGENCY**

Notify (officer/unit & telephone #): \_\_\_\_\_

**NOTIFICATION OF PERSON'S RELEASE IS REQUESTED BY THE REFERRING PEACE OFFICER BECAUSE:**

- The person has been referred to the facility under circumstances which, based upon an allegation of facts regarding actions witnessed by the officer or another person, would support the filing of a criminal complaint.
- Weapon was confiscated pursuant to Section 8102 W&I Code. Upon release, facility is required to provide notice to the person regarding the procedure to obtain return of any confiscated firearm pursuant to Section 8102 W&I Code.

**SEE SUBSEQUENT PAGES FOR DEFINITIONS AND REFERENCES**



## DEFINITIONS AND REFERENCES

**"Gravely Disabled"** means a condition in which a person, as a result of a mental health disorder, is unable to provide for his or her basic personal needs for food, clothing and shelter. SECTION 5008(h) W&I Code

**"Gravely Disabled Minor"** means a minor who, as a result of a mental disorder, is unable to use the elements of life which are essential to health, safety, and development, including food, clothing, and shelter, even though provided to the minor by others. Intellectual disability, epilepsy, or other developmental disabilities, alcoholism, other drug abuse, or repeated antisocial behavior do not, by themselves, constitute a mental disorder. SECTION 5585.25 W&I Code

**"Peace officer"** means a duly sworn peace officer as that term is defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code who has completed the basic training course established by the Commission on Peace Officer Standards and Training, or any parole officer or probation officer specified in Section 830.5 of the Penal Code when acting in relation to cases for which he or she has a legally mandated responsibility. SECTION 5008(i) W&I Code

**Section 5152.1 W&I Code:** The professional person in charge of the facility providing 72-hour evaluation and treatment, or his or her designee, shall notify the county mental health director or the director's designee and the peace officer who makes the written application pursuant to Section 5150 or a person who is designated by the law enforcement agency that employs the peace officer, when the person has been released after 72- hour detention, when the person is not detained, or when the person is released before the full period of allowable 72-hour detention if all of the conditions apply:

- (a) The peace officer requests such notification at the time he or she makes the application and the peace officer certifies at that time in writing that the person has been referred to the facility under circumstances which, based upon an allegation of facts regarding actions witnessed by the officer or another person, would support the filing of a criminal complaint.
- (b) The notice is limited to the person's name, address, date of admission for 72-hour evaluation and treatment, and date of release.

If a police officer, law enforcement agency, or designee of the law enforcement agency, possesses any record of information obtained pursuant to the notification requirements of this section, the officer, agency, or designee shall destroy that record two years after receipt of notification.

**Section 5150.05 W&I Code:**

- (a) When determining if probable cause exists to take a person into custody, or cause a person to be taken into custody, pursuant to Section 5150, any person who is authorized to take that person, or cause that person to be taken, into custody pursuant to that section shall consider available relevant information about the historical course of the person's mental disorder if the authorized person determines that the information has a reasonable bearing on the determination as to whether the person is a danger to others, or to himself or herself, or is gravely disabled as a result of the mental disorder.
- (b) For purposes of this section, "information about the historical course of the person's mental disorder" includes evidence presented by the person who has provided or is providing mental health or related support services to the person subject to a determination described in subdivision (a), evidence presented by one or more members of the family of that person, and evidence presented by the person subject to a determination described in subdivision (a) or anyone designated by that person.
- (c) If the probable cause in subdivision (a) is based on the statement of a person other than the one authorized to take the person into custody pursuant to Section 5150, a member of the attending staff, or a professional person, the person making the statement shall be liable in a civil action for intentionally giving any statement that he or she knows to be false.
- (d) This section shall not be applied to limit the application of Section 5328.

## DEFINITIONS AND REFERENCES (*CONTINUED*)

**Section 5152.2 W&I Code:** Each law enforcement agency within a county shall arrange with the county mental health director a method for giving prompt notification to peace officer pursuant to Section 5152.1 W&I Code.

**Section 5585.50 W&I Code:** The facility shall make every effort to notify the minor's parent or legal guardian as soon as possible after the minor is detained. *Section 5585.50 W&I Code.*

A minor under the jurisdiction of the Juvenile Court under Section 300 W&I Code is due to abuse, neglect, or exploitation.

A minor under the jurisdiction of the Juvenile Court under Section 601 W&I Code is due to being adjudged a ward of the court as a result of being out of parental control.

A minor under the jurisdiction of the Juvenile Court under Section 602 W&I Code is due to being adjudged a ward of the court because of crimes committed.

### **Section 8102 W&I Code (EXCERPTS FROM):**

- (a) Whenever a person who has been detained or apprehended for examination of his or her mental condition or who is a person described in Section 8100 or 8103, is found to own, have in his or her possession or under his or her control, any firearm whatsoever, or any other deadly weapon, the firearm or other deadly weapon shall be confiscated by any law enforcement agency or peace officer, who shall retain custody of the firearm or other deadly weapon. "Deadly weapon," as used in this section, has the meaning prescribed by Section 8100.
- (b)(1) Upon confiscation of any firearm or other deadly weapon from a person who has been detained or apprehended for examination of his or her mental condition, the peace officer or law enforcement agency shall issue a receipt describing the deadly weapon or any firearm and listing any serial number or other identification on the firearm and shall notify the person of the procedure for the return, sale, transfer, or destruction of any firearm or other deadly weapon which has been confiscated. A peace officer or law enforcement agency that provides the receipt and notification described in Section 33800 of the Penal Code satisfies the receipt and notice requirements.
- (2) If the person is released, the professional person in charge of the facility, or his or her designee, shall notify the person of the procedure for the return of any firearm or other deadly weapon which may have been confiscated.
- (3) Health facility personnel shall notify the confiscating law enforcement agency upon release of the detained person, and shall make a notation to the effect that the facility provided the required notice to the person regarding the procedure to obtain return of any confiscated firearm.



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Sheriff-Coroner

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*Kern County*

**SHERIFF**

**ISSUE: 18-21**

**TRAINING BULLETIN**

**DATE: June 4, 2018**

**New Department Policy and Procedure  
K-401 Body Armor**

Section [K-401](#) has been added to the Kern County Sheriff's Office Department Policy and Procedures Manual (DPPM). Its effective date is today, June 4, 2018. Please refer to DPPM, [K-401](#) for further information.

**IMPORTANT**

Please [SIGN IN](#) to acknowledge your reading after reviewing  
the Training Bulletin 18-21

**New Department Policy and Procedure  
[K-401](#) Body Armor**



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**ISSUE: 18-22**

**TRAINING BULLETIN**

**DATE: July 10, 2018**

### **Duties of Personnel (DPPM B-100)**

Sheriff's Office Employees,

Recently we have seen an increase in complaints regarding staffs' interactions with the community and not respecting one another in the workplace. In order to foster better working relationships with community members and members of the Sheriff's Office, staff are encouraged to review and follow DPPM B-100. DPPM B-100 requires all personnel of the Kern County Sheriff's Office to:

- Foster good public relations by treating all people with courtesy, keeping in mind the necessity of maintaining public respect for the Sheriff's Office;
- Be quiet, civil, orderly, and patient in their demeanor;
- Refrain from using coarse, violent, profane, or insolent language;
- Be civil and respectful to each other;
- Treat supervisors and commanding officers with respect;

When communicating with community members be respectful and refer to them as sir, ma'am, Mr. or Ms. when appropriate. When addressing command or ranking members of the department, it is appropriate to address them by rank or rank and last name. It is not appropriate to refer to ranking members by first name either verbally and or in a written communication.

Respectfully submitted,

Commander Doug Jauch

**IMPORTANT**

Please **SIGN IN** to acknowledge your reading after reviewing

**the Training Bulletin 18-22**

**Duties of Personnel (DPPM B-100)**



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

<b>TITLE: DUTIES OF PERSONNEL – ALL MEMBERS</b>		<b>NO: B-100</b>	
<b>APPROVED: Donny Youngblood, Sheriff-Coroner</b>			
<b>EFFECTIVE:</b> August 1, 1990	<b>REVIEWED:</b> 8/10/2017	<b>REVISED:</b> 4/14/2015	<b>UPDATED:</b> 8/10/2017

**POLICY**

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

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

**DIRECTIVE**

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

**General Duties of All Personnel**

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

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

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

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

Testify when and where legally required;

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

Report any unlawful activity;

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

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

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

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

Be civil and respectful to each other;

Treat supervisors and commanding officers with respect;

Furnish information or direction to the public regarding the county;

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

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

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

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

Not sleep, idle, or loaf while on duty;

Not possess a personally owned video player or video game player (to include video iPods, DVD players, laptop computers, televisions, or similar devices) within a detentions facility or while assigned to hospital guard;

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

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

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

- Applies to peace officers, detention officers, and detention deputies only;
- **EXCEPTION:** When such possession would place a person in jeopardy or compromise an investigation the requirement will be waived.

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

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

B-100-2

<b>EFFECTIVE:</b> August 1, 1990	<b>REVIEWED:</b> 8/10/2017	<b>REVISED:</b> 4/14/2015	<b>UPDATED:</b> 8/10/2017
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Make requests for time off, vacation, or compensatory time off, at least three (3) days before it is to commence. (In emergencies, this requirement may be waived by a supervisor);

Maintain an operating telephone at place of residence;

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

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

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

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

B-100-3

<b>EFFECTIVE:</b> August 1, 1990	<b>REVIEWED:</b> 8/10/2017	<b>REVISED:</b> 4/14/2015	<b>UPDATED:</b> 8/10/2017
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*Kern County*

**SHERIFF**

**ISSUE: 18-23**

**TRAINING BULLETIN**

**DATE: July 11, 2018**

### **Fentanyl Exposure Risk**

On July 11, 2018, the 1 zone experienced four overdose (OD) calls within a two to three hour period in various locations throughout Oildale and one OD victim call in the 2 zone within this same time period, for a total of five. Based on the OD victims' symptoms, paramedics suspected the main contributor was Fentanyl exposure from Heroin use. The subjects stopped breathing, among other things.

Everyone should take extreme precaution when responding to these calls for service. If you need Narcan, contact, or stop by, the Regional Training Center (RTC) at 962 Norris Road. Please take a moment to ensure your Narcan is not expired. If it is expired, you should turn it into the RTC. Having this tool on hand will be beneficial, especially if one of our own is exposed.

For more information on what to do if you're exposed to Fentanyl refer to Training Bulletins 17-26 and 17-11. Stay safe out there.

<http://sharepoint/IVB/PersonnelDivision/Training/Training%20Bulletins/2017/17-11%20Fentanyl%20Exposure%20Kills.pdf>

<http://sharepoint/IVB/PersonnelDivision/Training/Training%20Bulletins/2017/17-26%20Fentanyl%20Exposure%20Kills%20Update.pdf>





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**ISSUE: 18-24**

**TRAINING BULLETIN**

**DATE: July 13, 2018**

### **Alternative Registration Products**

Please refer to the following Department of Motor Vehicles Law Enforcement Memo: 18-14 for information regarding the Digital License Plate program, License Plate wrap, and Electronic Registration card.



**LAW ENFORCEMENT INFORMATION MEMO**  
**MEMO: 18-14**  
**SUBJECT: Alternate Registration Products Update**  
**Memo Date: July 7, 2018**

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**Purpose** To provide an update to law enforcement on the Digital License Plate (DLP) program.

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**Background** Legislation implemented September 1, 2015, authorized the department to establish a program to evaluate the use of alternative registration products. The ongoing program currently includes three items:

- DLP: an electronic screen in lieu of a metal rear license plate
- License Plate Wrap: a printed plate on vinyl in lieu of a metal front plate
- Electronic Registration Card: displays on a mobile application in lieu of a paper registration card

---

**New Information** The DLP is the only alternative registration product with updated information as follows:

- New prototype name is rPlate-Pro
- Size is approximately 6" x 12"
- Monochromatic and reflective display with white background and black letters **OR** black background with white letters
- Back light provides minimum light required to enhance the visibility of the plate number during hours of darkness when the vehicle ignition is ON (this light will be off when the vehicle ignition is OFF though the plate information will still be readable)
- Larger font during hours of darkness will increase the size of the plate number from 2.5" to a minimum of 4" to increase visibility, whether the ignition is ON or OFF
- Government owned vehicles read "CA EXEMPT" on the top of the plate

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**Contact** Questions regarding the information contained in this memo or changes to the email distribution list may be directed to the Justice and Government Liaison Branch at (916) 657-7732 or via e-mail at [jaglaw@dmv.ca.gov](mailto:jaglaw@dmv.ca.gov).

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SONIA HUESTIS  
Deputy Director Communication Programs Division

Attachment

Attachment  
Law Enforcement Memo: 18-14  
Alternative Registration Products Update

Rear Digital License Plate: White – Privately Owned Vehicles



Rear Digital License Plate: Black – Privately Owned Vehicles



Rear Digital License Plate – Public Agency Vehicles (Government)





*Kern County*

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Sheriff-Coroner

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**ISSUE: 18-28**

**TRAINING BULLETIN**

**DATE: August 6, 2018**

### **Implementation of California Penal Code 680.1**

Effective July 1, 2018 we must inform victims of sexual assault crimes that they may receive information about their sexual assault evidence kit by calling the **Department of Justice's (DOJ) Victim's Services Unit (VSU) at 1-877-433-9069**. Victims will need to leave a message with their contact information, case number and/or kit number. DOJ staff members will return their calls within 48 hours to provide all available information.

The VSU created the attached card which shall be provided in addition to the required Marsy Card. This card provides VSU's telephone number and contains instructions for the victim on how to obtain the location and status of their sexual assault kits. Sergeants shall ensure their squads are providing these cards and keep them in stock.

Additionally, all law enforcement agencies must ensure the information on victim sexual assault kits collected in connection with a crime is entered into the DOJ's Sexual Assault Forensic Evidence Tracking (SAFE-T) database within 120 days of kit collection. If evidence is seized by a local hospital for a mini-kit and it's sent to the Crime Lab for analysis then the Crime Lab is responsible for entering the information. If evidence is seized and checked into the Property Room from a non-local hospital (i.e. Antelope Valley) or Deputy then the Property room is responsible for entering the information.

## You Have a Right to Know...

### You can:

- Have a 24-hour confidential sexual assault counselor (victim advocate) or other support person(s) with you during any exam or interview.
- Ask for a Court Order to protect you.
  - » For protection from the attacker right away, ask a law enforcement officer for an Emergency Protective Order.
  - » Learn about Civil Protection Orders here: [www.courts.ca.gov/1260.htm](http://www.courts.ca.gov/1260.htm).
- Ask about test results and evidence from the assault.
- Ask the officer for a case number and how to find out what happens next.
- If you need help to pay for your costs related to the assault, learn more and apply at: [www.victims.ca.gov/victims/howtoapply.aspx](http://www.victims.ca.gov/victims/howtoapply.aspx)
- **Note: You may have to take part in the criminal case to qualify for CalVCB.**

Agency: \_\_\_\_\_

Contact Name: \_\_\_\_\_

Phone: \_\_\_\_\_

Police Report / Case No.: \_\_\_\_\_

Notes: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

VSU Rev



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Notes: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

VSU Rev



# Sexual Assault Survivor's Bill of Rights

You have rights. You have the right to get answers, the right to information, and a right to know. This card explains key rights, options, and helpful resources.

## You Decide

It's your choice to:

- Get a physical exam,
- Be part of a criminal case, or
- Report the assault.

No matter what you choose, you keep your rights.

## ? Questions?

Ask a health care provider, law enforcement officer, or contact your local rape crisis center.

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Ask a health care provider, law enforcement officer, or contact your local rape crisis center.

## You Have a Right to Get Answers

- Was your evidence analyzed within 18 months?
- Was the evidence used to make a DNA profile of your attacker?
- Was a DNA profile entered into the law enforcement database? Did they find matches to the profiles?

## You Have a Right to Information, Including:

- A free copy of the crime reports. (Ask in writing to your local law enforcement agency.)
- The attacker's sex offender registry information, if convicted.
- Evidence from the rape kit. The rape kit must be:
  - » Taken to the lab and analyzed within 24 months, and
  - » Kept for 20 years, or until you turn 40, if you were under 18 when the assault happened.

## Facts:

- DNA evidence on the body can last from 12 hours up to 7 days.
- DNA and other kinds of evidence may break down if exposed to heat, water, or other materials.

## You Have a Right to Get Answers

- Was your evidence analyzed within 18 months?
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## Facts:

- DNA evidence on the body can last from 12 hours up to 7 days.
- DNA and other kinds of evidence may break down if exposed to heat, water, or other materials.

### Sexual Assault Forensic Evidence Tracking (SAFE-T)

Contact the California Attorney General's Victims' Services Unit for a general location and status of rape kit based on data entered into the SAFE-T database. Or contact the local law enforcement agency that handled your case.

### Resources\*

#### Local Rape Crisis Center

Contact your local rape crisis center for support, advocacy, and information about their services.

#### California Victim Compensation Board (CalVCB) –

Helps reimburse victims for mental health counseling, loss of income, crime scene cleanup, relocation, medical and dental bills, and other costs related to the assault.  
800-777-9229 • [www.victims.ca.gov](http://www.victims.ca.gov)

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800-777-9229 • [www.victims.ca.gov](http://www.victims.ca.gov)

**California Coalition Against Sexual Assault (CalCASA) –** Working to end sexual violence through prevention, intervention, education, research, advocacy and public policy. 916-446-2520 • [www.calcasa.org](http://www.calcasa.org)

**Rape, Abuse & Incest National Network (RAINN) –** The nation's largest anti-sexual violence organization. 800-656-HOPE • [www.centers.rainn.org](http://www.centers.rainn.org)

**National Domestic Violence Hotline –** 800-799-7233 • [www.thehotline.org](http://www.thehotline.org)

**National Human Trafficking Resource Center Hotline –** 24-Hour Hotline: 888-373-7888 • [www.humantraffickinghotline.org](http://www.humantraffickinghotline.org)

**California Attorney General's Office - Victims' Services Unit –** Connects victims to local victim support and information resources. Provides information and updates on the appeals process. 877-433-9069 • [www.oag.ca.gov/victimservices](http://www.oag.ca.gov/victimservices)

**For more information, contact:**  
[www.oag.ca.gov/sexual-violence](http://www.oag.ca.gov/sexual-violence)

\* The CA Attorney General's Office does not control, support, or have responsibility for the organizations and agencies listed above.

**California Coalition Against Sexual Assault (CalCASA) –** Working to end sexual violence through prevention, intervention, education, research, advocacy and public policy. 916-446-2520 • [www.calcasa.org](http://www.calcasa.org)

**Rape, Abuse & Incest National Network (RAINN) –** The nation's largest anti-sexual violence organization. 800-656-HOPE • [www.centers.rainn.org](http://www.centers.rainn.org)

**National Domestic Violence Hotline –** 800-799-7233 • [www.thehotline.org](http://www.thehotline.org)

**National Human Trafficking Resource Center Hotline –** 24-Hour Hotline: 888-373-7888 • [www.humantraffickinghotline.org](http://www.humantraffickinghotline.org)

**California Attorney General's Office - Victims' Services Unit –** Connects victims to local victim support and information resources. Provides information and updates on the appeals process. 877-433-9069 • [www.oag.ca.gov/victimservices](http://www.oag.ca.gov/victimservices)

**For more information, contact:**  
[www.oag.ca.gov/sexual-violence](http://www.oag.ca.gov/sexual-violence)

\* The CA Attorney General's Office does not control, support, or have responsibility for the organizations and agencies listed above.



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*Kern County*

**SHERIFF**

**ISSUE: 18-29**

**TRAINING BULLETIN**

**DATE: August 10, 2018**

## **In-Custody Sexual Assault / Abuse / Harassment Investigations**

The Department of Justice Prison Rape Elimination Act (PREA) standards have specific requirements related to investigations of sexual abuse / assault within the confinement setting.

All Detentions Senior Deputies and Sergeants have completed mandatory training in compliance with DOJ PREA standard §115.34 Specialized training: Investigations which includes interviewing techniques for sexual abuse victims, proper use of Miranda and Garrity Warnings, evidence collection and the criteria required to substantiate a criminal case for administrative action (facility discipline) or prosecution referral.

This training bulletin has been prepared to address some of the common issues that have been identified during incident reviews, with the goal of improving future investigations.

This training bulletin is intended to cover some key aspects of these investigations. Detentions Senior Deputies shall follow DBPPM P-500: Sexual Assault/Abuse - Security Response Plan when assigned to investigate a report of sexual abuse, assault, harassment or retaliation.

### **Admonishments**

The use of and documentation of the proper admonishment is key to whether evidence obtained during an interview can be used in court.

**Miranda Warning** - The 1966 US Supreme Court Decision which requires all suspects to know their right against self-incrimination. Follow the Kern County Sheriff's Office 710 Miranda warning card verbatim when giving a suspect their Miranda Warning. If a suspect is questioned and Miranda should have been given then all their statements can be ruled inadmissible in a court of law.

**Beheler Advisement** - It is a 1983 California case that allows for voluntary interview of a person(s) who is not under arrest and voluntarily agrees to an interview freely without any coercion. The person being interviewed must be informed that they do not have to talk to you and can request to go back to their cell at any time with no punishment for refusing to cooperate.

## **Evidence Collection / Scene Preservation**

- All interviews will be recorded and booked into evidence after you have written the report.
- Prior to collecting evidence, obtain photographs of the overall scene as a reference.
- Each item should be photographed in the location it was discovered prior to collection.
- Pay particular attention to anything that could contain DNA evidence. All evidence should be collected using a new pair of gloves for each item.
- When collecting blood or body secretion samples, remember that wet evidence needs to be dried before processing otherwise it might become contaminated or be exposed to mold and mildew, which destroys the evidence.
- If you have any questions, refer to the Investigators Power Point on Evidence Collection.

## **Witness Interviews**

Every investigation should include an effort to identify and interview potential witnesses.

Once you have the basic information as to when and where the incident happened, try to determine individuals who would have been in the area that might be able to provide additional information.

- If the incident took place in a cell, determine if inmates were present in adjacent cells who may have seen or heard anything.
- If the incident took place in a common area, determine who else may have been in the area.
- Review video evidence if available.
- Use the Inmate Housing Search query on Sheriff Net. This report is located under Job Tools > Reports > SSRS Report > CJIS Reports. This query will generate a list of all persons housed in a housing location at the time the incident took place.

**\*Note** – It is important that witnesses are interviewed promptly to obtain a statement, since inmates can be released at any time.

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## **Offer of Victim Advocate**

Your report must document the offer of an advocate to the victim and the inmate's response as to whether they want an advocate present during the interview, or wish to proceed without one.

**\*Note** – It is important that the investigator obtains some basic information from the victim prior to offering an advocate. The basic information should be limited to the following:

- What happened?
- Where did it happen?
- When did it happen?
- Who was involved?

## **General**

- Do not refer to the incident as a "PREA Incident" in your report - call it what it is (e.g.: sexual assault, sodomy, oral copulation, etc.) For example, do not say "I was notified of a PREA incident".

Finished reports should answer the Who, What, When, Where, Why and How of the reported incident.

- Every investigative report should document the following investigative actions taken:
  - Medical clearance of victim;
  - Correctional Behavioral Health referrals;
  - Notification to classification;
  - Separation of involved parties and addition of keep-aways;
  - Housing change information (inmates being rehoused and why).

If you have any additional questions related investigating these cases, please contact Sergeant Embrey.

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*Kern County*

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**ISSUE: 18-32**

**TRAINING BULLETIN**

**DATE: October 12, 2018**

### **Updated Policy and Procedure: J-3600 – Body Worn Cameras**

Section J-3600: Body Worn Cameras of the Kern County Sheriff's Office Policies and Procedures Manual has been updated as of October 5, 2018. Please refer to DPPM J-3600 for further information.

#### **IMPORTANT**

Please [SIGN IN](#) to acknowledge your reading of  
**Training Bulletin 18-32 Updated Policy and  
Procedure: J-3600 – Body Worn Cameras**



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

<b>TITLE: Body Worn Cameras</b>		<b>NO: J-3600</b>	
<b>APPROVED: Donny Youngblood, Sheriff-Coroner</b>			
<b>EFFECTIVE: February 5, 2015</b>	<b>REVIEWED: 10/05/2018</b>	<b>REVISED: 10/05/2018</b>	<b>UPDATED: 10/05/2018</b>

**PURPOSE**

To establish a policy for the Kern County Sheriff's Office to use, manage, store and retrieve data captured on body-worn cameras (BWCs).

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. BWCs 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.

BWCs can strengthen the public's perception of law enforcement professionalism and transparency, as well as provide factual representations of interactions with the public. BWCs 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 BWCs 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.

**POLICY**

**BODY WORN CAMERA SYSTEM**

1. BWC equipment is used by uniformed personnel working in Patrol, Detentions, and Court Services assignments designated by the Sheriff's Office. Unless otherwise authorized by the rank of Commander or above, all deputies who are assigned a BWC shall wear the device when working all uniformed assignments and will activate the

BWC as provided in 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 develop 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. 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. While transporting prisoners, deputies may place the BWC in a position which best captures the rear compartment of the vehicle.
4. Deputies are responsible for the reasonable care, proper functioning, and maintenance of the BWC. 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 on the BWC.
5. Deputies will immediately notify a supervisor if the BWC is not functioning properly and when practical, a replacement will be issued.
6. If a BWC is lost or damaged, the deputy shall document the incident in the appropriate report.
7. 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 express permission of the Sheriff of his designee.
8. 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 BWCs when responding to all calls for service and during all law enforcement related encounters that occur while on duty. Deputies assigned BWCs shall activate the

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BWC in the following situations, when practical and safe to do so:

- a. All dispatched calls for service (prior to arrival on scene).
  - b. All traffic stops.
  - c. All enforcement and investigative contacts (consensual, detention, or arrest).
  - d. When serving all search or arrest warrants.
  - e. All Code 3 driving and/or responses.
  - f. When conducting the following: searches of one's person, property, or residence (incident to arrest, cursory, probable cause, probation/parole, consent, vehicle).
  - g. All vehicle pursuits: primary and secondary deputies and other authorized deputies.
  - h. Any foot pursuit.
  - i. All K-9 deployments or searches.
  - j. Crowd control situations.
  - k. All incidents involving use of force.
  - l. Witness and victim statements.
  - m. Suspect statements.
  - n. While serving all civil processes.
  - o. All inmate/prisoner transports [exception for Detentions Bureau Transportation Unit noted in the Detentions Bureau section of this policy].
  - p. Any contact that becomes adversarial after the initial contact, in a situation that would not otherwise require recording.
  - q. Anytime a deputy believes audio and/or video evidence would be of use.
  - r. At the direction of a supervisor.
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 citizen complaints.

**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. Searches of a cell, dormitory housing, or holding area.

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- c. During the on-loading and off-loading of Transportation vehicles.
  - d. Cell extractions.
  - e. Placing inmates into special housing locations (i.e., sobering, safety, suicide watch).
  - f. Any contact that becomes adversarial and/or video evidence would be of use.
2. Deputies shall not record inmates while conducting strip searches, conducting a classification or medical interview, or during the inmates' use of a toilet or shower. However, there may be circumstances which dictate the need for BWC activation, such as the inmate becoming uncooperative or resistive, or the possibility of an allegation of misconduct arises from the contact.

**C. Court Services Section Personnel**

1. Deputies working in the courts shall activate their BWCs in accordance with sections A and B of this policy, as well as while taking remanded subjects into custody.

**DOCUMENTATION REQUIRED FOR FAILING TO ACTIVATE BWC OR RECORDING THE DURATION OF INCIDENT**

1. As in all enforcement and investigative activities, the safety of the deputies and members of the public are the highest priority. There may be instances where it is unsafe, impractical, 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, or interrupts the recording for any reason, the deputy shall document the reason for such actions in a LERMS 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.

**WHEN DEACTIVATION OF THE BWC IS AUTHORIZED**

1. Once activated, the BWC shall remain in recording mode until:

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- a. There is no likelihood of enforcement action or suspect contact and further recording would not be of evidentiary value.
  - b. Deputies may cease recording in between interviews (unless doing so could result in the loss of potential evidence).
2. Deputies may deactivate the audio portion of the recording by engaging the mute button on the BWC, for administrative reasons only. Deputies will do the following:
- a. While in the recording mode, state the reason for the audio deactivation prior to the audio deactivation; and
  - b. Reactivate the audio recording once the purpose for audio deactivation has concluded.
3. For the purpose of this policy section, “administrative reasons” includes;
- a. Discussion of tactics related to an incident.
  - b. Deputy to deputy training officer (discussing a training issue).
  - c. Any reason a supervisor may authorize. Prior to deactivating the audio, the deputy will identify the authorizing supervisor.

**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.

**WHEN ACTIVATION OF THE BWC IS NOT REQUIRED**

Activation of the BWC is not required:

- 1. During breaks and lunch periods.
- 2. When not in service and not on a call.
- 3. When in service but not on a call.

**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.

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3. A victim or witness who 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, restrooms, unless taking enforcement action.
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).

### **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 PC 632. Prohibited recordings would include other members of the Sheriff's Office, other law enforcement agencies or the public.

### **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. A deputy may have an employee representative present during the review of the BWC recording without detectives or supervisors present.

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- f. To prepare for an Internal Affairs Unit investigation, to include reviewing the data with their representative, outside the presence of any supervisor or investigator.
  - g. By authorized Sheriff's Office personnel participating in an official investigation such as a personnel complaint, administrative inquiry, or criminal investigation.
  - h. For other reasons not specified, with permission of the Sheriff or designee.
2. 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.
  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. Deputies shall not obtain, attempt to obtain, or convert for their personal use or for the unauthorized use of another person, any information obtained by the BWC system.
  7. Deputies shall not copy any recordings for any personal use or uploading to any internet web site or social networking sites without the express written authorization of the Sheriff.

**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.
  - b. Deputies shall ensure their BWC recordings are accurately classified and downloaded prior to the completion of their shift.

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- c. Unless involved in a use of force, an arrest, or directed by a supervisor, deputies that use their BWC while working overtime or away from their regular assignment are permitted to download and classify their recordings during their next regularly scheduled work day.
2. Deputies are required to document any portion of an incident captured on the BWC system under the heading “Physical Evidence” on all their investigative/supplemental reports. The evidence type will be listed as “BWC and Digital Imaging” with a brief description of what was captured on the recording (e.g., “The suspect’s spontaneous statements and actions were recorded via BWC”). If a citation is issued, a notation will be placed on the back of the Deputy’s copy indicating the incident was recorded.
  3. BWC recordings may be reviewed by the deputy that captured the video evidence prior to completing an investigative/supplemental report.
  4. Access to BWC recordings stored on the secure storage server shall only be accessed from Sheriff’s Office computers and/or equipment owned by the Sheriff’s Office.
    - a. An exception is made for administrators, for the purpose of completing administrative tasks.

**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 13 months. After that period, the data may be destroyed, unless other conditions (described herein) would preclude destruction. Exceptions to this purge criteria are data associated with civil or criminal cases that have not been adjudicated, or if the Sheriff’s Office has sufficient notice of a potential litigation that could involve particular 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.

**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 or for the court for evidentiary purposes.
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

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similar to other forms of evidence. All copies made and not booked into Sheriff's Office Property Room/or used for administrative purposes will be 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 the records retention as outlined in policy.

**SUPERVISOR REVIEW**

1. Sergeants will conduct quarterly reviews of their deputies BWC recordings to ensure they are complying with this policy. The results of the reviews will be documented and sent to the lieutenant within the chain-of-command.
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 of the BWC of the involved deputy/deputies and ensure data related to these critical incidents is downloaded as soon as possible following the incident.
3. It is not the intent of the Sheriff's Office to review BWC recordings for purposes of general performance reviews or to proactively discover policy violations.

**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.

**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.

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*Kern County*

**SHERIFF**

**ISSUE: 18-33**

**TRAINING BULLETIN**

**DATE: October 1, 2018**

### **Reporting an Infectious Material Exposure**

Kern County Sheriff's Office Policies and Procedures Manual, Section N-300: Reporting an Infectious Material Exposure, has been updated. The County of Kern has entered into a Memorandum of Understanding (MOU) with the Kern County Sheriff's Office, Kern County Public Health, Kern County Fire Department, and the Kern County Hospital Authority. This MOU further streamlines the process for communicable disease testing for first responders.

One of the biggest changes is that Supervisors' are no longer required to complete a "Supervisor's Assessment Infectious Material Exposure Incident" form to determine if an "Exposure Incident" has occurred. This form is now obsolete and it will be the employee's responsibility to determine if they feel they have been exposed to infectious materials. For further information on Bloodborne Pathogen Exposures, refer to the attached PowerPoint developed by Kern County Public Health Department.

If the supervisor and/or employee believe an "Exposure Incident" has occurred, the supervisor will:

- Ensure the exposed employee is treated by one of the Primary Treating Physicians identified on the attached COUNTY OF KERN SHERIFF'S OFFICE REQUEST FOR BASELINE TESTING form.
- Ensure the source subject is transported to Kern Medical and obtain a blood draw to be tested for communicable diseases including HIV, Hepatitis B, and Hepatitis C by one of the following methods:
  - Obtain consent from the source subject by completing the attached Consent for Testing Form. This form is also attached to DPPM N-300. A copy of the signed consent form shall be attached to the industrial injury incident report.
  - If the source subject refuses consent the supervisor shall ensure an Order for Blood Draw and Petition for Blood Draw pursuant to H&S 121060 is obtained via one of the following methods:

- 1) Complete the attached Order for Blood Draw and Petition for Blood Draw templates and obtain a judge's signature. A copy of the signed Order for Blood Draw and Petition for Blood Draw shall be attached to the industrial injury incident report.

Or

- 2) Contact County Risk Management, during normal business hours at (661)868-3808, and request an Order for Blood Draw and Petition for Blood Draw. County Counsel will retain the signed Order for Blood Draw and Petition for Blood Draw.

Following consent/court order, the results of this testing will be sent to County Risk Management and the employee's chosen Occupational Health Physician/Facility. County Risk Management will now be keeping all exposure claims open for six months for any follow-up baseline testing. For detailed steps on this process, please refer to DPPM N-300.

Editable versions of the Order for Blood Draw and Petition for Blood Draw can be found here:

<http://sharepoint/IVB/PersonnelDivision/HR/RiskManage/EMPLOYEE%20INJURY%20FORMS/Forms/AllItems.aspx>

**IMPORTANT**

Please **SIGN IN** to acknowledge your reading of  
**Training Bulletin 18-33 Reporting an Infectious Material Exposure**

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# Bloodborne Pathogen Exposures

A quick guide for first responders

Developed by the Kern County Public Health Services Department

2018

For many officers the greatest fear is not some punk's bullet, it's the business end of a junkie's dirty needle.

-Lois Pilant  
PoliceMag.com

# What are bloodborne pathogens?

- Microorganisms found in human blood that can lead to disease
- Pathogens of primary concern:
  - Hepatitis B (HBV)
  - Hepatitis C (HCV)
  - Human Immunodeficiency Virus (HIV)



# What types of body fluids can transmit bloodborne pathogens?

- Blood
- Any body fluid visibly contaminated with blood
- Other body fluids:

- Semen
- Vaginal secretions
- Amniotic fluid
- Spinal Fluid
- Pleural Fluid

Implicated in sexual transmission, but no documented cases from occupational exposure.

Theoretical risk of exposure; no documented cases of transmission.

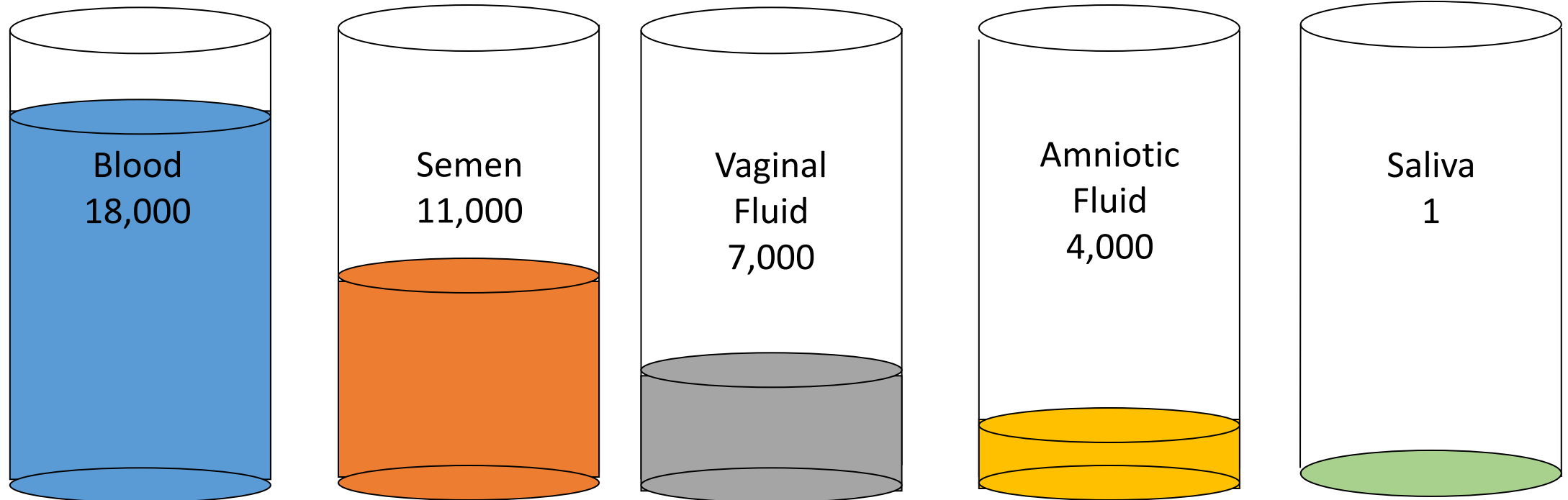
# What types of body fluids do NOT transmit bloodborne pathogens?

- Sweat
- Tears
- Saliva/sputum/spit
- Feces
- Urine
- Vomit

\*Unless visibly contaminated with blood

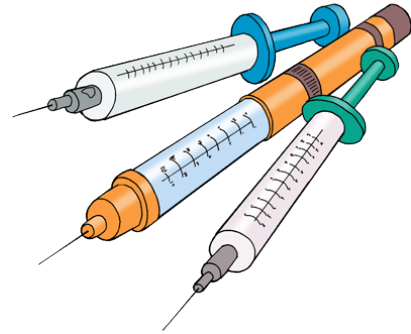
# Why is blood the main concern?

- Average number of HIV particles in 1 cc (1/4 tsp) of body fluid:



# How do occupational exposures occur?

- Needlesticks



- Cuts from other contaminated sharps (knives, razor blades)



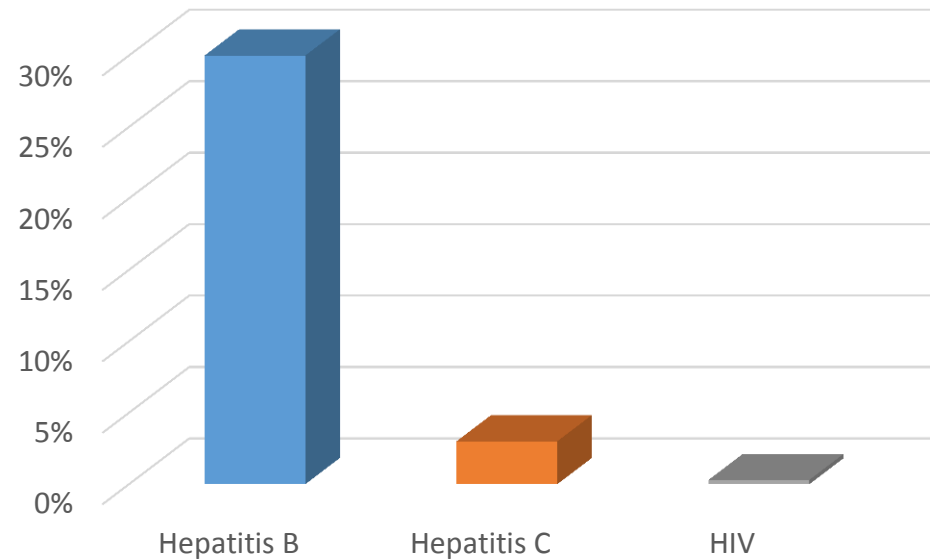
- Direct contact between blood and broken skin



# What is the actual risk of transmission?

- Risk of transmission through a needlestick contaminated with Hepatitis B, Hepatitis C, and HIV:

- 30% Hepatitis B
- 3% Hepatitis C
- 0.3% HIV



- Prevent Hepatitis B by being vaccinated!

# How long do viruses survive outside the body/on surfaces?

- HIV
  - Minutes



- Hepatitis B
  - 7 days



- Hepatitis C
  - 3 weeks



# Can I get Hepatitis B, Hepatitis C, or HIV from ....

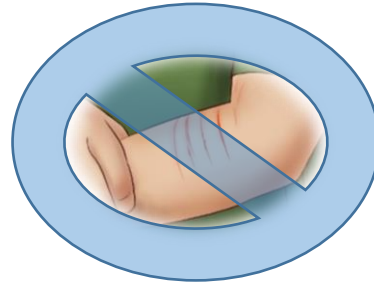
- Being spit on?

- No. These viruses are not spread through saliva



- Being scratched?

- No. No body fluids are transferred between people during scratching

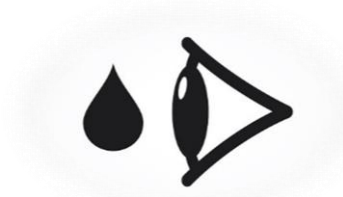


- Being bitten?

- Not likely. If the bite breaks the skin AND the person biting has visible blood in their mouth, it is possible

- Getting blood in my eye?

- Not likely. Only a few cases have ever been reported



# How can I reduce my risk of exposure?

- Be vaccinated for Hepatitis B
- Wear all employer-mandated protective equipment
- If your job requires you to search people or their property:
  - Ask if there is anything that can cut, poke, or stick you
  - Be vigilant, regardless of their response
- If there is blood, assume it is infectious
  - Wear gloves
  - Immediately clean any blood from your person, clothing, or equipment



**COUNTY OF KERN  
SHERIFF'S OFFICE  
REQUEST FOR BASELINE TESTING**

Employee \_\_\_\_\_  
Office Contact \_\_\_\_\_

Was injured on \_\_\_\_\_  
Phone \_\_\_\_\_

You may seek treatment at the following Primary Treating Physicians for Baseline Testing and treatment.

**Bakersfield**

**Memorial Occupational Medicine**

3838 San Dimas, B-100  
Bakersfield, CA 93301  
(661) 326-0088  
24-Hour On Call

**Irene Sanchez, M.D.**

4200 Buck Owens Blvd.  
Bakersfield, CA 93308  
(661) 633-2125  
12-Hour On Call

Please provide initial treatment, evaluation and counseling to this exposed employee, then complete the Doctor's First Report of Occupational Injury or Illness and send it to:

**County of Kern, Workers' Compensation Services**

1115 Truxtun Ave., Fourth Floor  
Bakersfield, CA 93301  
Phone: (661) 868-3801  
FAX: (661) 868-3875

\_\_\_\_\_  
Supervisor's Signature

\_\_\_\_\_  
Date

- Doctor/Hospital
- KCSO Risk Management Unit
- County Risk Management

## CONSENT FOR EXPOSURE TESTING

Name of Party to be tested: \_\_\_\_\_ Birthdate: \_\_\_\_\_

Case Number: \_\_\_\_\_

Employee's Medical Facility: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

I have been informed that I have been involved in an incident that may have potentially exposed first responders/law enforcement to a communicable disease. I agree to have my blood drawn and be tested for communicable diseases including HIV, Hepatitis B, and Hepatitis C.

I understand that copies of the test results shall be sent to parties involved in the incident for the purposes of managing their medical care. The recipients of these test results are subject to existing confidentiality protections for any identifying information about communicable disease test results. My medical information shall be kept confidential and may not be further disclosed, except as otherwise authorized by law.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Results of this testing will be sent to County Risk Management and the above listed Occupational Health Physician/Facility.

\_\_\_\_\_

I have been advised that I have a right to be informed of the communicable disease test results only if I wish to be so informed.

I consent to have results sent to me at the following address or to be notified in the following manner:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

*No signature constitutes refusal to be informed of test results.*

1  
2 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
3 **COUNTY OF KERN – METROPOLITAN DIVISION**

4 \* \* \* \* \*

5 KERN COUNTY SHERIFF’S OFFICE, ) Case No.: FP \_\_\_\_\_  
6 )  
7 Petitioner, )  
8 vs. ) ORDER FOR BLOOD DRAW PURSUANT  
9 ) TO HEALTH & SAFETY CODE 121060  
10 )  
11 )  
12 )  
13 )  
14 )  
15 )  
16 )  
17 )  
18 )  
19 )  
20 )  
21 )  
22 )  
23 )  
24 )  
25 )  
26 )  
27 )  
28 )

**SOURCE NAME (SOURCE DOB)**  
Respondent.

15 **ORDER**

16  
17  
18 To Kern County Sheriff’s Office, **SOURCE NAME**, and to a California Licensed Phlebotomist:  
19 GOOD CAUSE appearing, pursuant to Health & Safety Code 121060, **SOURCE NAME**  
20 (**SOURCE DOB**) shall provide to a California Licensed Phlebotomist three (3) specimens of blood for  
21 testing for human immunodeficiency virus (HIV), hepatitis B, and hepatitis C. Kern County Sheriff’s  
22 Office is ordered to have a health care provider test the blood pursuant to Health and Safety Code  
23 section 121060. Copies of the results of the tests shall be sent pursuant to Health & Safety Code section  
24 121060(c)(1) with the advisal to **SOURCE NAME** as provided in Health & Safety Code 121060(c)(2).

25 \_\_\_\_\_  
26 JUDGE  
27  
28

1 Office of the Kern County Sheriff  
2 Attorneys for Petitioner  
3

4 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
5 **COUNTY OF KERN – METROPOLITAN DIVISION**

6 \* \* \* \* \*

7 KERN COUNTY SHERIFF’S OFFICE, ) Case No.: FP \_\_\_\_\_  
8 )  
9 Petitioner, )  
10 vs. ) EX PARTE PETITION FOR BLOOD DRAW  
11 ) PURSUANT TO HEALTH & SAFETY  
12 ) CODE 121060  
13 )  
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28 )

17 COMES NOW THE KERN COUNTY SHERIFF’S OFFICE, on behalf of Petitioner KCSO  
18 Deputy **XXXXX**, through Kern County Sheriff’s Office, petitioning the Court for an Order for a Blood  
19 Draw pursuant to Health & Safety Code section 121060.  
20

1 DECLARATION IN SUPPORT OF PETITION FOR BLOOD DRAW.

2

3 I, \_\_\_\_\_, hereby declare as follows:

4 I am familiar with the facts of the interaction between SOURCE NAME (SOURCE DOB) and

5 Deputy Sheriff XXXXX (CAD #XXXXX) as stated in KCSO report XXXXXXX, wherein on Month

6 Day, Year Deputy XXXXX suffered exposure to both blood and bodily fluid from SOURCE NAME.

7

8 1) Pursuant to Health & Safety Code 121060, a Kern County Sheriff representative was present

9 when a health care provider made a good faith effort to obtain a voluntary informed consent to the blood

10 draw. SOURCE NAME did not consent.

11

12 2) Attached please find a true and accurate copy of the report of a health care provider that

13 exposure has occurred.

14 3) Attached please find a true and accurate copy of the KCSO report XXXXXXX, detailing the

15 exposure of blood and bodily fluids from SOURCE NAME to KCSO Deputy XXXXX.

16

17

18 I hereby declare under penalty of perjury that the foregoing is true and correct and any

19 information based upon belief, I believe to be true.

20 Executed this \_\_\_\_\_ day of Month 2018, at Bakersfield, California.

21 \_\_\_\_\_



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

<b>TITLE: Reporting an Infectious Material Exposure</b>		<b>NO: N-300</b>	
<b>APPROVED: Donny Youngblood, Sheriff-Coroner</b>			
<b>EFFECTIVE:</b> September 15, 1993	<b>REVIEWED:</b> 10/01/2018	<b>REVISED:</b> 10/01/2018	<b>UPDATED:</b> 10/01/2018

**POLICY**

Every employee who comes into contact, however slight, with blood or other potentially infectious material, or who was in close proximity to a subject coughing excessively, or who's coughing produces blood or substantial sputum, will immediately report it to their supervisor. Even slight exposures will be reported.

The supervisor of a potentially exposed employee will ensure the appropriate forms are completed and submitted before the end of the shift in which the incident occurred. Supervisors will also notify the Sheriff's Office Risk Management Analyst of ALL potential exposures. Notification will be made on the first weekday following the incident before 1200 hours. The exposure notification may be written or verbal. Supervisors must not assume the normal routing of exposure reporting forms will satisfy this reporting requirement.

When a supervisor is made aware of an exposure, the supervisor will ensure the procedures listed below are followed. If questions or concerns arise during this process, supervisors should seek the assistance of the Sheriff's Office Risk Management Analyst.

There are several units or sections where employees work during hours when no supervisor is on duty. Supervisors in charge of those units or sections will have a procedure in place directing employees how to report an exposure when no supervisor is on duty. The appropriate forms should be completed and submitted before the end of the shift in which the incident occurred. In any event, the forms will be completed the next workday.

If the employee is injured or ill together with the exposure, follow the reporting requirements of REPORTING A WORK-RELATED INJURY OR ILLNESS, Section N-200.

**DEFINITION**

For the purposes of this section:

- "Blood Borne Exposure Incident" means a specific eye, mouth, other mucous membrane, non-intact skin or parenteral contact with blood or other potentially infectious material that results from the performance of an employee's duties. In order for an exposure incident to occur there must be present:
  - A fluid or substance capable of transmitting a blood borne disease;
  - A portal of entry into the body.
- "Other Potentially Infectious Material" means human body fluids and any unfixed tissue

or organ (other than intact skin) from a human (living or dead).

- “Parenteral” means piercing mucous membranes or the skin barrier through such events as needle sticks, human bites, cuts and abrasions.
- “Airborne Exposure Incident” means any incident in which an employee remains in close proximity for a prolonged period of time to a suspect or confirmed infectious tuberculosis, meningitis, etc. case, without benefit of exposure control measures (dust and mist respirator - disposable mask).

## **PROCEDURE A-EMPLOYEE DUTIES**

Every EMPLOYEE who comes into contact, however slight, with blood or other potentially infectious material or who was in close proximity to a subject coughing excessively or whose coughing produces blood or substantial sputum will:

- Immediately notify his or her supervisor of the incident and describe:
  - The infectious substance;
  - The circumstances and routes of exposure;
  - The specific part of the body exposed;
  - If the employee’s skin was INTACT;
  - What personal protective equipment was used;
  - If cleaning and decontamination procedures were followed;
  - The condition and disposition of the source subject and medical history, if available.
- Complete an Incident report detailing the facts of the incident, including the information provided in the supervisor notification:
  - If the potential exposure occurred together with another incident, a separate case number will be used for reporting the exposure. The case number of the originating incident will be listed in the details of the exposure report;
  - The incident report of the exposure will list only the facts of how the exposure occurred. The name of the source individual will be listed in the report. Any other information not directly related to the exposure will not be included;
  - If the employee’s normal duties do not include writing reports, the supervisor will ensure the task is delegated to the appropriate person.
- Complete an INFECTIOUS MATERIAL EXPOSURE REPORT form as outlined in Section N-310;
- Submit the reports to the supervisor before the end of the shift in which the incident occurred.

N-300

<b>EFFECTIVE:</b> September 15, 1993	<b>REVIEWED:</b> 10/01/2018	<b>REVISED:</b> 10/01/2018	<b>UPDATED:</b> 10/01/2018
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## **PROCEDURE B-SUPERVISOR DUTIES**

The SUPERVISOR of an employee possibly exposed to an infectious material will:

- Provide and have the potentially exposed employee complete an INFECTIOUS MATERIAL EXPOSURE REPORT form;
  - Provide the employee with the BASELINE TESTING form;
  - Ensure the employee provides him or her with all required information;
  - Thoroughly investigate the incident;
    - Determine if personal protective equipment was used properly. If not, list the reason (employee did not have time, etc.).
  - Ensure the exposed employee is treated by one of the Primary Treating Physicians identified on the COUNTY OF KERN SHERIFF'S OFFICE REQUEST FOR BASELINE TESTING form;
  - Ensure the source subject is transported to Kern Medical and obtain a blood draw to be tested for communicable diseases including HIV, Hepatitis B, and Hepatitis C by one of the following methods:
    - Obtain consent from the source subject by completing the N-0300 Consent for Testing Form and have the source subject sign providing consent. A copy of the signed consent form shall be attached to the industrial injury incident report.
    - If the source subject refuses consent the supervisor shall ensure an Order for Blood Draw and Petition for Blood Draw pursuant to H&S 121060 is obtained via one of the following methods:
      1. Complete the attached Order for Blood Draw and Petition for Blood Draw templates and obtain a judge's signature. A copy of the signed Order for Blood Draw and Petition for Blood Draw shall be attached to the industrial injury incident report.
      2. Contact County Risk Management, during normal working hours, and request an Order for Blood Draw and Petition for Blood Draw pursuant to H&S 121060. County Counsel will retain the signed Order for Blood Draw and Petition for Blood Draw.
- County Risk Management  
Risk Manager: (661) 868-3808
- Follow the policy and procedure for employee exposure in the Infectious Material Exposure Control Plan;
  - Notify the Sheriff's Office Risk Management Analyst at (661) 391-7552 immediately. If not available by phone, immediate notification will be accomplished by email or FAX.

N-300

<b>EFFECTIVE:</b> September 15, 1993	<b>REVIEWED:</b> 10/01/2018	<b>REVISED:</b> 10/01/2018	<b>UPDATED:</b> 10/01/2018
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- Complete a SUPERVISOR’S INVESTIGATION REPORT form as outlined in Section N-220;
- Review the Incident report and applicable forms and write the case number in the top right corner of the forms;
- Place a copy of the forms in a sealed envelope. Mark the envelope “Confidential” and forward it to the division commander or lieutenant of the exposed employee;
- Fax a copy of the forms to the Sheriff’s Office Risk Management Analyst at (661) 391-7552 and route the original Crime or Incident report to Crime Reports.
- Place the original forms and a copy of the Incident report in a 9x12 sealed envelope. Mark the envelope “Confidential” and address it to the “Sheriff’s Office Risk Management Analyst, Building D, Headquarters Facility, Norris Road.”
- Forward the forms to the Sheriff’s Office Risk Management Analyst by the most expedient means available; the original forms must reach the Sheriff’s Office Risk Management Analyst within three (3) business days.

N-300

<b>EFFECTIVE:</b> September 15, 1993	<b>REVIEWED:</b> 10/01/2018	<b>REVISED:</b> 10/01/2018	<b>UPDATED:</b> 10/01/2018
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*Kern County*

**SHERIFF**

**DONNY YOUNGBLOOD**  
Sheriff-Coroner

1350 Norris Road, Bakersfield, California 93308-2231  
Telephone (661) 391-7500

**ISSUE: 18-34**

**TRAINING BULLETIN**

**DATE: September 28, 2018**

## **NARCAN UPDATE AND POLICY UPDATE**

Earlier this month, the Kern County Sheriff's Office obtained authorization from the Kern County EMS Department to carry and use a new 4 mg Narcan device. Personnel will be issued a kit that contains two, 4-mg devices, so each deputy will have a total of 8 mg of Narcan available. With the prevalence of illicit Fentanyl, this new kit will ensure that each deputy has enough Narcan available to restore respirations to someone suffering from an overdose or accidental exposure to illicit Fentanyl.

The new device is easier to use and does not require assembly by the deputy. The indications to use Narcan remain unchanged. In the event you suspect a person is suffering from an opiate overdose and they meet EMS criteria for the administration of Narcan, administer 4 mg of Narcan nasal spray into one nostril. After 2 to 3 minutes, if the victim's condition has not improved and they continue to meet the EMS criteria for Narcan, you may administer the second 4 mg Narcan nasal spray into the other nostril.

### **EMS INDICATIONS FOR USE OF NARCAN**

- Small or pin point pupils
- Breathing is slow or has stopped
- Heart rate is slow or has stopped
- Cannot be awakened:
  - No response to sternal rub
  - Unable to speak
- Fingernails or lips have blue or purple coloring
- Paraphernalia, signs of drug use
- Victim is a known drug user
- Patient vomiting or making gurgling sounds
- Witness statements

With the deployment of the new Narcan kits, the old 2 mg preloaded Narcan syringes will no longer be authorized for usage by KCSO personnel without specific authorization by the Clinical Director, Senior Deputy Brad Brandon. All 2 mg Narcan syringes shall be returned to the RTC upon issuance of the new kits.

The policy and procedure following usage of Narcan has not changed. After usage of Narcan, the deputy will send the used 4 mg Narcan device(s) with the transporting EMS provider. The deputy will then complete a Narcan deployment form and obtain a replacement device from the RTC within 15-hours of use. Completed Narcan

deployment forms can be dropped off at the RTC or emailed to Senior Deputy Brandon at [Brandon@Kernsheriff.org](mailto:Brandon@Kernsheriff.org).

Refer to the attached instruction sheet.

All supervisors are reminded to check the expiration dates of Narcan during their monthly inspections and contact Senior Deputy Brad Brandon or Sergeant Rutledge for replacements.

Following is a picture of the new units and where the expiration date is located:



## IMPORTANT

Please **SIGN IN** to acknowledge your reading after reviewing  
the Training Bulletin 18-34

NARCAN UPDATE AND POLICY UPDATE  
[P-300 Nasal Naloxone \(Narcan\) Program 2018 Updated](#)

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*Kern County*

**SHERIFF**

**ISSUE: 18-35**

**TRAINING BULLETIN**

**DATE: October 3, 2018**

### **Apple iOS 12: Civilian Body Camera**

Last month, Apple introduced iOS 12, adding the Shortcut app. The Shortcut app allows users to use Siri to do more tasks, such as take a photo or put your phone in 'Do not disturb' mode. One creative Reddit user has developed a way to turn iPhones into the civilian version of a body camera.

The shortcut called "Police" is triggered by a user command of "Hey Siri, I'm getting pulled over." The app then automatically triggers a series of actions:

- 1) It lets users send a text message to a predetermined friend to let them know they are being pulled over.
- 2) It pauses the music that might be playing in their phone and gets access to the camera to start recording the interaction.
- 3) It also sets the phone in 'Do not disturb' mode.
- 4) The iPhone will start recording using the front-facing camera. Once the recording is stopped, the video can be sent to their Dropbox account or iCloud account via email or text.

For further information, please see the below link:

<https://www.foxnews.com/tech/iphone-can-be-turned-into-a-bodycam-to-record-police>

#### **IMPORTANT**

Please **[SIGN IN](#)** to acknowledge your reading of  
**Training Bulletin 18-35 Apple iOS 12: Civilian Body Camera**



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*Kern County*

**SHERIFF**

**ISSUE: 18-36**

**Policy Update Bulletin**

**DATE: October 5, 2018**

### **Detentions Bureau Policies: A-200, F-200, F-250, F-300, Q-100, and Q-200**

The changes listed below have been made to the Detentions Bureau Policy and Procedure Manual and are effective as of October 5, 2018.

The new policy is available in the official version of the Detentions Bureau Manual which is located on the "Detentions Bureau" page of the SharePoint website. In accordance with DBPPM A-200, any printed copies of the manual kept in the facilities will be maintained and updated from this source.

Please note: This update bulletin provides only a summation of the new policy. Please review the policy to ensure that you are familiar with it.

#### **[A-200: Maintaining Bureau Policies](#)**

This policy has been revised as follows:

- New format that includes effective date, date of last review, date of revision, date of minor update;
- Added definitions for date designations;
- Adds directive that Lerdo Division Commander or designee will review all DBPPM policies biennially to comply with Title 15 requirements;
- Specifies that Lerdo Division Commander can update DBPPM policies with approval of the Chief Deputy in charge of the Detentions Bureau;
- All substantive revisions shall be approved by the Chief Deputy;
- Directive added to specify that official version of DBPPM manual is electronic version on SheriffNet. Specifies that hard copies will not be distributed or tracked;
- Removes requirement to maintain physical hard copy manual;

#### **[F-200: Receiving & Searching Inmate Mail and Packages](#)**

This policy has been revised as follows:

- Policy statement and procedures updated to current terminology and practice;
- List of contraband items updated to prohibit greeting cards;
- New form for notification to the inmate of contraband received in mail ([Attachment 'A'](#))

- Directive #3 added which allows inmates to receive photographic images via mail provided they are within defined specifications and do not contain unauthorized imagery;
- Adds reference to new policy regarding handling suspicious mail and packages;
- Procedure B updated to specify proper booking of items property seized from mail or packages;
- Procedure C added to include directions for processing cash or currency received in mail.

### **F-250: Handling Suspicious Mail and Packages - NEW**

This is a new policy that outlines handling procedures for suspicious mail and packages received at the facilities which may contain dangerous items, or pose a threat to staff or the facility, up to and including hazardous materials or bomb squad response.

### **F-300: Legal Mail / Confidential Mail**

This policy has been revised as follows:

- Updated to reflect current terminology and practice;
- Procedure A: Incoming legal mail updated to require logging of legal mail process in the station log book.

### **Q-100: Admission, Evaluation and Stabilization Center - NEW**

This is a new policy that provides an overview of the AES and outlines specific operational differences for the program.

### **Q-200: AES Admissions and Discharges - NEW**

This is a new policy that outlines procedures for processing new admissions to the AES and discharge of inmates from the program. This policy also specifies procedures for medical clearance of out of county inmates prior to admission.

#### **IMPORTANT**

Please **SIGN IN** to acknowledge your reading of

**Training Bulletin 18-36 Detentions Bureau Policies: A-200, F-200, F-250, F-300, Q-100, and Q-200**

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*Kern County*

**SHERIFF**

**ISSUE: 18-37**

**TRAINING BULLETIN**

**DATE: October 15, 2018**

### **Detentions Bureau Manual Policy Updates: E-500 and H-250**

The changes listed below have been made to the Detentions Bureau Policy and Procedure Manual and are effective as of October 12, 2018.

The new policies are available in the official version of the Detentions Bureau Manual which is located on the "Detentions Bureau" page of the SharePoint website. In accordance with DBPPM A-200, any printed copies of the manual kept in the facilities will be maintained and updated from this source.

Please note: This update bulletin provides only a summation of the new policies. Please review the policies to ensure that you are familiar with them.

#### **E-500: Visiting - Hospitalized Inmates**

This policy has been revised as follows:

- Directs clerical staff to initiate the approval process and complete a Hospitalized Inmate Visit Authorization Form (Attachment A);
- Specifies that authorization of visits will be handled by the Shift Supervisor in charge of hospital guard;
- Directs clerical staff to forward the hospitalized inmate visitation form for a federal inmate to the Federal Liaison for approval;
- Directs the Hospital Guard Shift Supervisor to have a deputy deliver a metal detector to the hospital guard deputy upon approval of a visit;
- Instructs the hospital guard deputy to conduct a metal detector search of each visitor prior to the visit;

#### **H-250: Family Notification of Hospitalized Inmates - **NEW****

This is a new policy that outlines procedures for family notification by a facility Chaplain of inmate hospitalization in the event the inmate has been medically determined to be nearing the end stage of a terminal illness, is in danger of dying or is expected to be in the hospital for an extended amount of time (generally more than ten days), and their release from custody or return to a jail facility is not imminent.

**IMPORTANT**

Please [SIGN IN](#) to acknowledge your reading of  
Training Bulletin 18-37 Detentions Bureau Manual Policy  
Updates: E-500 and H-250





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**SHERIFF**

**ISSUE: 18-38**

**TRAINING BULLETIN**

**DATE: October 16, 2018**

**YOUTH CONNECTION  
(AN EARLY INTERVENTION PROGRAM)**

Youth Connection is a non-profit organization dedicated to matching pre-delinquent youth with community resources. It is a community effort, supported by both the Boys & Girls Clubs of Kern County and Bakersfield North Rotary Club, endorsed by the Kern County Probation Department and financed by the private sector. Youth Connection assists high-risk youth, ages six through thirteen, and acts as a referral agency to services where problems can be resolved before they have escalated out of control.

In addition to functioning as a referral source, Youth Connection pays all necessary fees for the services rendered to the child. The Youth Connection goal is “to provide services to youth to prevent involvement with the juvenile justice system, therefore enabling them to become productive citizens.”

Youth Connection will accept referrals for children who are exhibiting problems in the area of social, psychological, physical, personal and educational needs which could eventually lead to juvenile delinquency. The organization assists children who have not previously been processed through the juvenile justice system. They can be connected with both public and private agencies/individuals to provide needed services and support. Some of the services include:

- Involvement in Sports
- Educational Support
- Transportation
- Music Lessons
- Young Marines
- Camps
- Field Trips
- Grooming
- Mentoring
- Counseling

Deputies/employees submitting a referral should first explain the program to the child's guardian, obtain permission to submit the referral and advise them that Youth Connection will contact them to set up an appointment.

Referral forms may be obtained from SheriffNet by visiting the Law Enforcement Bureau page and clicking the Forms tab. Completed forms should be faxed, by the submitter, to the Youth Connection Director at the fax number provided on the referral form.



**YOUTH CONNECTION/ KERN COUNTY PROBATION DEPARTMENT  
AN EARLY INTERVENTION PROGRAM**

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- Educational Support
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- Music Lessons
- Young Marines
- Camps
- Field Trips
- Grooming
- Mentoring
- Counseling

Officers/employees submitting a referral should first explain the program to the child’s guardian, obtain permission to submit the referral and advise them that Youth Connection will contact them to set up an appointment.

Referral forms may be obtained by contacting Deputy Probation Officer Teresa Dickey at 661-336-6775. Once the form is completed please email to [dickeyt@co.kern.ca.us](mailto:dickeyt@co.kern.ca.us) or fax to 661-336-6767.



## REFERRAL FORM

Date: \_\_\_\_\_

Referred by: \_\_\_\_\_  
*School/Agency Name* *Contact Person*

\_\_\_\_\_ *Phone Number* \_\_\_\_\_ *Email Address*

**Information about the Child:**

\_\_\_\_\_  
*Name of Child* *Age* *Gender* *Date of Birth*

\_\_\_\_\_  
*Address* *City* *State* *Zip Code*

\_\_\_\_\_  
*Child's School* *Grade* *GPA*

\_\_\_\_\_  
*Insurance Policy #* *Medi-Cal #*

Is the child a foster youth?	Yes	No
Has the child ever been in the juvenile justice system?	Yes	No
If so, is the child on probation?	Yes	No

At-Risk Status: Please check all that apply.

- |  |   |
|--|---|
| <input type="checkbox"/> CPS History                                 | <input type="checkbox"/> Single Parent Household  |
| <input type="checkbox"/> Parental Criminal History                   | <input type="checkbox"/> Grandparent Household  |
| <input type="checkbox"/> Older Siblings in the Justice System        | <input type="checkbox"/> Low Income – Poverty Level, Receiving Public Assistance (AFDC) |
| <input type="checkbox"/> Violent Behavior – Bullying, etc.           | <input type="checkbox"/> Homelessness   |
| <input type="checkbox"/> Emotional Problems – ADHD, Depression, etc. | <input type="checkbox"/> Poor Grades or Truancy Issues                                  |
| <input type="checkbox"/> Substance Abuse                             |   |
| <input type="checkbox"/> _____                                       |   |
- Other Risks Factors – Please Explain \_\_\_\_\_

Evaluation of Needs/Interests/Involvement in Sports:

- |  |   |
|--|---|
| <input type="checkbox"/> Recreation          | <input type="checkbox"/> Field Trips        |
| <input type="checkbox"/> Tutoring            | <input type="checkbox"/> Camps              |
| <input type="checkbox"/> Grooming            | <input type="checkbox"/> Mentoring          |
| <input type="checkbox"/> Transportation      | _____                                       |
| <input type="checkbox"/> Music Lessons       | _____                                       |
| <input type="checkbox"/> Educational Support | _____                                       |
| <input type="checkbox"/> Young Marines       | Other Needs and Interests - Please specify. |



Parent/Guardian Information:

\_\_\_\_\_  
*Mother's Name*

\_\_\_\_\_  
*Address*

\_\_\_\_\_  
*Home Phone Number*

\_\_\_\_\_  
*Mobile Phone Number*

\_\_\_\_\_  
*Email Address*

\_\_\_\_\_  
*Father's Name*

\_\_\_\_\_  
*Address*

\_\_\_\_\_  
*Home Phone Number*

\_\_\_\_\_  
*Mobile Phone Number*

\_\_\_\_\_  
*Email Address*

\_\_\_\_\_  
*Guardian's Name and Relationship to Child*

\_\_\_\_\_  
*Address*

\_\_\_\_\_  
*Home Phone Number*

\_\_\_\_\_  
*Mobile Phone Number*

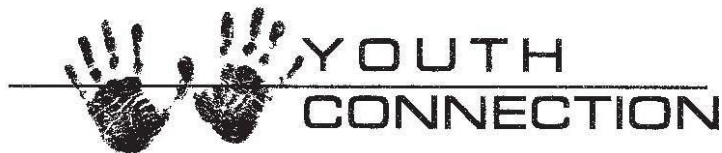
\_\_\_\_\_  
*Email Address*

\_\_\_\_\_  
*School/Agency Contact Signature*

\_\_\_\_\_  
*Date*

**FOR OFFICE USE ONLY**





## Youth Connection Consent to Release Confidential Information

I, \_\_\_\_\_, Parent of \_\_\_\_\_,  
Childs date of birth \_\_\_\_\_, Mother's Maiden Name \_\_\_\_\_

do hereby consent and authorize *Youth Connection* to release and obtain any information pertaining to my child with the following agencies/persons; Boys & Girls Clubs of Kern County, Kern County Superintendent of Schools; Project 180, Department of Human Services, Bakersfield City School District, Standard School District or Childcare Provider, Kern County Probation, Kern County Mental Health, Physician or Medical Facility and any other Community Agency listed below and I also authorize the indicated sources to release information/documentation regarding my case to *Youth Connection*.

I understand that I may revoke this consent at any time by notifying the facility in writing, except to the extent that action has been taken in reliance on my consent. A photocopy of this authorization is to be considered as valid as the original document.

**Other Community Agency:**

\_\_\_\_\_

\_\_\_\_\_  
**Parent/Legal Guardian Signature**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Youth Connection Program Director**

\_\_\_\_\_  
**Date**

**Notes:**

--



DONNY YOUNGBLOOD  
Sheriff-Coroner

1350 Norris Road, Bakersfield, California 93308-2231  
Telephone (661) 391-7500

*Kern County*

**SHERIFF**

ISSUE: 18-39

**TRAINING BULLETIN**

DATE: October 16, 2018

### **New Kern County Sheriff's Office "Marsy's Rights" Notification**

On November 4, 2008, the California State electorate passed Proposition 9, also named "Marsy's Law." Proposition 9 creates a number of personally held and enforceable constitutional rights for victims of crime. **It expands the definition of "victim" to include not only the immediate target of the criminal activity but the person's spouse, parents, children, siblings, or guardian, as well as the lawful representative of a crime victim who is deceased, a minor, or physically or psychologically incapacitated.**

The Kern County Sheriff's Office has updated the "Marsy's Rights" Card. The new card includes updated information a victim will need to obtain local and state services that are offered to them. This updated card will replace the old Marsy's Card. Please destroy any of these old cards properly after you have replaced your supply with the new forms.

As required by Proposition 9, the card contains a list of the victim's rights, an 800 number victims may contact for additional information, and a list of various government funded agencies that may also be of assistance. The card will be provided to all victims at the time of initial contact, during the follow-up investigation, or as soon thereafter as possible.

The revised "Marsy's Rights" cards have been updated with the following information:

- The Sheriff's Office badge has been updated to reflect Sheriff's Office.
- The Sheriff's Office website and email has been updated to reflect .org.
- Rosedale Substation was deleted.
- Substation phone numbers were updated.
- The Women's Center High Desert Incorporated name and phone numbers have been updated.
- The Kern County Family Justice Center address and phone number has been added to the card under Resources and Domestic Violence Information.
- Under Domestic Violence Resources, all phone numbers for the Alliance and Women's Center High Desert have been updated.
- The National Human Trafficking Hotline has been added under Resources.
- Kern County Mental Health has been updated to reflect their name change to Kern County Behavioral Health and Recovery Services.

Attached is the card in English and Spanish. The new cards will need to be printed on 8.5 x 14 inch paper. Print the document double sided. Once printed, fold the document

in half so the large badge will be in front and then fold in half one more time. This should place the badge on front and the box for the report number on the back.

The updated Marsy's Rights Card can also be found on SheriffNet in the Forms Library or by following the links below.

[http://sharepoint/FormsLibrary/Forms%20Library/Marsys\\_Card\\_English.pdf](http://sharepoint/FormsLibrary/Forms%20Library/Marsys_Card_English.pdf)

[http://sharepoint/FormsLibrary/Forms%20Library/Marsys\\_Card\\_Spanish.pdf](http://sharepoint/FormsLibrary/Forms%20Library/Marsys_Card_Spanish.pdf)

**IMPORTANT**

Please **SIGN IN** to acknowledge your reading after reviewing the Training Bulletin 18-39 New Kern County Sheriff's Office "Marsy's Rights" Notification



## CONTACT & CASE INFORMATION

**Deputy Name:**

**Sheriff's Report Number:**

**Superior Court Case Number:**

*Contact the District Attorney's Office for the Court Case Number*

**Sheriff's Office:**

**9-1-1 EMERGENCY**  
**661-861-3110 (24 Hr. Non-Emergency)**  
**661-391-7500 (Office, M-F 8AM-5PM)**

**District Attorney's Office:**

**661-868-2340**

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

**Phone: 661-391-7500**

**Fax: 661-391-7515**

**E-mail: [sheriff@kernsheriff.org](mailto:sheriff@kernsheriff.org)**

**[www.kernsheriff.org](http://www.kernsheriff.org)**

## KERN COUNTY SHERIFF'S OFFICE

**DONNY YOUNGBLOOD**  
**SHERIFF-CORONER/PUBLIC ADMINISTRATOR**

**The Victim's Bill of  
Rights Act of 2008**

## Marsy's Card & Resources

**To Provide Victims with Rights to  
Justice and Due Process**



K  
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**661-861-3110**

## Sheriff's Office Contact Information

The Kern County Sheriff's Office is committed to work in partnership with our community to enhance the safety, security, and quality of life for the residents and visitors of Kern County through professional public safety services.



### ALL EMERGENCIES: 9-1-1

Dispatch (Non-emergency) 661-861-3110

Toll-free (from Kern County only) 800-861-3110

TDD: 661-327-8068

### Sheriff's Headquarters: 661-391-7500

Buttonwillow Substation 661-764-5613

Civil Section: 661-635-1300

Coroner's Office: 661-868-0100

Crime Reports: 661-391-7623

Delano Substation: 661-721-3800

East Bakersfield Substation: 661-868-1500

Frazier Park Substation: 661-245-3440

Jail Information: 661-868-6850

Kern Valley Substation: 760-549-2100

Lamont Substation: 661-868-5750

Mojave/Boron Substation: 661-824-7130

Property Room: 661-868-5642

Ridgecrest Substation: 760-384-5919

Rosamond Substation: 661-256-9700

Secret Witness: 661-322-4040

Taft Substation: 661-763-8550

Tehachapi Substation: 661-823-6060

Volunteer Services: 661-392-6066

Wasco Substation: 661-758-7266

## RESOURCES

ALATEEN 661-322-1102

Aging and Adult Services 800-510-2020

Alliance Against Family Violence & Sexual Assault

1921 19<sup>th</sup> Street Bakersfield CA 93301, 661-322-0931

24-Hour Crisis Line 661-327-1091

Toll Free 800-273-7713, Outside Bakersfield 800-273-0931

Bakersfield Homeless Center

1600 East Truxtun Avenue, Bakersfield, 661-322-9199

Bakersfield Rescue Mission

816 East 21st Street, Bakersfield, 661-325-4565

Child Protective Services 24-Hour Hotline 661-631-6011

Code Compliance 661-862-8603, 800-552-5376, Option 7

Environmental Health 661-862-8740

Greater Bakersfield Legal Assistance 661-325-5943

Haven Counseling Center

316 H Street Bakersfield, CA 93304, 661-377-3077

Kern Coalition Against Human Trafficking (24 hrs)

888-3737-888

Kern County Family Justice Center

2101 Oak Street Bakersfield, CA 93301, 661-868-8410

Kern County Mental Health

661-868-8000, Outlying areas 800-991-5272

Kern County Veteran's Services 661-868-7300

LGBTQ Crisis Hotline 661-332-1506

Narcotics Tip Line 661-868-5902

National Human Trafficking Hotline (24 hrs) 888-373-7888

National Suicide Prevention Hotline 800-273-8255

Pregnant Teens (AFLP) 661-324-0293

Public Health 661-321-3000

Runaway Hotline 1-800-HIT-HOME, 1-800-448-4663

Victim/Witness 661-868-4535

Women's Center—High Desert 760-371-1969

# To Provide Victim's with Rights to Justice & Due Process

California Constitution, Article 1, Section 28(b)—In order to preserve and protect a victim's rights to justice and due process, a victim shall be entitled to the following rights:

1. To be treated with fairness and respect for his or her privacy and dignity, and to be free from intimidation, harassment, and abuse, throughout the criminal or juvenile justice process.
2. To be reasonably protected from the defendant and person acting on behalf of the defendant.
3. To have the safety of the victim and the victim's family considered in fixing the amount of bail and release conditions for the defendant.
4. To prevent the disclosure of the confidential information or records to the defendant, the defendant's attorney, or any other person acting on behalf of the defendant, which could be used to locate or harass the victim or the victim's family or which disclose confidential communications made in the course of medical or counseling treatment, or which are otherwise privileged or confidential by law.
5. To refuse an interview, deposition, or discovery request by the defendant's attorney, or any other person acting on behalf of the defendant, and to set reasonable conditions on the conduct of any such interview to which the victim consents.
6. To reasonable notice of and to reasonably confer with the prosecuting agency, upon request, regarding, the arrest of the defendant if known by the prosecutor, to the charges file, the determination whether to extradite the defendant, and upon request, to be notified of an informed before any pretrial dispositions of the case.
7. To reasonable notice of all public proceedings, including delinquency proceedings, upon request, at which the defendant and the prosecutor are entitled to be present and of all parole or other post-conviction release proceedings, and to be present at all such proceedings.
8. To be heard, upon request, at any proceeding, including any delinquency proceeding, involving a post-arrest release decision, plea, sentencing, post-conviction release decision, or any proceeding in which a right of the victim is at issue.
9. To a speedy trial and prompt and final conclusion of the case and any related post-judgment proceedings.

10. To provide information to a probation department official conducting a pre-sentence investigation concerning the impact of the offense on the victim and the victim's family and any sentencing recommendations before the sentencing of the defendant.
11. To receive, upon request, the pre-sentence report when available to the defendant, except for those portions made confidential by law.
12. To be informed, upon request, of the conviction, sentence, place and time of incarceration, or other disposition of the defendant, the scheduled release date of the defendant, and the release of or the escape by the defendant from custody.
13. To restitution:
  - A. It is the unequivocal intention of the People of the State of California that all persons who suffer losses as a result of criminal activity shall have the right to seek and secure restitution from the persons convicted of the crimes causing the losses they suffer.
  - B. Restitution shall be ordered from the convicted wrong doer in every case, regardless of the sentence or disposition imposed, in which a crime victim suffers a loss.
  - C. All monetary payments, monies, and property collected from any person who has been ordered to make restitution shall be first applied to pay the amounts ordered as restitution to the victim.
14. To the prompt return of property when no longer needed as evidence.
15. To be informed of all parole procedures, to participate in the parole process, to provide information to the parole authority to be considered before the parole of the offender, and to be notified upon request, of the parole or other release of the offender.
16. To have the safety of the victim, the victim's family, and the general public considered before any parole or other post-judgment release decision is made.
17. To be informed of the right enumerated in paragraphs (1) through (16).

*A victim is defined under the California constitution as "a person who suffers from direct or threatened physical, psychological, or financial harm as a result of the commission or attempted commission of a crime or a delinquent act." (Cal. Const., art 1, §28(e).)*

## California & National Resources

### California Attorney General's Victim Services Unit

1-877-433-9069 [www.ag.ca.gov/victimservices](http://www.ag.ca.gov/victimservices)

### California Department of Corrections & Rehabilitation Office of Victim & Survivor Rights & Services

1-877-256-OVSS(6877) [www.cdcr.ca.gov/victim\\_services](http://www.cdcr.ca.gov/victim_services)

### Rape, Abuse, Incest, National Network

1-800-656-HOPE <http://www.rainn.org/>

Victims of Crime Resource Center Pacific/McGeorge School of Law

1-800-842-8467, 1-800-victims [www.1800victims.org](http://www.1800victims.org)

### National Center for Victims of Crime

1-800-FYI-CALL, 1-800-394-2255 [www.ncvc.org/national](http://www.ncvc.org/national)

### National Domestic Violence Hotline

1-800-799-SAFE(7233) [www.ndvh.org](http://www.ndvh.org)

### California Partnership to End Domestic Violence

1-800-524-4765 [www.cpedv.org](http://www.cpedv.org)

#### Victim Compensation Program Help for victims\* of:

Assault	Drunk Driving	Sexual Assault
Child Abuse	Homicide	Vehicular Manslaughter
Domestic Violence	Robbery	Human Trafficking

#### What potentially can the Victim Compensation Program help pay for?

Medical & Dental Bills	Relocation
Mental Health Counseling	Crime Scene Cleanup
Funeral Costs	Loss of Income

#### For more information contact your local Victim Witness Assistance Center or:

Victim Compensation & Government Claims Board  
1-800-777-9229 [www.victimcompensation.ca.gov](http://www.victimcompensation.ca.gov)

*\*The definition of victim under the Victim Compensation Program may differ from the definition under the California Constitution.*

## DOMESTIC VIOLENCE INFORMATION

### As a victim of domestic violence, you have the right to:

- An Emergency Protective Order issued by the law enforcement officer which is good for up to five (5) business days, allowing enough time for the victim to obtain further restraining orders issued by the court.
- Contact Superior Court at 661-868-5393 or on the web, [www.kern.courts.ca.gov](http://www.kern.courts.ca.gov) and file a petition an no charge to you requesting a domestic violence restraining order.
- File a civil suit against the perpetrator for losses suffered as a result of domestic violence.
- Kern County Family Justice Center can assist victims in filing these documents.
- Alliance Against Family Violence & Sexual Assault can assist victims in filing these documents.

## DOMESTIC VIOLENCE RESOURCES

Kern County Family Justice Center  
2101 Oak Street Bakersfield, CA 93301  
661-868-8410

Alliance Against Family Violence & Sexual Assault  
661-322-0931, 24-Hour Crisis Line 661-327-1091  
1921 19th Street Bakersfield CA 93301  
Toll Free 800-273-7713  
Outside Bakersfield 800-273-0931

Alpha House, serving Taft 661-763-4357

Women's Center—High Desert Incorporated, serving High Desert & Eastern Kern County:  
Mojave & Tehachapi Office: 661-917-8116  
Lake Isabella Office: 760-223-2777  
24-Hour Domestic Violence 760-375-7525  
24-Hour Sexual Assault 760-375-0745

Visit our website at [www.kernsheriff.org](http://www.kernsheriff.org) for information on:

- Reporting crime online
- View reported crime in your area
- View registered sex offenders in your area
- Inmate search

## CONTACTO Y INFORMACION DEL CASO

**Nombre del Oficial:**

**Numero de Reporte del Aguacil:**

**Numero de Tribunal Superior:**

*Contacte la oficina de Fiscal del distrito para el numero de caso tribunal.*

**Oficina de Aguacil:**

**9-1-1 EMERGENCIA**  
**661-861-3110 (24 Horas Despacho de No-Emergencias)**  
**661-391-7500 (Horas de Oficina, Lunes a Viernes, 8AM-5PM)**

**Oficina de Fiscal del Distrito:**  
**661-868-2340**

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

**Phone: 661-391-7500**

**Fax: 661-391-7515**

**E-mail: [sheriff@kernsheriff.org](mailto:sheriff@kernsheriff.org)**

**[www.kernsheriff.org](http://www.kernsheriff.org)**

## Condado de Kern del Oficina del Aguacil

**DONNY YOUNGBLOOD**  
**AGUACIL-FORENSE/ADMINISTRADOR PUBLICO**

El acto de Declaracion de  
Derechos de la Victima de 2008

## Marsy's Card & RECURSOS

Proporcionar a las victimas los derechos a  
la justicia y al debido proceso



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O

**661-861-3110**

## INFORMACION DE CONTACTO DEL OFICINA DE AGUACIL



La Oficina de Aguacil del Condado de Kern se ha comprometido a trabajar en asociacion con nuestra comunidad para mejorar la seguridad, y la calidad de vida de los residentes y visitantes del Condado de Kern profesional mediante servicios de seguridad.

### EMERGENCIAS: 9-1-1

Despacho de no-emergencias 661-861-3110  
Numero gratuito (de Kern County solamente) 800-861-3110  
TDD: 661-327-8068

**Oficina Central de Aguacil: 661-391-7500**

Buttonwillow Subestacion: 661-764-5613  
Seccion Civil: 661-635-1300  
Oficina de Forense: 661-868-0100  
Informes de Delitos: 661-391-7623  
Delano Subestacion: 661-721-3800  
Este Bakersfield Subestacion: 661-868-1500  
Frazier Park Subestacion: 661-245-3440  
Information de Instalacion de Carcel: 661-868-6850  
Kern Valley Subestacion: 760-549-2100  
Lamont Subestacion: 661-868-5750  
Mojave/Boron Subestacion: 661-824-7130  
Habitacion Propiedad: 661-868-5638  
Ridgecrest Subestacion: 760-384-5800  
Rosamond Subestacion: 661-256-9700  
Secreto Testimonio: 661-322-4040  
Taft Subestacion: 661-763-8550  
Tehachapi Subestacion: 661-823-6060  
Servicios Voluntarios: 661-392-6066  
Wasco Subestacion: 661-758-7266

ALATEEN 661-322-1102

Envejecimiento y servicios para adultos 800-510-2020

Alianza Contra la Violencia Familiar y Asalto Sexual

1921 19<sup>th</sup> Street, Bakersfield, CA 93301

661-322-0931, linea de crisis 24 horas 661-327-1091

Numero gratuito 800-273-7713,

**Refugio de Bakersfield**

1600 East Truxtun Avenue, Bakersfield, 661-322-9199

**Bakersfield Rescue Mission (Refugio)**

816 East 21<sup>st</sup> Street, Bakersfield, 661-325-4565

**Services de Proteccion Infantil** Linea de 24 horas 661-631-6011

**Cumplimiento del Codigo** 661-862-8603, 800-552-5376, opcion 7

**Salud Ambiental** 661-862-8740

**Bakersfield Mayor Asistencia Juridico** 661-325-5943

**Refugio Centro de Orientacion**

316 H Street Bakersfield, CA 93304, 661-377-3077

**Salud Mental del Condado de Kern**

661-868-8000, Fuera Bakersfield 800-991-5272

**Servicios Veteranos del Condado de Kern** 661-868-7300

**LGBTQ Linea de Crisis** 661-332-1506

**Narcoticos punta de linea** 661-868-5902

**Nacional de Prevencion del Suicidio linea directa**

888-628-9454

**Las Adolescentes Ambarazadas (AFLP)** 661-324-0293

**Linea de Huir Juvenil directa** 1-800-HIT-HOME,  
1-800-448-4663

**Victimas/Testigos** 661-868-4535

**Centro de las Mujeres, Alto Desierto** 760-371-1969

**Departamento de Salud Publica** 661-321-3000

**Linea Directa Nacional de Trata de Personas** 888-373-7888

**Coalicion de Kern Contra Trata Humana**

888-3737-888

## Proporcionar a las Víctimas con los Derechos y el Debido Proceso

Constitución de California, Artículo 1, Sección 28(b)—Con el fin de preservar y proteger los derechos de la víctima a la justicia y al debido proceso, la víctima tendrá derecho a los siguientes derechos:

1. De ser tratado con justicia y respeto en su intimidad, dignidad y de ser libre de intimidación, acoso y maltrato durante el proceso completo de justicia penal o del proceso de justicia penal a menores.
2. De ser razonablemente protegido contra el acusado y de personas actuando en nombre del acusado.
3. De tomar en consideración la seguridad (bien estar) de la víctima y de su familia cuando afijando fianza y las reglas asociadas a libertad condicional para el acusado.
4. De prevenir la revelación de información o registros confidenciales al acusado, su abogado, o cualquier otra persona actuando en nombre del acusado, que podrían ser empleados para localizar o acosar a la víctima o su familia o revelación de comunicativos confidenciales efectuados en el transcurso de tratamientos médicos o tratamientos psicológicos, o los cuales se consideran privilegiados y confidenciales ante la ley.
5. De negar ser entrevistado, declaración bajo juramento, o por petición legal del acusado con su abogado y de afijar condiciones razonables sobre la manera y forma de realización de cualquier entrevista con el consentimiento de la víctima.
6. Ante petición de la víctima, de ser notificado razonablemente de y de consultar razonablemente con la fiscalía, sobre cuestiones de arresto del acusado, si es que son conocidas por el fiscal, los cargos, la determinación sobre la extradición del acusado y ante petición de la víctima, de ser notificado de e informado de antemano sobre resoluciones y disposición del caso, anteriores al juicio.
7. De ser notificado razonablemente de todos los procedimientos públicos, incluyendo procedimientos de delincuencia, ante petición de la víctima a los cuales el acusado y el fiscal son autorizado a estar presente y de todos los procedimientos ante-convicción y libertad condicional y de estar presente a todos tales procedimientos.
8. De tener el derecho a presentar su caso, con permiso de la fiscalía en todo procedimiento legal, incluyendo procedimientos de delincuencia relacionados a decisiones posteriores a el arresto, declaraciones, sentencia, decisiones posteriores de convicción o cualquier procedimiento en el cual se encuentran en balance los derechos de la víctima.
9. A un juicio rápido y conclusión final inmediata del caso y cualquier procedimiento posterior relacionado al fallo.

10. De proveer información a el departamento de libertad condicional que realiza la investigación previa a sentencia sobre el impacto que el delito tuvo sobre la víctima y la familia de la víctima y cualquier otras recomendaciones de sentencia antes de sentenciar al acusado.
11. De recibir ante petición de la víctima, el reporte previo a la sentencia al momento que se le sea disponible al acusado, menos aquellas porciones del reporte que se consideran confidenciales ante la ley.
12. De ser informado ante petición de la víctima, de la convicción, sentencia, lugar y hora de encarcelamiento, o de cualquier otra disposición del acusado, la fecha prevista de emisión a libertad y el lugar de libertad o intentos de fuga.
13. Restitución
  - A. Es la inequívoca intención de la población del estado de California que toda persona que sufre pérdidas como resultado de actividades criminales, se les otorge el derecho de buscar y obtener restitución de parte de las personas culpables de haber causado las pérdidas sufridas.
  - B. Restitución será ordenada en todo caso por parte del convicto malhechor, irrespectable a la disposición o sentencia impuesta, en la cual la víctima sufrió pérdidas.
  - C. Todos pagos monetarios, sueldos, y propiedad colectada de cualquier persona que se le ordeno hacer restitución será primeramente aplicadas a las sumas ordenadas como restitución a la víctima.
14. A la entrega inmediata de propiedad cuando ya no se necesita como evidencia.
15. De ser informado de todos los procedimientos, de participar con el proceso de libertad condicional, de proveer información que las autoridades consideren antes de conceder libertad condicional al acusado y de ser notificado de la libertad condicional o cualquier otra forma de libertad del acusado.
16. De tomar en consideración antes de permitir libertad condicional o decisiones posteriores al fallo, la seguridad (bien estar) de la víctima, la familia de la víctima y el público en general.
17. De ser informado de los derechos enumerados en los párrafos (1) a (16).

La víctima se define en la constitución de California como "una persona que sufre de dano físico, psicológico o económico, directo o amenazados como consecuencia de la comisión o tentativa de comisión de un delito o un acto delictivo". (Cal. Const., Artículo 1, S28 (e)).

## CALIFORNIA Y RECURSOS NACIONALES

### Oficina de Servicios a Víctimas del Procurador General de California

1-877-433-9069 [www.ag.ca.gov/victimservices](http://www.ag.ca.gov/victimservices)

### Departamento de California de Correcciones

### Oficina de Rehabilitación de Derechos de

### Sobreviviente y Víctima Y Services

1-877-256-0VSS(6877) [www.cdcr.ca.gov/victim\\_services](http://www.cdcr.ca.gov/victim_services)

### Violación, Abuso, Incesto, Red Nacional

1-800-656-HOPE <http://www.rainn.org/>

Víctimas de Centro de Recurso de Delito Escuela de Ley de Pacific/ McGeorge

1-800-842-8467, 1-800-victims [www.1800victims.org](http://www.1800victims.org)

### Centro Nacional para Víctimas de Delito

1-800-FYI-CALL, 1-800-394-2255 [www.ncvc.org/national](http://www.ncvc.org/national)

### California Partnership para poner fin a la Violencia Doméstica

1-800-799-SAFE(7233) [www.ndvh.org](http://www.ndvh.org)

Ayuda para víctimas de:

Asalto	Homicidio	Asalto Sexual
Abuso de niño	Robo	Tráfico de Humanos
Violencia Doméstica	Manejando bajo la influencia	Homicidio sin premeditación de Vehicular

### Potencialmente que puede el Programa de Compensación de Víctima ayudar a pagar?

Cuentas médicas y dentales	Reubicación
Orientación de salud mental	Gastos de entierro
Limpieza de escena de delito	Pérdida de Ingreso

Para más información contacte su Centro de Asistencia para Testigo de Víctima local o:

### Compensación de Víctima Y Mesa Directiva de Reclamaciones del Gobierno

1-800-777-9229

[www.victimcompensation.ca.gov](http://www.victimcompensation.ca.gov)

La definición de víctima conforme al Programa de Compensación de Víctima puede diferenciarse de la definición conforme a la Constitución de California.

## INFORMACION DE VIOLENCIA DOMESTICA

Como víctima de violencia, usted tiene el derecho a:

- Una orden de protección de emergencia emitida por el agente de la ley que es bueno para un máximo de cinco (5) días hábiles, tiempo suficiente para que la víctima a obtener más ordenes de alejamiento dictada por el tribunal.
- Póngase en contacto con el Tribunal Superior en 661-868-5393 o en la web, [www.kern.courts.ca.gov](http://www.kern.courts.ca.gov) y presentar una petición sin cargo alguno para solicitar una orden de restricción por violencia doméstica.
- Presentar una demanda civil contra el autor de las pérdidas sufridas como consecuencia de la violencia doméstica.
- Centro de Justicia de la Familia Kern puede ayudar a las víctimas en la presentación de estos documentos.
- Alianza contra la Violencia Familiar y Asalto sexual puede ayudar a las víctimas en la presentación de estos documentos.

## RECURSOS DE VIOLENCIA DOMESTICA

Centro de Justicia de la Familia Kern  
2101 Oak Street Bakersfield, CA 93301  
661-868-8410

Alianza Contra la Violencia Familiar y Asalto Sexual  
661-322-0931, 24-horas 661-327-1091 Línea de Crisis  
1921 19a Calle Bakersfield CA 93301

Alpha House, que sirve Taft 661-763-4357

Centro de las Mujeres, Alto Desierto Incorporado, que sirve Desierto Alto y el este del Condado de Kern:  
Oficina de Mojave y Tehachapi: 661-917-8116  
Oficina de Lake Isabella: 760-223-2777  
24 horas de Violencia Doméstica 760-375-7525  
24 horas Asalto Sexual 760-375-0745

Visite nuestro sitio web para obtener información sobre [www.kernsheriff.org](http://www.kernsheriff.org)

- Denuncia de los delitos en línea
- Ver reporte de crimen en su área
- Ver los delincuentes sexuales registrados en su área
- Preso de búsqueda



**DONNY YOUNGBLOOD**  
Sheriff-Coroner

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Telephone (661) 391-7500

*Kern County*

**SHERIFF**

**ISSUE: 18-40**

**TRAINING BULLETIN**

**DATE: October 16, 2018**

### **Sexual Assault Kit Evidence Collection**

Currently under California Penal Code Section 680, (“Sexual Assault Victims’ DNA Bill of Rights”) law enforcement agencies have an obligation to victims of sexual assaults in the proper handling, retention, and timely DNA testing of rape kit evidence or other crime scene evidence. In addition law enforcement agencies need to be responsive to victims concerning the developments of forensic testing and the investigation of their cases.

A law enforcement agency in whose jurisdiction a sexual assault offense specified in Section 261, 261.5, 262, 286, 288a, or 289 occurred should do one of the following for any sexual assault forensic evidence received by the law enforcement agency:

- *Submit sexual assault forensic evidence to the crime lab within 20 days after it is booked into evidence.*
- *Ensure that a rapid turnaround DNA program is in place to submit forensic evidence collected from the victim of a sexual assault directly from the medical facility where the victim is examined to the crime lab within five days after the evidence is obtained from the victim.*

Currently, the Kern County Sheriff’s Office is under contract with Forensic Nurse Specialists of Central California (FNSSC) who perform the majority of the sexual assault examinations for our organization. An FNSSC nurse will collect sexual assault evidence using a sexual assault kit. A sexual assault kit essentially consists of two parts, the main kit and an AB 1517 kit, commonly referred to as a “mini kit”. The mini kit is transported to the Kern County Regional Criminalistics Laboratory by FNSSC staff for processing, while the main kit is seized by law enforcement and booked into evidence.

Once a sexual assault kit is received by the Crime Lab, a technician enters its identifying information into DOJ’s database, referred to as SAFE-T. The Property Room will enter identifying information from the respective main kit into SAFE-T completing DOJ’s requirement.

This process has not been the same in outlying areas that do not rely upon FNSSC to perform sexual assault examinations. For example, Deputies assigned to the Mojave and Rosamond Substations typically utilize medical staff from Antelope Valley Hospital (AVH) to perform sexual assault examinations. However, based on current AVH policy, their staff does not recognize nor separate the mini kit from the main kit. Based on current practice, this can cause DOJ compliance issues for our organization.

Recently, DOJ notified the Sheriff's Office of several sexual assault kits assigned to our organization that were rapidly approaching the 120 day compliance benchmark for DNA processing. In review of these particular sexual assault kits, all were found to be evidenced collected by AVH staff. The sexual assault kits were being properly booked into evidence, but since these kits were absent a mini kit, no evidence was being submitted to the Crime Lab.

To prevent DOJ compliance issues, Sheriff's Office personnel seizing sexual assault kit evidence from an approved medical facility, other than FNSSCC, shall notify the Sexual Assault and Abuse Investigation Unit (SAAIU) Sergeant by email ([newellj@kernsheriff.org](mailto:newellj@kernsheriff.org)). The notification shall contain the date, case number, victim(s) information, and the name of the medical facility the sexual assault kit was collected from. Once the sexual assault kit is booked into the Property Room, the SAAIU Sergeant will forward the information to the Crime Lab for testing, which will ensure DOJ compliance is being met.

**IMPORTANT**

**Please SIGN IN to acknowledge your reading after reviewing the Training Bulletin 18-40 Sexual Assault Kit Evidence Collection**



*Kern County*

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**ISSUE: 18-41**

**TRAINING BULLETIN**

**DATE: October 26, 2018**

### **Time Card Approval - Payroll Procedures**

**Payroll has recently seen an increase of time cards not meeting the payroll deadline. This training bulletin is to remind all employees of standard time card approval and payroll procedures.**

#### **Time Card Deadlines:**

Employee shall submit time card to supervisor for approval by payroll Monday 10am.

Supervisors shall approve time card and submit for payroll approval Monday 12pm. A reminder email will be sent if time cards are not approved by 2pm.

#### **Higher Rank Approval:**

Time cards must be approved by the employee's supervisor per County policy. Same rank approvals are not permitted and will be returned for proper approval.

#### **Default/Alternate Approver:**

If an employee submits their time card with errors, please return the time card to the employee by using Send Back button. In addition, if an employee submits their time card and you are not the correct approver, please Send Back time card.

If a default approver is on days off, alternate approvers should approve in their absence.

#### **Overtime Approval:**

If an employee works overtime in another assignment, the employee should select the appropriate supervisor to approve their overtime hours.

Overtime hours should be approved using the Time Card Approval selection. This will ensure all hours that have been converted to straight time are approved.

#### **Family Sick Leave:**

When using family sick leave, the eligible family member is required in the comment section.

#### **Industrial Injury Doctor's Appointments:**

Employees who report time off for industrial injury appointments must list Payroll Supervisor Diana Spain as the approver and provide a copy of work status report/physician's note/physical therapy appointment verifying attendance at the appointment.

**Suspensions:**

Employees serving suspensions must list Sgt. Carpenter as the approver so that Internal Affairs can confirm that the suspension was served. Please create a corresponding In/Out event for the suspension.

**Holiday:**

Task code 7007 must be used for each holiday regardless if you work or not. If you are off on the holiday, the 7007 task is all you need to enter. If you work, please also use task code 303 or appropriate task code overtime type to enter your hours worked on the holiday.

**Leave of Absence:**

If an employee is off on Illness Leave, Baby Bonding, Industrial (4850) or any type of leave, with or without pay, please ensure Payroll is contacted prior to the employee taking leave. It's imperative that Family Medical Leave Act (FMLA) laws and guidelines are followed and required paperwork is provided to the employee to determine eligibility and designate FMLA time.

Please contact Payroll at 392-4377 or email at [sheriffpayroll@kernsheriff.org](mailto:sheriffpayroll@kernsheriff.org) with any questions.

**IMPORTANT**

Please **SIGN IN** to acknowledge your reading after reviewing the  
**Training Bulletin 18-41**  
**Time Card Approval - Payroll Procedures**

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*Kern County*

**SHERIFF**

**ISSUE: 18-42**

**TRAINING BULLETIN**

**DATE: October 30, 2018**

### **Update to Logbook Procedures for Documenting Safety Checks**

Effective November 10, 2018, the format for documentation of safety checks in log books will be revised. All checks will now be logged vertically on the right margin of the logbook page, as shown in the example on the second page.

#### **Housing Deputies**

If a safety check is late, the deputy shall log the time the check was conducted, make a corresponding entry in the log explaining the reason the check was late or missed and notify the shift supervisor.

The explanation entry shall include documentation of the notification to the supervisor.

Example: 13:40 – Late check / assist with Pod search / notified Sgt. Jones.

#### **Supervisors**

Shift supervisors are expected to review all logbooks at least once during their shift to monitor documentation of safety checks. When reviewing and signing logbooks, supervisors shall make a logbook entry for “Check Review” and list the time.

Example: 15:45 – Sgt. Jones #222222 / Check Review

The supervisor will review recorded times for safety checks during the shift to ensure they are being conducted and documented pursuant to DBPPM C-450, including documented explanations for any late checks.

Upon confirmation that an explanation is documented for a late check, the supervisor shall enter their initials and CAD ID# next to the documented time as shown in the example on the second page.

First Aid Kit _____	SCBA _____	Fire Hoses _____	Infant Rescue Tool _____
Hair Cutting Kit _____	Mops (6) _____	Mop Buckets (10) _____	Mop Ringers (6) _____
Brooms (6) _____	Shower Brushes (6) _____	Dust Pans (6) _____	toilet brushes (6) _____
Supervisor's Signature <u>SGT. JONES #222222 / #123</u>			
1900 SMITH 10/8			SAFETY CHECKS
1910 BODY COUNT		= 165	1910
1915 COURT RETURNS +2	2222111 JONES, A	2213310 WILLIAMS	= 167
2005 MED PASS / PM SNACKS			2005
2115 LABS			2103
2125 MAIL PASS / P/U REQUEST SLIPS			2150
2225 LOCK-DOWN / QUIET TIME			2225
0010 ROLLUP - JOHNSON, T #3333333		-1 / 166	2310
0110 - LATE CHECK - ESCORT JOHNSON TO CLINIC / SGT. JONES NOTIFIED			0003
0300 - SPECIAL MEALS			0110 SGT. JONES #123
0330 - CHOW PASS / COUNT		= 166	0200
0445 - LATE CHECK - ASSISTED WITH MEDICAL PRIORITY IN B-POD / SGT. JONES NOTIFIED			0230
0515 - COURT HOLDUPS			0300
0520 - SGT. JONES #222222 - CHECK REVIEW			0330
0700 - SMITH 10/7			0445 SGT. JONES #123
			0540
			0630

**IMPORTANT**

Please **SIGN IN** to acknowledge your reading after reviewing the Training Bulletin

**18-42 Update to Logbook Procedures for Documenting Safety Checks**



*Kern County*

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**ISSUE: 18-44**

**TRAINING BULLETIN**

**DATE: November 7, 2018**

On October 27, 2018 the *Los Angeles Times* published "L.A. County Sheriff's Department pays price as clandestine deputy cliques persist". Administration would like for all department personnel to read the referenced article attached. You may also find this article online by following the link below.

<http://www.latimes.com/local/lanow/la-me-sheriff-tattoo-liability-20181027-story.html>

Although this isn't happening to our department, it is important to note, these matching tattoos are raising questions about cliques which are then being used to challenge deputies' credibility in court. This developing story continues to highlight that personal, not just professional, choices of personnel may impact an organization.

**IMPORTANT**

Please **SIGN IN** to acknowledge your reading after  
reviewing the Training Bulletin  
**18-44 LASD Cliques Persist**

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The complete list of L.A. Times endorsements for the November 6 election



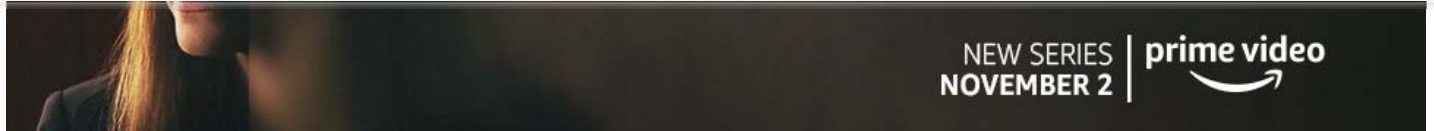
Here's a look at the 11 propositions California voters will weigh on Nov. 6



How much does a cable box really cost? The industry would prefer you don't ask



Oprah Winfrey from '60s hits the



L.A. NOW LOCAL

# L.A. County Sheriff's Department pays price as clandestine deputy cliques persist



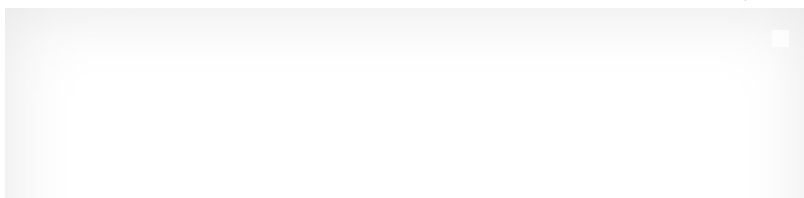
By MAYA LAU  
OCT 27, 2018 | 5:00 AM



James Real, the owner of American Beauty Tattoo in Sunset Beach, said he saw L.A. County sheriff's deputies come into his shop to get inked with identical tattoos of a skeleton in a cowboy hat. Each design included a number in sequential order — more than 100 in all. (Allen J. Schaben / Los Angeles Times)

The image on the deputy's calf depicted a skeleton in an officer's uniform, wearing a cowboy hat and clutching a smoking rifle.

Jason Zabala said he was inked by an artist who worked at a Sunset Beach tattoo shop and was the 140th person to get the same design. The tattoo, he said, was a proud mark of camaraderie among his fellow peace officers.





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But years later, a judge would order Zabala and another Los Angeles County sheriff's deputy to answer questions about whether they were members of a clique and allow their tattoos to be photographed as part of a wrongful-death lawsuit. The county paid \$1.5 million to settle the case last year. Zabala denied he was part of a clique.

The Sheriff's Department is paying a growing price for its failure to find a solution for an issue that decades of watchdog reports and lawsuits have highlighted as a problem.

The tattoos and questions about cliques are being used to challenge deputies' credibility in court. Officers who are sued over allegations of excessive force have been compelled to answer questions about their ink and allow it to be photographed.

"What goes around comes around," said Merrick Bobb, who was a civilian monitor of the Sheriff's Department for 22 years. He said the persistence of deputy cliques demonstrates a failure of management.

"This is bound to remain an issue as long as the deputies continue to do it," he said.

Few police agencies in the nation have received as much public scrutiny over tattoos and alleged cliques. Similar stories of officer cliques have surfaced in Oakland, New Orleans and the Los Angeles Police Department, but the accounts date back several years and rarely involved exclusive membership.

It remains unclear how pervasive the cliques are. Some deputies defend tattoos as fostering morale, arguing that they don't signify an outlaw culture. Some have also said they have a free-speech right to wear them.

The Sheriff's Department, however, has continued to face fresh allegations of misconduct attributed to branded groups. Just this month, [three sheriff's deputies and a sergeant](#) were placed on leave in connection with an off-duty fight that some deputies say was a dispute over membership in the Banditos, an East Los Angeles deputy club.

[Judge says L.A. County sheriff's officials must reveal if they know which deputies have skull tattoos »](#)

Watchdog panels in 1992 and 2012 exhorted the Sheriff's Department to root out gang-like deputy groups. Then-interim Sheriff John Scott said in 2014 he would share the results of an investigation into claims of bullying by the Banditos, yet the probe has remained confidential.

In July, Sheriff Jim McDonnell launched what he said would be a comprehensive study of alleged deputy cliques. The inquiry came after The Times revealed that a Compton station deputy involved in a fatal shooting [testified that he and as many as 20 of his colleagues](#) have matching skull tattoos.

On Thursday, a judge presiding over a wrongful-death lawsuit involving Compton station deputies said the department [must reveal](#) whether it's identified all of the deputies at the station who have the identical tattoos. Members of the department's civilian oversight commission Thursday also expressed frustration they had received little information about McDonnell's inquiry.

McDonnell said in a statement that his organization has taken “a very strong posture” to hold employees accountable, including recently hiring a second constitutional policing advisor to promote reforms.

“We are continuing to assess any potential issues that may arise related to employee conduct, as well as personal and professional choices that impact our organization. We have the same concerns as all of law enforcement, the military, and the private sector about how to balance the constitutional right of free expression with what may, or may not be, an indicator of something more serious,” he said.

### **‘An icon of the peace officer’**

For years, James Real watched as the lawmen traveled to his Sunset Beach tattoo parlor to be branded with the same design.

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The Los Angeles County sheriff’s deputies would come in groups, sometimes socializing over pizza as they watched one of their own go under the needle, said Real, the owner of American Beauty Tattoo. An artist in his shop etched the matching motifs of a skeleton wearing a cowboy hat, adding a number in sequential order to each one — more than 100 in all.

The number on Zabala’s tattoo was 140. The skeleton imprinted on his lower left leg was uniformed with a star-shaped badge, appearing next to a tombstone bearing the logo of the department’s Century station, Zabala said in a 2016 deposition that was reviewed by The Times.

Zabala was deposed as part of a wrongful-death lawsuit filed by the family of Terry Laffitte, who was shot by deputies in the back of the head and the leg as he lay face down in his backyard in 2013.

Prosecutors said Laffitte punched Zabala’s partner and was resisting deputies while holding a revolver when Zabala shot him. The district attorney’s office determined the shooting was lawful.

But Laffitte’s family alleged in court documents that Zabala and the other deputy escalated the encounter by violently dragging Laffitte to the ground after pursuing him for riding a bike without a light. The family’s lawyers claimed in their lawsuit that the deputies were part of a clique.

Zabala said in depositions he was not part of a department gang. He said the tattoo, with its Old West style, honored the Sheriff’s Department’s founding in 1850, and he claimed that skeletons are “an icon of the peace officer.”

“It signifies that all police officers are the same. There’s no race. There’s no gender. There’s no color. There’s no bias. It’s just everyone is the same underneath,” Zabala testified. He said he got the ink two or three months before the shooting of Laffitte.

Zabala is now a gang enforcement deputy at the Carson station. He did not respond to requests for comment.

It’s far from clear whether deputy tattoos or involvement in cliques have any direct role in the outcome of court cases. A Times review found more than \$7 million in county payouts over the last decade in lawsuits claiming excessive force by deputies known to have matching tattoos as well as to settle a case alleging harassment by an inked deputy gang. Of that amount, \$5.5 million was paid out in the last two years.

Those sums are relatively small compared to the total amount the county spent in Sheriff’s Department litigation

payouts over the last 10 years — at least \$182 million.

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Watchdogs say deputies should be more aware of the legal consequences of having matching tattoos.

“It makes any lawsuit extremely more complicated and increases potential liability for the county,” said Michael Gennaco, who headed the Office of Independent Review, which monitored the Sheriff’s Department, for 13 years.

John Sweeney, the attorney in the wrongful-death lawsuit who elicited the admission by a Compton deputy about his tattoo, said lawyers suing the Sheriff’s Department would be silly not to depose deputies over whether they are inked.

“One hundred percent of the time, I ask that question,” Sweeney said.

Earlier this year, the county agreed to pay \$2.5 million tied to a separate wrongful-death case involving Zabala. He was one of several deputies who fired a total of 34 rounds at Johnny Martinez, a schizophrenic man, in 2014. Prosecutors, who found the shooting was justified, said Martinez had swung a knife at officers.

Some deputies have admitted that their tattoos correspond to cliques.

Charles McDaniel said under oath in 2013 that his skull ink belonged to the Regulators associated with the Century station, according to a deposition reviewed by The Times.

He said the tattoo signified an attachment to “friends, social group, camaraderie,” but he denied knowing about any deputy clubs that honored members who broke people’s bones — an allegation lodged against a group of deputies at Men’s Central Jail.

In 2009, McDaniel was a floor sergeant at the county lockup when deputies he supervised were accused of repeatedly beating and shocking an inmate with a stun gun, leaving the man with a fractured leg and extensive injuries.

A civil court jury found McDaniel liable for negligence but blamed other deputies for excessive force and battery in the case. The inmate, Tyler Willis, was awarded \$290,000 — with \$100,000 of the total ordered to be paid out of former Sheriff Lee Baca’s personal funds.

McDaniel, now a lieutenant in the department’s custody division, did not respond to requests for comment. His lawyers argued as part of the court proceedings that he did not participate in the use of force and was not implicated in wrongdoing merely by being a supervisor.

The only policy in the Sheriff’s Department about tattoos says they should remain covered while deputies are on duty. The department often notes that 1st Amendment concerns may prevent officials from crafting stricter rules barring tattoos.

“It seems to me the government would have an uphill battle banning tattoos,” said Eugene Volokh, a 1st Amendment law professor at UCLA. He said California labor law also prohibits employers from interfering with an employee’s political activities, which covers a broad array of behavior that could include being part of a group.

Gennaco, the former Sheriff’s Department watchdog, said the county’s lawyers have resisted past efforts to institute more restrictive policies.

“It’s very difficult to undo [decades] of culture,” he said.

For years, that culture may have been bolstered by the department’s denials about deputy cliques.

After the Kolts Commission completed a wide-ranging investigation of the Sheriff’s Department and recommended in 1992 that officials conduct an inquiry and severely punish deputies displaying gang-like behavior, the agency dismissed the idea.

“The department is confident there are no racist deputy gangs or cliques within the organization and therefore disagrees that an internal investigation is appropriate,” said Sherman Block, who was then sheriff.

The department was more responsive after the Citizens’ Commission on Jail Violence issued findings about widespread mismanagement in the department in 2012. At the recommendation of the panel and other reform efforts, the department began training new deputies about destructive cliques and rotating jail assignments more regularly in order to prevent clubs from forming.

Some deputies still quietly complain — as the jail violence commission pointed out — that captains and other department leaders know who the clique members are within the agency and allow them to operate.

One deputy, who did not want to be named for fear of retribution, said some of “the ink,” as tattooed officers are called, are hard-chargers who drive up the arrest rates at their stations even if it means violating search-and-seizure laws.

“They belong to a clique, but yet they’re out there trying to put gangs away off the streets. I just find it a little hypocritical, if you ask me,” the deputy said.

Another deputy has openly claimed that the cliques try to enforce unfair rules among their own colleagues.

Guadalupe Lopez accused several male officers at the East Los Angeles station of being part of the Banditos, a group that she said wore tattoos of a skeleton in a sombrero and bullied female deputies into submitting to sexual advances.

She claimed in a lawsuit in 2014 that after she complained about verbal abuse and hazing by her colleagues, she suffered retaliation including having eggs thrown at her car and finding a rat under it.

At least four of the deputies she complained about were suspended for a few days over a range of violations including inappropriate conduct, using derogatory language and hazing. Investigators found that one of the deputies told Lopez, “Girls shouldn’t even be allowed to come into this job force,” and, “We’re going to have to regulate” you,



according to an internal affairs report.

Another disciplinary letter found that a different deputy told her, “If you don’t submit to the program, you’re going to have a problem.”

The reports did not mention findings related to the Banditos or having tattoos. The county paid \$1.5 million to settle Lopez’s case last year. She is no longer a deputy.

The department has launched administrative investigations into questionable tattoos and cliques whenever the allegations have surfaced, especially if deputies were accused of violating policies, said a statement sent by Capt. Darren Harris of the Sheriff’s Department’s Information Bureau.

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At American Beauty Tattoo in Sunset Beach, Real said he was stunned by the number of deputies coming in for ink.

It wasn’t uncommon for military members to have coordinated tattoos, he said, but Real said he felt that the identical ink on deputies was cause for concern.

“It paints a very strong picture of a group of law enforcement agents that are basically unifying themselves in a way that resembles a gang,” he said.

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### Essential California Newsletter

Monday - Saturday

A roundup of the stories shaping California.

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### Maya Lau



Maya Lau is a reporter on the Metro desk covering the Los Angeles County Sheriff’s Department. She came from the Advocate, based in Baton Rouge, La., where she wrote about criminal justice and corruption in the state’s prison system. She was the lead writer on a team that won an Investigative Reporters and Editors award for stories revealing the financial dealings of the long-serving warden of the notorious Angola Prison, who resigned following the reports. She started in journalism as a New York Times news assistant but truly learned how to be a reporter by moving to the small newsroom of the Shreveport Times and writing about crime. She served in the Peace Corps in Senegal after graduating from Vassar College.

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1h

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*Kern County*

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**ISSUE: 18-45**

**TRAINING BULLETIN**

**DATE: November 6, 2018**

### **Alternative Registration Products Update**

This is an update to Training Bulletin 18-24 issued on July 13, 2018.

Please refer to the following from the Department of Motor Vehicles regarding the Digital License Plate program, License Plate wrap, and Electronic Registration card.



**LAW ENFORCEMENT INFORMATION MEMO**

**MEMO: 18-17**  
**SUBJECT: SB 1387 ALTERNATIVE**  
**REGISTRATION PRODUCTS**

**Memo Date: November 1, 2018**

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**Purpose**

To provide information to law enforcement regarding an extension of the pilot program for alternatives to traditional registration products.

**This memo supersedes Law Enforcement Memos 15-05 dated August 19, 2015, 16-05 dated March 23, 2016, and 17-01 dated January 20, 2017.**

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**Background**

The pilot program pursuant to Senate Bill (SB) 806 (2013) was initially scheduled to end December 31, 2016. Subsequently, SB 1399 (2016) extended the program to December 31, 2018. There are three participating registration products.

- Digital License Plate: an electronic screen in lieu of a metal rear license plate
- License Plate Wrap: a printed plate on vinyl in lieu of a metal front license plate
- Electronic Registration Card: displays on a mobile application in lieu of a paper registration card.

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**New Information**

SB 1387 (Chapter 520 Statutes of 2018) extends the pilot program completion date to December 31, 2019, authorizing the department to continue to evaluate the use of alternatives to stickers, tabs, license plates, and registration cards, and to report the results of the pilot program to the Legislature, no later than July 1, 2020.

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**Contact**

Questions regarding the information contained in this memo or changes to the e-mail distribution list may be directed to the Justice and Government Liaison Branch at (916) 657-7732 or via e-mail at [jaglaw@dmv.ca.gov](mailto:jaglaw@dmv.ca.gov).

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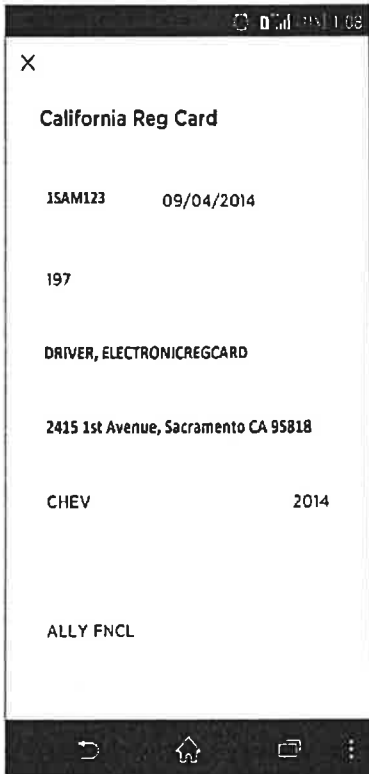
SONIA HUESTIS  
Deputy Director  
Communication Programs Division

Attachment  
Law Enforcement Memo: 18-18  
SB 1387 Alternative Registration Products

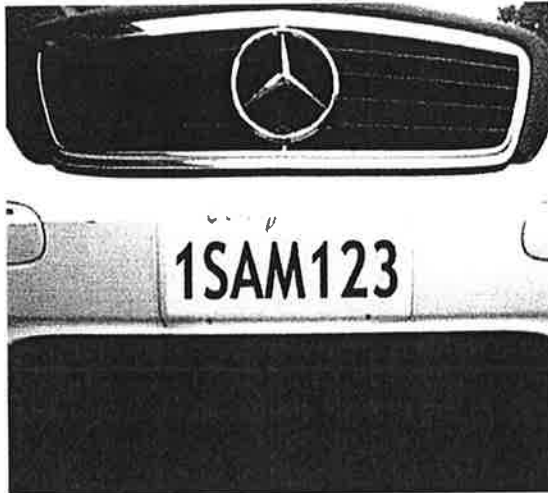
Rear Digital License Plate: rPlate Pro



Electronic Registration Card



Front Vinyl License Plate Wrap



**Law Enforcement Memo: 18-18**  
**SB 1387 Alternative Registration Products**  
**Q&A**

**Q: Can an Automatic License Plate Reader (ALPR) read the license plate on a Digital LicensePlate (DLP) and License Plate Wrap (LPW)?**

A. An on road demonstration at a California Highway Patrol (CHP) facility was conducted and the DLP cannot be read by an ALPR at this time. However, the LPW can be read by the ALPR.

**Q: When a fleet owner pays their registration renewal fee to DMV, will the DLP and Electronic Registration Card (ERC) be updated the same day?**

A. No, there will be some lag time before the DLP/ERC is updated since no information technology interface will occur between the products and DMV's databases. DMV staff will provide registration updates to the vendor via a manual process.

**Q: Will the DLP display advertisements?**

A. When the vehicle is in use, the DLP is prohibited from displaying any form of advertising in addition to, or in lieu of, the license plate number. When the vehicle is legally parked, the DLP may display content and images that have been pre-approved by the DMV and CHP.

**Q: Is an ERC similar to using an electronic insurance card?**

A. Yes, they are similar in that the ERC will be downloaded on the pilot participant's smart phone/electronic device and be shown to law enforcement entities as proof of registration the way that an electronic insurance card is shown for proof of insurance.

**Q: What data will display on the ERC?**

A. The following data elements will be displayed on the ERC:  
Issuing Agency, Plate Number, Expiration Date, Vehicle Year, Vehicle Make, Vehicle Model, Vehicle Body Style, Vehicle Identification Number, Registrant name and address, and, if applicable, Legal Owner.

**Q: Could geographic areas not identified by the fleets still see the alternative registration products used in different areas?**

A. Yes, the vehicles with the alternative registration products will not be restricted on where they can drive.

**Q: Is there a way for law enforcement to know the product is approved for pilot participation?**

A. Yes, the volunteer pilot participants will be issued a letter of pilot participation for each vehicle which will identify the alternative product they are approved to use.

**Q: What happens if the DLP/LPW is damaged or stolen?**

A. Pilot participants will retain their DMV issued license plates during the pilot so that in the event of loss, theft, or damage, the standard DMV issued plates can be placed back on the vehicle immediately.

**Q: What happens if the ERC is not accessible?**

A. Pilot participants will retain their standard DMV issued registration card in their vehicle at all times in case there is an inability to access the ERC.



*Kern County*

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**ISSUE: 18-46**

**TRAINING BULLETIN**

**DATE: November 12, 2018**

### **Autonomous Vehicles**

An autonomous vehicle, also known as a self-driving car, can respond and move without human participation by sensing its environment. As of April 1, 2018, there are fifty-two (52) Autonomous Vehicle Testing Permit holders in the state of California. While this technology continues to evolve, we can expect a correlated rise in autonomous vehicle use.

In order to help address the unique situations law enforcement officers may encounter involving autonomous vehicles the California Highway Patrol (CHP) issued Allied Agency Information Bulletin (AAIB) No. 22. This AAIB identifies several California Vehicle Code (CVC) sections which may be applicable when dealing with autonomous vehicles.

For further information please refer to the attached CHP AAIB. Any questions regarding this AAIB should be directed to the CHP's Enforcement and Planning Division at (916) 843-3330.



# INFORMATION BULLETIN *for Allied Agencies*

October 29, 2018

## BULLETIN NUMBER 242

### AUTONOMOUS VEHICLE ENFORCEMENT ACTIONS

The purpose of this Allied Agency Information Bulletin (AAIB) is to provide law enforcement agencies with updated information regarding enforcement of autonomous vehicles.

#### BACKGROUND:

California Vehicle Code (CVC), Division 16.6 - Autonomous Vehicles, specifies the requirements for the operation of autonomous vehicle technology for testing and use by the public. On September 16, 2014, the Department of Motor Vehicles (DMV) began issuing testing permits to manufacturers allowing testing on California roadways with a test driver behind the wheel. As of April 1, 2018, there are 52 Autonomous Vehicle Testing Permit holders who are authorized to test autonomous vehicles with a test driver behind the wheel. On February 26, 2018, with an effective date of April 2, 2018, the Office of Administrative Law approved the DMV regulations governing the driverless testing and public use of autonomous vehicles on California roads. These regulations allow for the testing of driverless test vehicles that will be remotely monitored and have a remote operator available to respond to inquiries, as well as the deployment (public use) of autonomous vehicles, both with or without a driver.

#### CURRENT LAW:

There are several current CVC sections which may have application to autonomous vehicles. With the rapid evolution of technology, it may be difficult for officers to determine whether the vehicle is operating in autonomous mode or being manually driven. As officers may discover very unique situations with autonomous vehicles, the use of sound professional judgement is critical.





## Rules of the Road

Currently, there are no exceptions for autonomous vehicles from the rules of the road or any other specific provision of the CVC. Officers should consider the totality of circumstances and reasonable applicability to determine if issuing a citation to an operator or owner is appropriate. In all circumstances, public safety should be the overriding decision factor.

## General

- Section 24002(a) CVC – Unsafe Vehicle
  - A citation may be issued to the operator/remote operator if an autonomous vehicle is observed committing traffic violations which impact the safety of other motorists, pedestrians, or bicyclists on the roadway.
- Section 24004 CVC – Unlawful Operation After Notice
  - An officer who observes an autonomous vehicle operating unsafely may issue a “lawful order” to the operator to not operate the vehicle in autonomous mode until repairs are conducted. If an operator/remote operator disobeys the order, a citation may be issued.
  - If an officer determines an autonomous vehicle is operating unsafely, the operator/driver may be ordered not to engage the autonomous technology until it is properly evaluated and repaired, or order the operator/driver to manually drive the vehicle home or to a repair facility and not drive thereafter until the vehicle is repaired. Again, sound professional judgement is required during any enforcement activity.
- Section 38750(b)(2) CVC – Autonomous Vehicle Testing, Driver Capable of Taking Control
  - For vehicles that require a test driver, a citation may be issued if the driver of a test vehicle is not seated in the driver’s seat, not monitoring the safe operation of the autonomous vehicle, and not able to take over immediate manual control, if required.
- Section 38750(b)(3) CVC – Autonomous Vehicle Insurance Required
  - Manufacturers are required to carry a \$5,000,000 insurance policy in order to obtain a DMV permit to test vehicles, and per Section 38750(c)(3) CVC, manufacturers are required to carry a \$5,000,000 insurance policy in order to obtain a deployment permit from the DMV.
    - If the autonomous vehicle has a valid DMV permit, this would serve as prima facia evidence that the manufacturer has the required insurance.
    - If there is a question as to the validity of the autonomous vehicle’s permit, the officer should inquire with the DMV. If it is determined that the required insurance is not in place, the investigating agency may submit a



complaint to be filed for a violation of Section 38750(b)(3) CVC or Section 38750(c)(3) CVC with the local prosecuting agency.

- Nothing in this section precludes the driver, owner, or manufacturer from complying with the provisions of Section 16028 CVC.
- 
- California Code of Regulations, Title 13, Division 1, Chapter 1, Article 3.7 – Testing of Autonomous Vehicles, Section 227.18 – Approved Testing Application Required
    - Manufacturers are required to apply for and be issued a Manufacturer's Testing Permit in order to conduct autonomous vehicle testing on public roads in California.
  - Section 38750(c) CVC – Approved Deployment Application Required
    - A citation may be issued if it is discovered that an autonomous vehicle is being deployed without an approved DMV application or with unapproved equipment.
  - Section 40001(b) CVC – Owner's Responsibility, Unlawful Operation
    - This section provides authority for peace officers to cite the registered owner for violations of Section 24002(a) CVC.
  - Storage / Impound
    - The same storage and impound sections that apply to other vehicles also apply to autonomous vehicles.
  - California Code of Regulations, Title 13, Division 1, Chapter 1, Article 3.7, Section 227.38(e) – Manufacturer's Permit to Test Autonomous Vehicles that do not Require a Driver
    - The manufacturer must provide a copy of a law enforcement interaction plan, which includes information that the manufacturer will make available to the law enforcement agencies and other first responders in the vicinity, of the operational design domains of the autonomous vehicles that will instruct those agencies on how to interact with the vehicle in emergency and traffic enforcement situations. For the purposes of this section "first responder" means law enforcement, fire department, and emergency medical personnel.
  - California Code of Regulations, Title 13, Division 1, Chapter 1, Article 3.8 – Deployment of Autonomous Vehicles, Section 228.06(c) – Application for a Permit for Post-Testing Deployment of Autonomous Vehicles on Public Roads
    - Requires manufacturers to submit a copy of a law enforcement interaction plan with their application to deploy autonomous vehicles.
  - For both testing and deployment, the law enforcement interaction plan shall include, but not be limited, to the following:



- (A) How to communicate with a remote operator of the vehicle who is available at all times that the vehicle is in operation, including providing a contact telephone number for the manufacturer;
  - (B) Where, in the vehicle, to obtain owner information, vehicle registration, and proof of insurance in the event of a collision or traffic violation involving the vehicle;
  - (C) How to safely remove the vehicle from the roadway;
  - (D) How to recognize whether the vehicle is in autonomous mode, and if possible, how to safely disengage the autonomous mode;
  - (E) How to detect and ensure that the autonomous mode has actually been deactivated;
  - (F) How to safely interact with electric and hybrid vehicles, when applicable;
  - (G) A description of the operational design domain of the vehicle;
  - (H) Any additional information the manufacturer deems necessary regarding hazardous conditions or public safety risks associated with the operation of the autonomous vehicle.
- o The law enforcement interaction plan shall be reviewed on a regular basis by the manufacturer and updated as changes are needed, but no less than an annual basis.
  - o Within ten days of approval of the testing application, the manufacturer shall submit the law enforcement interaction plan to the California Highway Patrol (CHP) by e-mail to, [AVUnit@chp.ca.gov](mailto:AVUnit@chp.ca.gov).
  - o Manufacturers shall provide other law enforcement agencies and first responders in the vicinity with the operational design domain, where testing of driverless autonomous vehicles is being conducted, and the department with the Internet Web site address where the law enforcement interaction plan may be accessed.

Local law enforcement agencies should be familiar with the law enforcement interaction plan for each autonomous vehicle manufacturer with an approved DMV autonomous vehicle testing permit or approved autonomous vehicle deployment permit within their agency's boundaries. This is extremely important for both public and officer safety when interacting with an autonomous vehicle that has been involved in a crash or during an enforcement contact.



It is the responsibility of the manufacturer to provide the law enforcement interaction plan to first responders within the operational design domain. In addition, the CHP Commercial Vehicle Section will have plans available on file. The Commercial Vehicle Section may be reached at (916) 843-3400; a link to the plans can be located on the Web at <https://www.chp.ca.gov/Programs-Services/Programs/Commercial-Vehicle-Section>.

### Crashes Involving an Autonomous Vehicle

Upon arrival at a crash involving an autonomous vehicle, knowledge of the law enforcement interaction plan will help ensure safety while allowing for the efficient investigation and mitigation of the crash scene. After the crash scene is deemed safe, the investigating officer should take the appropriate crash investigation steps while referring to the law enforcement interaction plan for such items as how to determine if the autonomous technology was engaged. For an autonomous vehicle operated without a driver present, it may be possible to contact the remote operator of the autonomous vehicle to obtain a statement. Officers should not rely solely upon this possibility and should conduct a thorough investigation based upon all factors available (e.g., physical evidence, witness statements, damage to the involved vehicles).

Autonomous vehicle technology is quickly evolving. With this new technology, there will be unanticipated challenges and situations. The preceding sections provide some guidance for officers as autonomous vehicles are deployed, but it is imperative that officers use sound, professional judgment when contemplating any enforcement actions.

Any questions regarding this AAIB should be directed to Enforcement and Planning Division, at (916) 843-3330.

OFFICE OF THE COMMISSIONER

OPI: 060

DISTRIBUTION: Allied Agency List



*Kern County*

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**ISSUE: 18-47**

**TRAINING BULLETIN**

**DATE: November 19, 2018**

### **Detentions Bureau Manual Policy Updates: B-550, C-200 and O-500**

The changes listed below have been made to the Detentions Bureau Policy and Procedure Manual and are effective as of November 19, 2018.

The new policy is available in the official version of the Detentions Bureau Manual which is located on the "Detentions Bureau" page of the SharePoint website. In accordance with DBPPM A-200, any printed copies of the manual kept in the facilities will be maintained and updated from this source.

Please note: This update bulletin provides only a summation of the new policy. Please review the policy to ensure that you are familiar with it.

#### **B-550: Emergency Fire Procedures**

This policy has been revised as follows:

- Updated to reflect current terminology and titles;
- Definition of Facility Control updated to include Justice Facility
- Procedure 'B' revised to specify that supervisor will request Fire Department response if appropriate;
- Procedure 'B' revised to specify that the Section Manager will make notification to the Division Commander (previously notification to Chief Deputy);
- Procedure 'C' revised to specify that once a fire has been contained and extinguished, the Shift Supervisor will contact the Fire Department to notify them of the fire and determine if any further response is necessary.

#### **C-200: Suicide Prevention Programs**

This policy has been revised as follows:

- Directive 9 revised to specify that if an inmate is placed on suicide watch due to self-injurious behavior, the Shift Supervisor shall send an email to the Compliance Sergeant and Correctional Behavioral Health prior to the end of the shift;

- Procedure 'A' revised to specify that if an inmate is placed on suicide watch as the result of a suicide attempt, the JMS incident shall include incident type codes 7014: Attempted Suicide and 4017: Suicide Watch;
- Procedure 'F' revised to reflect current method of determining which incidents shall be reviewed and specific personnel required to attend the incident review.

### **O-500: TASER Use In Detentions Facilities**

This policy has been revised to be specific to current practices in Detentions. Obsolete directives regarding documentation of TASER assignment and material which is covered under Department Policy F-800 have been removed.

Attachment 'A' has been deleted as it is no longer necessary.

\*Note – The paper TASER activation form is no longer used for documentation – TASER use will be documented in the Use of Force reporting system.

## **IMPORTANT**

Please **SIGN IN** to acknowledge your reading after  
reviewing the **Training Bulletin**

**18-47 Detentions Bureau Manual Policy Updates: B-550, C-200  
and O-500**

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**ISSUE: 18-48**

**TRAINING BULLETIN**

**DATE: December 3, 2018**

### **California Based International Plan - Electronic Cab Cards**

Please refer to the following State of California Department of Motor Vehicles Law Enforcement Information Memorandum: 18-19 for information regarding the new International Registration Plan electronic cab cards policy.



**LAW ENFORCEMENT INFORMATION MEMO: 18-19**  
**SUBJECT: California Based International Plan**  
**Electronic Cab Cards**  
**Memo Date: November 20, 2018**

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**Purpose**

To inform law enforcement of the new International Registration Plan (IRP) electronic cab cards policy.

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**Background**

IRP Ballot 412 (Electronic Image of Cab Card) was approved in 2017. IRP requires that base jurisdictions issue evidence of registration for apportioned vehicle(s) registered under the Plan. This policy change is intended to allow IRP registrants and jurisdictions more flexibility in issuing and presenting evidence of registration.

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**New Information**

Effective January 1, 2019, an IRP carrier may present either a paper or electronic IRP cab card. All participating IRP member jurisdictions are required to accept electronic images of IRP cab cards, if presented, as evidence of apportioned registration.

IRP credentials/cab cards may be presented to law enforcement as an electronic image. Acceptable evidence of registration may include, but are not limited to, images presented on a computer, iPad/tablet, smartphone, or a paper copy. IRP carriers will no longer be required to carry a paper IRP cab card. Regardless of the format presented, the evidence of apportioned registration must be accurate, accessible, and readable.

Authority/References: California Vehicle Code §§8000 and 8052, International Registration Plan, Article VI (Credentials).

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**Contact**

Questions regarding the information contained in this memo or changes to the e-mail distribution list may be directed to the Justice and Government Liaison Branch at (916) 657-7732 or via e-mail at [jaglaw@dmv.ca.gov](mailto:jaglaw@dmv.ca.gov).

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Deputy Director  
Communication Programs Division

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ISSUE: 18-49

**TRAINING BULLETIN**

DATE: December 14, 2018

### **New Kern County Sheriff's Office "Marsy's Rights" Notification**

On November 4, 2008, the California State electorate passed Proposition 9, also named "Marsy's Law." Proposition 9 creates a number of personally held and enforceable constitutional rights for victims of crime. **It expands the definition of "victim" to include not only the immediate target of the criminal activity but the person's spouse, parents, children, siblings, or guardian, as well as the lawful representative of a crime victim who is deceased, a minor, or physically or psychologically incapacitated.**

The Kern County Sheriff's Office has updated the "Marsy's Rights" Card. The new card includes updated information a victim will need to obtain local and state services that are offered to them. This updated card will replace the old Marsy's Card. Please destroy any of these old cards properly after you have replaced your supply with the new forms.

As required by Proposition 9, the card contains a list of the victim's rights, an 800 number victims may contact for additional information, and a list of various government funded agencies that may also be of assistance. The card will be provided to all victims at the time of initial contact, during the follow-up investigation, or as soon thereafter as possible.

The revised "Marsy's Rights" cards have been updated with the following information:

- Victim/Witness has been changed to Victim Services.
- Victim Services phone number has been updated.

Attached is the card in English and Spanish. The new cards will need to be printed on 8.5 x 14 inch paper. Print the document double sided. Once printed, fold the document in half so the large badge will be in front and then fold in half one more time. This should place the badge on front and the box for the report number on the back.

The updated Marsy's Rights Card can also be found on SheriffNet in the Forms Library or by following the links below.

[http://sharepoint/FormsLibrary/Forms%20Library/Marsys\\_Card\\_English.pdf](http://sharepoint/FormsLibrary/Forms%20Library/Marsys_Card_English.pdf)

[http://sharepoint/FormsLibrary/Forms%20Library/Marsys\\_Card\\_Spanish.pdf](http://sharepoint/FormsLibrary/Forms%20Library/Marsys_Card_Spanish.pdf)



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**ISSUE: 18-50**

**TRAINING BULLETIN**

**DATE: December 20, 2018**

**Kern County Probation Department Memorandum: Senate Bill 439**

Please read the following memorandum from the Kern County Probation Department concerning SB 439 amending Sections 601 and 602 of the Welfare and Institutions Code. The new law is effective January 1, 2019.

# KERN COUNTY PROBATION DEPARTMENT

## MEMORANDUM



**TO:** Kern County Chief Law Enforcement Officers' Association

**DATE:** 12/19/18

**FROM:** TR Merickel  
Chief Probation Officer

**SUBJECT:** SB 439

SB 439, amending Sections 601 and 602 of the Welfare and Institutions Code becomes law effective January 1, 2019. This law defines the minimum age a minor must be to fall under the jurisdiction of the Juvenile Court and be adjudged a ward of the court as being 12 years of age. The only exceptions to the minimum age of 12 requirement is if such a minor is alleged to have committed one of the following offenses:

- Murder
- Rape by force, violence, duress, menace, or fear of immediate and unlawful bodily injury.
- Sodomy by force, violence, duress, menace, or fear of immediate and unlawful bodily injury.
- Oral copulation by force, violence, duress, menace, or fear of immediate and unlawful bodily injury.
- Sexual penetration by force, violence, duress, menace, or fear of immediate and unlawful bodily injury.

Based on this new law limiting the age by which a minor can fall under the jurisdiction of the Juvenile Court for alleged criminal activity, effective January 1, 2019, Juvenile Hall will no longer accept bookings of youth under the age of 12 unless they are alleged to have committed one of the aforementioned offenses.

The Probation Department point of contact concerning this matter is Division Director William Dickinson. He can be reached at 661-868-7482.

The law also adds Welfare and Institutions Code 602.1, which requires each county to put into place "appropriate measures" (outside of the juvenile justice system) to address minors under 12 that come into contact with law enforcement. This specific statute becomes effective on January 1, 2020. The Probation Department will help coordinate this effort over the coming year.



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**ISSUE: 18-52**

**TRAINING BULLETIN**

**DATE: December 21, 2018**

### **Annual Pursuit Training PC 13519.8 Compliance**

To be in compliance with PC 13519.8, **all** sworn personnel, with the exception of Detention Deputy Classifications, who are authorized to operate a Code 3 (marked/unmarked) equipped vehicle, must have mandatory pursuit training on an annual basis. To maintain compliance with this state statute the Training Section has developed a Power Point presentation and driving test on SheriffNet. The reading of the power point, which includes pursuit training, and the taking of the driving test will satisfy the annual pursuit training requirement of PC 13519.8. The review of the power point and taking of the test will have to be completed on an annual basis at the beginning of each year. Supervisors will assure their personnel complete the training and driving test each year. The Training Section will distribute the power point and test annually.

Per PC 13519.8(c)(1); all law enforcement officers who have received their basic training before January 1, 1995 shall participate in supplementary training on high speed vehicle pursuits, as prescribed and certified by the commission. The power point presentation and driving test on SheriffNet will also satisfy the statute requirement for personnel who fall under this category.

It is important that supervisors assure their personnel complete this training. Sworn personnel who have to complete this mandatory training will need to complete the reading of the power point and taking of the test by January 31, 2019. Sworn personnel must get all 10 test questions correct to pass the test. Supervisors can click the following link to assure their personnel completed the annual pursuit training.

Please use this link to take the test:

<http://sharepoint/IVB/PersonnelDivision/Training/SitePages/DrivingTest.aspx>

Use this link below to review the test results: (Only for supervisors and Sergeant above).

[http://sharepoint/IVB/PersonnelDivision/Training/Lists/DrivingTest\\_2017/2018DrivingTestResults.aspx](http://sharepoint/IVB/PersonnelDivision/Training/Lists/DrivingTest_2017/2018DrivingTestResults.aspx)

If you are unable to access the links when you click on them, you can go to SheriffNet, Investigations Bureau, Personnel Division, Training Section. The Training Section web page will have access to the power point and test.