



Kern County Sheriff's Office

Policies and Procedures

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

POLICY

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

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

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

PROCEDURE

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

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

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

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

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

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