



Kern County Sheriff's Office
Investigations Division

TITLE:	Guidelines for Witness Interviews - Major Case Investigations	NO: A-200	
APPROVED:	Commander Raul Murillo		
EFFECTIVE:	REVIEWED:	REVISED:	UPDATED:
05/15/2008	03/24/2023	12/18/2019	03/24/2023

POLICY

Deputies conducting follow-up investigations at a major crime scene such as a homicide, assault with a deadly weapon, and Officer Involved Shootings, are asked to use discretion when they anticipate transporting “witnesses” to a Sheriff’s facility for a statement.

A “witness” is not mandated by law to give a statement or otherwise cooperate with law enforcement. They are not required to accompany an officer to a Sheriff’s facility for a statement. To coerce, bluff, threaten or force a witness to accompany an officer to a Sheriff’s facility may be ruled an illegal detention/arrest and will result in disciplinary action.

Detectives assigned to the Detective Section will utilize the following procedures when investigating major cases.

PROCEDURE A - Guidelines for transporting witnesses to a Sheriff’s Facility

1. Obtain written and/or BWC recorded consent to voluntarily accompany officers to the more relaxed environment of the Sheriff’s facility.
2. If probable cause exists for an arrest of a “witness,” such should be exercised and articulated when appropriate (even if the individual is later released per PC 849(b) after further investigation).

If an individual turns out to be nothing more than a hostile witness, who does not want to give a statement to investigating officers, detectives will attempt to obtain identifying information and document their efforts in a report. It is strongly recommended that the witness’s refusal to cooperate or their denial of any knowledge about the investigation be recorded by BWC.