

KERN COUNTY SHERIFF'S OFFICE

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TRAINING BULLETIN

DATE: September 26, 2025

Update and Clarification to Training Bulletin 25-31

On June 23, 2025, Training Bulletin 25-31 was disseminated in relation to established Welfare & Institutions (W&I) Code sections 23020, 23022, and 23024 pursuant to Assembly Bill 2020. It should be noted the training bulletin referenced Assembly Bill 1874 in error, and the correct Assembly Bill that established W&I 23020, 23022, and 23024, was Assembly Bill 2020. The legislation outlined in W&I Code sections 23020 and 23022 require law enforcement agencies to establish and maintain written policies regarding interactions with survivors of human trafficking by December 1, 2026. The policies that shall be created must align with guidelines developed by the Commission on Peace Officer Standards and Training (POST).

On September 23, 2025, POST released the Human Trafficking guidelines update, which is available for viewing on the POST website. The POST guidelines includes a generic waiver of rights to an advocate form. KCSO's Human Trafficking Policy is now under development, and our official version of the waiver form is being established. To clarify, personnel are not required to have a suspected human trafficking victim sign a waiver of advocacy prior to continuing the interview, until the KCSO waiver of advocacy form is established and released concurrently with KCSO Human Trafficking Policy. Once the Human Trafficking policy and advocacy waiver form has been established, a follow up training bulletin will be disseminated.

Additionally, to clarify when/if a victim's cellular phone may be seized, personnel are reminded that it is legal to seize a phone as evidence as the situation necessitates and the seizure is done in compliance with search and seizure laws (e.g. search warrant, incident to arrest, consent, or exigency, etc.). However, just because you believe a phone may have evidence does not mean you may automatically seize it from a victim. If deputies have not yet secured a warrant but have probable cause to believe that a cell phone contains evidence relating to a crime, then they may be legally permitted to seize the cell phone for the time necessary to secure a warrant. This authorization stems from *United States v. Place*, 462 U.S. 696 (1983), which states:

Where law enforcement authorities have probable cause to believe that a container holds contraband or evidence of a crime, but have not secured a warrant, the Court has interpreted the [Fourth] Amendment to permit seizure of the property, pending issuance of a warrant to examine its contents, if the exigencies of the circumstances demand it or some other recognized exception to the warrant requirement is present.

For all investigations, personnel should also be aware that pursuant to *Riley v. California*, 573 U.S. 373 (2014), the U.S. Supreme Court's ruling requires deputies, in the absence of exigent circumstances, to obtain a warrant before viewing the contents of a cellphone seized after an arrest.

If it is necessary to seize the victim's phone, bear in mind it tends to reinforce the negative view of law enforcement the abuser has conditioned the victim to believe. By taking the phone during the first contact, the victim will be further isolated, less likely to accept services, and significantly less likely to disclose the abuse and cooperate with the investigation.

All staff holding the Deputy Sheriff, Detentions Deputy, Park Ranger, and Community Service Technician ranks are required to review and acknowledge this training bulletin **no later than October 24, 2025.**