

Kern County Monitors

Fourth Annual Report



January 2025

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I. INTRODUCTION

This is the fourth annual report issued by the Kern County Monitors. It provides observations by the Monitoring Team (MT) on the progress made by Kern County and the Kern County Sheriff's Office (KCSO, or Sheriff's Office) in meeting the requirements of their Stipulated Judgment (SJ) with the California Department of Justice (DOJ). KCSO, Kern County, and DOJ together are referred to as the Parties. This report focuses on work undertaken from February 2024 through January 2025.

During this reporting period, the Monitoring Team (MT) worked with the Sheriff's Office, Kern County staff, and DOJ on policy revisions, provided technical assistance as needed, conducted site visits and field observations, continued to evaluate KCSO's available data collection processes and systems, published KCSO's first community survey, and conducted various reviews to assess compliance and to inform and guide upcoming audits and compliance assessments. We also met on multiple occasions with the committed members of KCSO's Community Advisory Council (CAC) as well as other community representatives.

KCSO has focused on generating and revising policies for compliance and, often with technical assistance from MT subject matter experts, has produced a considerable number of policies for review and discussion. KCSO staff, in particular the Compliance Bureau, have been diligent, collaborative, and prompt in the course of developing policies, providing necessary reports, responding to questions, and making revisions, and have been very collaborative in working with the Monitors and DOJ during the review and approval processes, which can be quite tedious and challenging. Toward the end of 2024, KCSO, DOJ, and the MT collectively prioritized the review and approval of policies related to use of force (UOF) and the complaint policies; many of these policies are now very close to being found in compliance.

In our third annual report, we reported that there had been delays in the review and approval of policies and other documents, which at that time were partly due to workflow and staffing issues internal to the MT. As expected, the repercussions of those delays continued to impact the work in this reporting period. Compliance for training and implementation by KCSO cannot be achieved until policies are approved. We are glad to report that the pace of reviews has increased. Nevertheless, the Monitors will continue to look for additional ways to increase the efficiency of our review processes. Also in the current reporting period, a member of the MT who had focused on Canines and Complaints left the team. The Monitors, in consultation with DOJ and KCSO, are currently considering prospective replacements who have the knowledge and skills to help move the work forward. In the interim, other MT team members stepped in to handle that work, a process that has allowed the work to continue after a period of adjustment.

KCSO has also been successful in advancing a significant amount of work during this reporting period, leading to compliance or partial compliance on numerous SJ paragraphs. Each section of this report highlights where notable progress has been evident, and we hasten to add that are several areas deserve particular recognition.

The behavioral mental health section is one where KCSO has achieved compliance with most of the provisions and sustained compliance with several. The Monitors note that the Sheriff's Office is

displaying a commitment to creating a culture of continual improvement and has trained almost 100% of staff on the crisis intervention training. KCSO has established a dispatch triage program where calls involving individuals in crisis can be effectively and immediately handled by trained and skilled non-sworn personnel. Further, KCSO is implementing a special unit in the Lerdo facility that will be dedicated to working with incarcerated individuals with behavioral and mental health issues.

KCSO and Kern County Human Resources have also made significant progress on the human resources section of the SJ, with compliance evident in multiple areas. Their efforts have resulted in greater success in attracting and hiring well-qualified individuals and reducing the staffing vacancies that had severely impacted operations throughout the department. Careful assessments continue to be conducted to evaluate each stage of recruitment, hiring, and promotions to ensure these processes are transparent, fair, and effective.

A strong commitment to accountability, management oversight, and continual self-assessment and improvement are keystones that are evident among modern, high-performing law enforcement agencies. The Monitors note increasing evidence of this and growth in these areas at KCSO, as exemplified by thorough and conscientious managerial reviews of UOF and complaint investigations and professional, independent auditing by the Professional Standards Unit (PSU).

We appreciate the commitment and collaborative spirit that KCSO, County personnel, and the CAC have continued to show over the past year. We also would like to acknowledge the contribution of the many community members who may not all have an official role on the CAC but who continue to routinely participate in community meetings, discussions with the monitors, and flag SJ-related issues for Monitors' attention. We look forward to a productive 2025.

THE STIPULATED JUDGMENT

The Stipulated Judgment (SJ) between the California Attorney General, KCSO, and Kern County was filed with the Kern County Superior Court in December 2020.

The agreement stemmed from an investigation of KCSO by the California Attorney General, which alleged a pattern or practice of unconstitutional conduct, including excessive force and unreasonable stops, searches, and seizures. KCSO and the County agreed to undertake reforms intended to ensure that they protect individuals' statutory and constitutional rights, treat individuals with dignity and respect, and promote public safety in a manner that is fiscally responsible and responsive to community priorities.

The SJ identifies eight key areas of reforms and objectives: Use of Force; Stops, Seizures, and Searches; Responding to and Interacting With People With Behavioral Health Disabilities or in Crisis; Management and Supervisory Oversight; Language Access; Recruitment, Hiring, and Promotions; Community Policing; and Personnel Complaint Review.

The SJ also requires that a professional Monitor be selected to track and assess progress by KCSO and the County in implementing and achieving compliance with the SJ and report on the status of implementation to the Parties (DOJ, KCSO, and the County) and the Court. The Monitors and their team of subject matter experts work with the Parties to address obstacles to achieving compliance and provide technical assistance when requested. This annual report is provided by the Monitors pursuant to SJ paragraph 185.

KCSO provides law enforcement services in the unincorporated areas of Kern County and via contracts with some cities in Kern County. These include some unincorporated areas in the Bakersfield metropolitan area that are not under Bakersfield Police Department jurisdiction. KCSO's headquarters are in Bakersfield, with 14 substations serving outlying areas. The SJ also applies to KCSO activities at the Justice Inmate Reception Center (IRC) and the Lerdo Detention Facilities in Bakersfield.

THE MONITORING TEAM

The selected Monitors, Dr. Angie Wolf and Joseph Brann, brought together an experienced and motivated team with credentials and skills uniquely suited to the SJ work. In place since February 2021, the two Monitors and six team members have extensive expertise and experience in monitoring and evaluation work in policing and corrections.

Several members of the Monitoring Team (MT) have served in law enforcement. Some have served in leadership positions in law enforcement or corrections agencies that were being monitored under a settlement agreement or consent decree and therefore are familiar with the unique challenges that large organizations face in those circumstances. Other members are attorneys with extensive experience working with the state or federal justice departments, with law enforcement agencies, and with communities involved in legal actions or otherwise organized to seek improvements in the governmental services provided in their area. The MT includes highly experienced governmental auditors who will conduct professional audits using the standard of due professional care. MT members also have expertise in dealing with the diverse issues addressed in the SJ, such as those related to use of force, training, data collection and analysis, survey methods, and the complexities of community engagement. In addition to having experienced researchers on the MT, the Monitors partner with experts in survey research and criminal justice–related statistical analysis from leading universities when undertaking these activities.

Kern County Monitoring Website

The Monitors created a website that allows Kern County community members to learn more about the SJ, the backgrounds of MT members, and the monitoring activities; be alerted to upcoming events and meetings; access documents related to the SJ and the monitoring work, such as MT annual reports, community surveys, and MT audits; follow links to KCSO's homepage and other relevant websites; and submit questions and comments directly to the MT.

The website's URL is <https://kcsomonitoring.info/>

II. WORK TO DATE

A. USE OF FORCE

"Broadly speaking, the use of force by law enforcement officers becomes necessary and is permitted under specific circumstances, such as in self-defense or in defense of another individual or group."¹ The substantial majority of America's peace officers serve their communities admirably as they face the inherent challenges and risks associated with the policing profession. But even one bad encounter damages the trust that law enforcement professionals dedicate their lives building. Consequently, the proactive management of the use, investigation, and adjudication of force by peace officers is one of the highest priorities of law enforcement executives, who must ensure that their agency's UOF policies,

¹ The National Institute of Justice, <https://nij.ojp.gov/topics/articles/overview-police-use-force>

training, investigations, and review processes are consistent with the profession's best practices. Toward that end, nationally recognized "best" and/or "promising" practices and the Stipulated Judgement requirements help the Sheriff's Office ensure:

- KCSO use-of-force policies are comprehensive and consistent with the core values of the department and policing profession;
- Deputies and supervisors are adequately trained and held accountable to those policies; and
- Managers must objectively and competently review and adjudicate use-of-force investigations.

1. UOF POLICY

Since early in the monitoring period, the force subject matter expert (SME) on the MT has been providing technical assistance to KCSO in the development and revision of their use-of-force policies. Each stage of review of these policies typically results in several iterations being exchanged between the parties. As part of this process, KCSO also shares drafts of the policies with the CAC for discussion and feedback (SJ paragraph 10). When the policy is close to SJ compliance, it is shared with the Monitors for further feedback and revision and, in turn, with DOJ. Any issues identified are discussed among the parties, with further revisions made until the policy is ultimately approved by the MT and DOJ.

Between January and March 2023, KCSO submitted the following policies for compliance assessment.²

- F-100: Use of Force—General and Deadly Force
- F-150: Use of Force—Use of Firearms: Detentions Deputies³
- F-200: Use of Force—Reporting⁴
- F-250: Use of Force—Blue Team
- F-300: Use of Force—Control Holds
- F-350 Use of -Force—Handcuffs and Restraints⁵
- F-400: Use of Force—Oleoresin Capsicum
- F-500: Use of Force—Baton⁶
- F-550: Use of Force—Personal Weapons⁷

² KCSO also revised and submitted its Use of Canine policies, which are discussed in the Canine section.

³ At the time of submission, F-150 was Handcuffs and Restraints. It was subsequently changed to Use of Firearms: Detentions Deputies and was promoted from a Detentions Bureau Policy to a Department Policy. Handcuffs and Restraints was renumbered to F-350.

⁴ This policy was previously a component of Policy F-100 and has been separated out as a stand-alone policy.

⁵ F-350 was previously "Use of Force—Hobble Restraint", which KCSO intends to rescind.

⁶ This policy has been renumbered and was previously "Use of Force, Carotid Restraint," which was deleted after adding Government Code 7286.5.

⁷ This policy has been renumbered and was previously Policy Number F-0650.

- F-600: Use of Force—Conducted Electrical Weapon⁸
- F-900: Extended Range Impact Weapons
- F-1000: Firearms, Involved Officer Status
- F-1100: Investigation of Critical Incidents
- F-1200: Critical Incident Review Process

As previously reported, our initial assessments revealed that while these policies reflected significant improvement over previous iterations, more revisions were needed to comply with the SJ. KCSO and members of the MT have continued to work together to develop and improve upon these policies to ensure they are consistent with the SJ and current legal mandates. On October 23, 2023, KCSO resubmitted 11 of these UOF-related policies. This second round of policy submissions resulted in additional feedback and multiple site visits by MT members who continued to work collaboratively with KCSO.

As part of the ongoing collaboration between the MT and KCSO, in September 2024 the MT prepared a Strategic Defense De-Escalation Techniques Directive, which was submitted to KCSO on September 26, 2024. (De-escalation is also addressed in F-100: General and Deadly Force.) KCSO was appreciative, and the directive is being considered for inclusion in the department's de-escalation training.

From September through November 2024, KCSO submitted the following draft policies.

- F-200: Attachment A—Use of Force Matrix
- F-200: Attachment B—Supervisory Use of Force Investigation Form
- F-200: Attachment C—Supervisory Use of Force Investigation and Managerial Review Forms
- F-700: Electronic Mobilization Shield⁹
- F-800: Use of Force—Extended Range Impact Weapons (FN 303 Launcher)¹⁰
- F-810: Use of Force—Extended Range Impact Weapons (40 MM)
- F-820: Use of Force—Extended Range Impact Weapons (Pepperball)
- F-1300: Crowd Control
- F-1300: Crowd Control Attachment
- P-600: Emergency Care for Individuals Under Sheriff's Officer Care or Control
- M-700: Use of Force—Training
- M-800: Training Committee

⁸ This policy has been renumbered and was previously Policy Number F-0800.

⁹ Policy F-0700 was previously Use of Deadly Force, but with the passage of AB 392/SB 230 was merged into existing Policy Number F-100. The Electronic Immobilization Shield policy was previously a Detentions Bureau policy that was promoted to a Department Policy.

¹⁰ Policies F-800 through F-820 were previously consolidated within Policy Number F-900 but were trifurcated at Monitors' request.

We note that the Crowd Control policies submitted are not required by the SJ but KCSO nevertheless asked for MT feedback to ensure they are in alignment with SJ topics.

The review of these policies has resulted in several iterations being exchanged between KCSO and the Monitoring Team. We are pleased to say that KCSO has been extremely responsive to our input, recommendations, and considerations, even on issues that are not SJ mandates. All the policies submitted are now being collaboratively reviewed by the Monitors and DOJ.

Although all force policies have not yet received final approval, the mt finds that there are several SJ provisions with which KCSO is currently in compliance due to the fact that the particular language addressing those provisions has been agreed to by the parties and is included in the current policy. These provisions include the policy requirements of SJ paragraphs 3 (except for 3o and 3r), 5, 6g, 7, 8, 9, 10, and 29–49. KCSO reports that their UOF training has also been updated to reflect the SJ in some cases, but training has not been reviewed by the MT.

2. UOF TRAINING

Following final approval of the policies, KCSO, with MT assistance, will continue the process of revising the current UOF and de-escalation training it provides all deputies to reflect any changes related to the SJ as well as changes to state law. The MT subject matter expert will assist in this process; as a start, KCSO recently submitted its UOF training expanded course outline for MT review. The Monitors and DOJ will then review the training materials and, if necessary, observe the training delivery. Following training approval and implementation, the MT will discuss with the parties the appropriate time and process by which the MT will audit uses of force in order to assess whether each policy and training is being reflected in KCSO practice.

Until policies are found to be in compliance by the Monitors and DOJ, KCSO cannot finalize any related new or revised training and submit it for approval. The Monitors note that the lack of approved trainings does not necessarily reflect a lack of commitment on the part of KCSO to update their training. It also does not mean that KCSO's current training necessarily runs contrary to the SJ. In fact, KCSO has reported they have already made SJ-related changes to the current training in many cases. Besides a recently submitted expanded course outline, the MT has not reviewed the trainings, but we will do so after the policies are approved and KCSO confirms it has made any remaining changes to the curriculum and training delivery in order to ensure they reflect the new policies and SJ.

In the meantime, KCSO has developed and submitted for compliance assessment the M-700 UOF Training Policy, which codifies state law training requirements, and the M-0800 Training Committee Policy (SJ paragraph 51), which the MT finds to be an excellent risk management process that should effectively serve the department and, by extension, the Kern County community. That policy requires that the Training Committee shall include personnel from the Training Section, Internal Affairs, Professional Standards, and use-of-force subject matter experts. The members of the Training Committee shall be selected based on their abilities related to post-incident evaluation and assessing related training needs. The Training Committee will review and evaluate uses of force, as well as other incidents as directed, to determine whether any deviation from training occurred, whether revised training would likely improve future outcomes, or whether additional training is needed to reduce the

recurrence of undesirable issues related to an incident. Following a review, the Training Committee will submit training recommendations to the Personnel Division Commander for review and appropriate departmental action.

3. INCIDENT REVIEW BOARD

KCSO policy, the SJ, and best practices require that after an investigation is completed, an Incident Review Board (IRB) shall evaluate all uses of force that:

- Result in death;
- Involve a subject of force sustaining serious bodily injury;¹¹ or
- Involve the use of deadly force.¹²

In addition to assessing the IRB itself, observing KCSO IRB processes is one of the ways the MT assesses the thoroughness and appropriateness of KCSO's investigation and adjudication of force. In 2024, there were four deputy-involved lethal use of force incidents. The MT and DOJ attended the IRB for each of those incidents. In each case, the investigation was completed and submitted to the IRB within approximately five weeks, which is commendable. The IRB panels asked relevant and appropriate questions associated with law and policy compliance, training standards, and tactics. In each IRB, the panel assessed:

- The severity of the crime;
- The immediacy of the threat;
- The subject's active resistance;
- Proportionality;
- De-escalation;
- Planning;
- Command and control;
- Training and tactical issues; and
- Policy compliance.

Each use of force was found by the IRB to be in policy, and the MT agreed with those findings in each case. The MT also agreed with the IRB findings associated with tactical considerations in a case

¹¹ "'Serious Bodily Injury' means a serious impairment of physical condition, including but not limited to a bodily injury that involves a substantial risk of death, unconsciousness, protracted, and obvious disfigurement, or protracted loss or impairment of the function of a bodily member or organ." California Penal Code 243(f)(4) and Gov. Code, § 12525.2(d).

¹² According to SJ paragraph 3e and CA Pen. Code, § 835a, "deadly force" means any use of force that creates a substantial risk of causing death or serious bodily injury; deadly force includes, but is not limited to, the discharge of a firearm.

associated with the donning of safety equipment and three cases where training considerations were identified and addressed.

Each IRB satisfied SJ paragraph 48, which requires that IRB reports provide a detailed rationale for their findings and examine not just the deadly force that was used, but the entirety of the deputy-involved shooting incident, including the tactics used, or not used, leading up to the use of force.

As a means to inform the public about all deputy-involved shootings as required by SJ paragraph 39, following each IRB, KCSO posts a Critical Incident Video on the Transparency Page of its public website. The page also has links to deputy-involved shooting statistics and information relating to in-custody deaths. The outreach and community forum component of SJ paragraph 39 will be addressed when KCSO's Community Policing Policy, Strategic Plan, and Community Meeting Attendance Plan are approved by the DOJ and MT (see Community Policing section).

4. ANNUAL REPORT

To comply with SJ paragraphs 55–58, KCSO has included UOF statistical data in its annual report, which is posted on its website and available to the public. The 2023 report shows that KCSO policy sets higher standards than mere compliance with the law, such as in the variety of less lethal options available to deputies, which minimizes the likelihood of serious bodily injury to suspects and or deputies. The annual report includes but is not limited to a detailed discussion on:

- KCSO use-of-force philosophy and performance evaluations;
- Relevant case and statutory laws;
- De-escalation;
- Proportionality;
- Factors associated with the determination of reasonableness;
- Less-lethal force options;
- Less-lethal force options usage; and
- Use-of-force injuries.

Additionally, the summary of the statistics reported includes the following.

- Approximately 387,564 public contacts involved KCSO deputies.
- There were 6,408 arrests by KCSO deputies.
- Of the 6,408 arrests, 634 (9.89%) involved a use of force. In comparison, in 2022 11.65% of all arrests involved a use of force.
- Two (0.32%) of those 634 uses of force in 2023 resulted in an officer involved shooting. The number of OIS cases was more than halved over the previous year.

In the 2025 reporting period, the MT and KCSO will discuss additional assessments of UOF data that KCSO may undertake to ensure they have a clear understanding of any relevant issues or trends and that may require corrective action, and to ensure compliance with SJ paragraphs 55–58.

5. NEXT STEPS FOR KCSO

Continued progress toward compliance with the use, investigation, and adjudication of force can only be achieved by KCSO's ongoing and consistent attention to the following activities.

- Once the policies and procedures have been revised and approved, KCSO will develop or revise training on updated policies (in accordance with SJ paragraphs 50–54). Training materials will be submitted to the MT and DOJ for compliance assessment. After approval, KCSO will provide the training to all affected personnel, including deputies and those responsible for investigating and adjudicating UOF and canine apprehensions.
- KCSO will continue to conduct its annual UOF analysis required in SJ paragraphs 55 and 56.
- KCSO will continue to document the results of these analyses in a public report (SJ paragraphs 58 and 59).
- KCSO will continue to cooperate and assist with the MT's various information requests, reviews, and audits and with the development of compliance metrics.

6. NEXT STEPS FOR THE MT

The MT will focus on the following.

- Continue to provide consultation and technical assistance to KCSO, DOJ, and the CAC in the development of force training and policies governing the use, investigation, review, and adjudication of force by KCSO employees.
- The MT will continue to provide technical support in the development of de-escalation training.
- The MT will evaluate and approve all submitted training in a timely manner.
- Once policies and related training have been approved and implemented, the MT will verify that the required training is consistently provided to appropriate personnel.
- The MT will continue to attend and assess KCSO's IRB reviews of lethal uses of force.
- Once UOF policies and related training have been approved and implemented:
 - » The MT will conduct routine reviews of non-lethal UOF incidents and of KCSO's investigation, review, and adjudication of those incidents;
 - » Following a timeline and methodologies to be agreed upon by the parties, the MT will conduct a series of reviews or mini-audits to provide KCSO with timely feedback on any process issues and/or risk exposures;
 - » Following a timeline and methodologies to be agreed upon by the parties, the MT will conduct formal compliance audits to determine KCSO's progress toward achieving SJ compliance with the training, use, investigation, and adjudication of force by KCSO employees.

- The MT will be available to review and provide feedback on KCSO's UOF analysis (paragraphs 55 and 56).

B. USE OF FORCE: CANINES

KCSO has done much work to bring its canine operations into compliance with the SJ, including updating canine policies to comply with the SJ, conducting quarterly canine audits, and writing and publishing an annual report that includes canine deployment statistics. At this time, a comprehensive foundation has been established and substantial progress toward compliance is underway.

1. CANINE POLICIES

In 2021, soon after the SJ was signed, KCSO began modifying its practices to meet SJ requirements regarding the manner in which they deploy canines so as to be in accordance with SJ paragraph 12 and other provisions. SJ paragraph 12 states:

KCSO is in the process of modifying its canine-related policies and training so that its canines are deployed in a manner consistent with "find and bark" rather than "find and bite" approaches.¹³ KCSO's policy of training and deploying canines shall continue to be based on searching and locating subjects to be apprehended rather than immediately resorting to employing force, except when exigent circumstances or an immediate threat is evident. KCSO will continue to ensure its canine policies and related training are consistent with contemporary police best practices, including a process for conducting and promoting ongoing feedback to promote continuous improvements in policies, training, and practices in the field. (SJ paragraph 12)

Specific requirements for canine operations are contained in the other canine provisions (SJ paragraphs 11–28). The MT subject matter experts subsequently worked with KCSO to finalize modifications to the policies related to these changes. Those policies are currently being reviewed for compliance by the Monitors and DOJ.

Prior to the SJ, most of the Sheriff's Office canine policies were developed and maintained as a divisional policy within the Canine Unit. Since then, KCSO has revised its canine policies and appropriately created a chapter in the Department Manual for those policies, which is a standard practice, and places an appropriate emphasis on the policies addressing high-risk activities such as canine operations, canine related use of force, reporting, and adjudication procedures.

As we have previously reported, KCSO initially submitted 16 draft canine policies to the Monitors in May 2021. The MT has provided technical assistance to KCSO in the development of its canine policies, and several iterations have been exchanged over an extended amount of time. Then, in October 2023,

¹³ KCSO, the MT and DOJ have agreed that a "find and bark" approach is consistent with the Handler Control Method as an overall philosophy. The Handler Control Method requires the handler to exercise more control over the canine and over when and how the canine is deployed.

KCSO submitted new versions of the draft canine policies. The 16 separate sections were consolidated into the following four policies:

- F-900 Canine Unit Philosophy and Oversight;
- F-910 Canine Deployment;
- F-920 Detection Canine Deployment; and
- F-930 Canine Training and Records.

Several more iterations of the policies were exchanged with KCSO, and then on June 28, 2024, KCSO re-submitted the updated policies for Monitor and DOJ review. The MT provided technical assistance to KCSO in further development of the policies and resubmitted these policies on October 23, 2024. The policies align with KCSO's draft use-of-force policies, include many best practices, and are in the final review phase by the Monitors and DOJ to assess SJ Compliance.

2. CANINE QUARTERLY AUDITS

KCSO shall establish procedures for auditing canine training, deployment, and administrative documentation, to be performed by the Professional Standards Unit. (paragraph 28)

As we have previously reported, during 2023, the KCSO Professional Standards Unit (PSU) submitted four canine audits to the Monitors and DOJ for review and approval.¹⁴ Each audit reflected an improvement over previous audits, with each one becoming increasingly clear and thorough. During this reporting period, MT staff continued to work with PSU in the development of its annual audit work plans for canine operations. A change in MT staffing led to this work taking longer than expected, but the MT provided KCSO feedback on their first quarter 2024 canine audit and has reviewed a second quarter report as well. The latest iterations of the canine audit work plans were submitted by KCSO just prior to the release of this report, and they reflect substantial improvements and are in the final review process. Once approved, MT staff will provide ongoing consultation and review of KCSO's canine audit procedures and are available to assist KCSO with its canine auditing processes.¹⁵

3. ANNUAL REPORT

Canine data and analysis shall be included in KCSO's Use of Force Annual Report (paragraph 24).

¹⁴ In August 2023, the Monitors reallocated MT staffing resources to address the canine requirements separately from other uses of force so that increased attention could be devoted to this critical area.

¹⁵ We have recommended, and KCSO has agreed to use, the same approach to these audits that is being used for their complaints' audits: Develop an annual audit plan to ensure that all SJ canine requirements are reviewed over the course of a year. By this method, each quarterly audit would address (1) the core requirements of SJ paragraph 28 ("training, deployment, and administrative documentation"); and (2) a portion of the other SJ canine requirements as delineated by the annual audit plan. This would ensure that every canine requirement would be reviewed at least once a year or more frequently if deficiencies are identified.

KCSO includes canine data in its annual statistical report, which is posted on its website and released to the public. For the year 2023, KCSO Canine Teams responded to 5,352 calls for service, and canines were deployed 338 times. Of the 338 deployments, 161 were incidents during which a suspect was located but surrendered without being apprehended by a dog. A canine physically apprehended a suspect and used force on six occasions, which is a decrease of more than 50% from the previous year. By way of comparison, in 2022 KCSO's Canine Teams responded to 5,698 calls for service and were involved in 348 deployments. Of the 348 deployments, 144 were incidents where a suspect was located but surrendered without being apprehended by a dog. A canine physically apprehended a suspect and used force on 13 occasions, or more than twice the number of times as what occurred in 2023.

4. NEXT STEPS FOR KCSO

- Continue working with the Monitors and DOJ in the document review and approval process.
- Continue to conduct assessments and audits to ensure that it is complying with SJ paragraphs 11–28.
- Continue working collaboratively with the MT to further improve quarterly canine audits and audit reports and ensure they thoroughly address all relevant SJ provisions.

5. NEXT STEPS FOR THE MT

- Continue working with KCSO and DOJ to finalize canine policies and procedures.
- Once policies and procedures are finalized, assess KCSO's development of a training program that reflects the updated policy requirements and then monitor the training provided to supervisors and deputies.
- Continue to assist KCSO with its review of canine-related records to ensure training, deployment, and apprehensions are adequately recorded and assessed

C. STOPS, SEIZURES, AND SEARCHES

Paragraph 60 of the SJ summarizes the overall goal for this section.

KCSO will reiterate, train, and emphasize that all investigatory stops, seizures, and searches are conducted in accordance with the rights, privileges, and immunities secured or protected by the Constitution or laws of the State of California and the United States. KCSO will reiterate, train, emphasize and continue to ensure that investigatory stops and searches are part of an effective overall crime prevention strategy, do not contribute to counter-productive divisiveness or tension between KCSO and the community, and are adequately documented for tracking and supervision purposes.

This section details KCSO's progress on the stops-related work required by the SJ. In this reporting period, KCSO made substantial progress toward SJ compliance, especially with developing required policies, formalizing the ways supervisors conduct and document their reviews of deputy activities, and

adding an additional staff person dedicated to building data reports and providing analyses for KCSO leadership.

1. STOPS AND BIAS-FREE POLICING POLICIES

During this reporting period, the Sheriff's Office received approval by the MT and DOJ for two policies: (1) J-2350 Racial and Identity Profiling Act (RIPA); and (2) J-2300 Bias-Free Policing. The MT finds KCSO in policy compliance with SJ paragraphs: 60-71, 74-79, and 81. KCSO submitted the policies to the employee bargaining groups for review and comment. Prior to publication, the draft policies were also sent to the CACs for feedback and comment. KCSO was receptive to feedback from the CAC, the MT, and DOJ throughout the entire process. On May 24, 2024, KCSO distributed Training Bulletin 24-19, which directed staff to review the policies and take a corresponding quiz. Each deputy must receive a passing score on the quiz; if they fail, the deputy must retake the quiz until they pass. Although not required, this often involves additional review of the policy prior to retesting.

The RIPA policy (J-2350) describes the circumstances when electronic data entry must be completed to document stops by KCSO deputies. This was a new policy for KCSO; it is consistent with California law and is in compliance with the requirements of paragraph 66 of the Stipulated Judgment. It outlines the requirements for supervisory reviews of the RIPA form to assess the accuracy and deputy's adherence to the law and policy. It is critical that these RIPA forms are accurately completed by the deputies and that supervisors review the forms before submission to the State of California. This is the primary way for KCSO and the public to understand the enforcement activity and stops of persons made by KCSO deputies. Additionally, this is the primary information used to conduct analysis of stops in the community to detect any disparate treatment or practices leading to counterproductive relationships with the community. This type of analysis is required by paragraph 82 of the stipulated judgment.

KCSO had an existing bias-free policing policy (J-2300), which was instituted on January 1, 2021. KCSO revised the policy to continue to require bias-free policing but to also include additional requirements identified in the SJ. The policy is now consistent with requirements of the SJ, state law, and contemporary best practices, and it addresses procedural justice requirements, requires regular training on bias-free policing concepts, and requires supervisors to regularly review the work of staff and take appropriate action to address concerning patterns or practices, especially those involving potential bias.

KCSO is near completion of a new search and seizure policy which will outline general guidelines for Sheriff's Office personnel to follow when conducting searches and seizures in a variety of circumstances, including but not limited to encounters involving individuals, vehicles, residences, and property, whether with or without a warrant, and under recognized exceptions. As it relates to the SJ, it will also require deputies to notify a supervisor when considering a consent-based search of a home (SJ paragraph 72) and remind deputies to confirm a person's probation or parole status prior to conducting a search (SJ paragraph 73). The policy will also seek to capture search and seizure requirements from other KCSO policies in order to consolidate them into one document.

2. TRAINING

KCSO continues to make progress on the development of key policies. Once approved, to reach training compliance for the related SJ provisions, KCSO will also have to develop the related training materials and submit these to the MT and DOJ for review and approval. As with all training, the decision related to the training delivery methods should focus on ensuring it adequately prepares deputies to apply the concepts effectively in the field. The SJ requires a variety of training to be revised or initiated. (See the MT's second annual report for a list of standard trainings that deputies currently receive.¹⁶)

During this reporting period, the MT met with the KCSO training lieutenant who has primary responsibilities for training management and delivery at KCSO. In March 2024, KCSO submitted a list of planned 2024 training courses to the MT. Other key members of KCSO leadership were present at the meeting. To ensure coordination of the training efforts, the MT provided guidance to KCSO on the process or steps for submitting training for review and approval by the MT and DOJ. This process includes the following.

- A technical assistance phase where KCSO works with the designated MT member for the SJ area.
- Review by the Monitors and DOJ.
- An opportunity for KCSO to review and respond to comments from the Monitor.
- Pilot testing of the training, if required.
- Final approval for implementation by the Monitors and DOJ.

Per SJ paragraph 175, the MT and DOJ must review and approve any training that is intended to meet SJ requirements. Having training approved prior to implementation is the most efficient process. Training, of course, requires a significant ongoing commitment of time and resources from the department. As the policy review process continues, the MT recognizes that KCSO may need to move quickly to provide KCSO deputies training in order to meet legal (e.g., changes to state law) or operational needs. In these instances, the eventual MT and DOJ review may identify issues requiring revisions to trainings already provided and thus create additional needs and costs associated with supplemental training or retraining that might be necessary. KCSO should continue to keep the MT informed of SJ-related training plans and discuss the best way to ensure SJ compliance on a case-by-case basis.

The MT and DOJ approved KCSO's use of "Beyond Bias: Racial & Identity Profiling Update," which addresses aspects of SJ paragraphs 74 and 75. The MT and KC will continue to discuss the package of trainings that will be used to fully comply with SJ paragraph 75 requirements. The California Commission on Peace Officer Standards and Training (POST) Commission created this training, and it meets the California legal requirement to provide bias-free policing training once every five years. As this training is a requirement of POST for peace officers in California, KCSO was approved to move forward with the training for their staff.

¹⁶ <https://kcsomonitoring.info/documents-and-reports/>

KCSO uses LEFTA Systems' web-based platform to ensure deputies receive, read, and acknowledge receipt of the policies. Having a web-based platform for training is an important capability for KCSO because staff are deployed across a large geographical area, and attending training sessions at a centralized station is not practical for all training. LEFTA can also be used to provide basic quizzes to test staff knowledge for the retention of the policies and online training delivery. Purely online trainings can be sufficient to meet SJ requirements, but, in many cases, in-person trainings are necessary and more desirable because they provide an opportunity for students to ask questions and engage in discussions, role-playing, and other exercises that are often required. The MT will assess each training delivery method on a case-by-case basis. The MT notes that an online platform may be an efficient way for KCSO to meet the requirements of SJ paragraph 180 regarding periodic testing of deputies' retention of training information and to provide some regular refreshers as deemed appropriate by the parties.

KCSO is considering using a vendor that would provide roll call briefing-type training materials including online presentations of content and scenarios as well as worksheets to help supervisors guide follow-up discussions. If the supervisor and deputy are not at the same location, the follow-up discussions can be held via a web-based meeting. Among other advantages, the system provides a way to ensure the training is conducted throughout the county in a uniform way. It would also track which deputies have received the training. The MT has observed a demonstration of this vendor's platform and found it promising. The MT and KCSO will have further discussions on these topics in the next reporting period.

a. Tracking Training Receipt

KCSO has created an internal system to track when supervisors provide roll call training to deputies at any of the stations. Sergeants log into the SheriffNet system and complete a form indicating the topic presented, instructor, date presented, and the names of deputies or staff attending. They also provide a synopsis of the training and include the training materials. This system was not widely used during this reporting period, but KCSO will emphasize its use in 2025. A department-wide reminder regarding the use of the system was sent out in November 2024. Due to internal restructuring, KCSO reports it will be reevaluating use of this system in 2025 and assessing how to more seamlessly integrate with LEFTA.

Once SJ-required training is implemented, the MT will then verify that the training is delivered to all appropriate personnel. KCSO will need to provide the MT with regular updates on the training percentages and associated data for SJ-required training.¹⁷ The MT will discuss with KCSO a method for independent verification of the accuracy of this information. Additionally, the MT will periodically conduct site visits to view training provided by KCSO related to SJ items as a way to audit the quality of the training and verify that the training follows the MT- and DOJ-approved curriculum.

¹⁷ The calculation of the percentage of personnel trained will exclude personnel on long-term approved leave; such as military deployment, long-term injury, or administrative leave. If a person on long-term leave returns to work, KCSO will need to provide those individuals with the required SJ training.

b. Academy Training and Initial Training

Over the next reporting period, the MT and KCSO will develop a mutual understanding of what SJ-related training is specifically covered in the Academy or in other initial training for deputies. KCSO provides the POST-certified California Basic Peace Officer Academy not only for KCSO but for other law enforcement agencies. Prior to the Academy beginning, KCSO also provides the recruits with a two-week pre-Academy. This pre-Academy provides students with a low-key environment to go through the initial hiring process for the County, learning about required fitness practices, testing, uniform requirements, defensive tactics, and peer support. In years past, recruits across California were often thrown into high-stress Academy environments without any preparation. This was likely one of the contributors to high attrition rates experienced at many of the academies. A pre-Academy better prepares students for the expectations and rigors of the 24-week Academy. This is an excellent practice because KCSO dedicates significant resources and considerable efforts to identifying and recruiting qualified candidates, so it is equally important to prepare these students for the training Academy.

The Academy combines in-class instruction, adult learning methods, field exercises, regular physical fitness conditioning, academic testing, and a practical exercises exam at the end of the Academy. The topics are organized into 43 learning domains, and the information for each learning domain is contained in a series of workbooks. For instance, the workbook for Learning Domain 3, *Principled Policing in the Community* is relevant to the stops and bias free provisions addressed in this section. The topics discussed in the workbook are: (1) Community Policing, (2) Community Partnerships, (3) Problem-Solving, (4) Principled Policing, (5) Historical and Current Events (affecting perceptions of LE today), and (6) Implicit Bias. Racial profiling is prohibited by California law and by SJ paragraphs 65 and 69, and the Principled Policing course material serves as a baseline of knowledge for law enforcement officers in California. There are several other Academy learning domains with relevance to the SJ, such as Laws of Arrest (LD15), Search and Seizure (LD16), and Use of Force/De-escalation (LD20). KCSO reported that they do not deviate from the POST-required training topics, so any SJ items not covered during the Academy are provided to KCSO deputies in post-Academy KCSO-specific training prior to their first assignments in the department.¹⁸

After the 24-week Academy, KCSO trainees receive various additional trainings prior to beginning work, including two weeks of Correctional Officer (CORE) training, which is required for those working in the County jails; a one-week required Crisis Intervention Training (CIT) that addresses SJ paragraph 89 (see the Behavioral Mental Health section); a mandatory rifle course; and a week of New Employee Orientation/Department Specific Training prior to the start of their jail or field training periods.

c. “Why’d You Stop Me” Training

The MT attended the “Why’d You Stop Me” (WYSM) training on September 30, 2024. The MT provided KCSO with written feedback, including detailed comments regarding WYSM’s applicability to SJ topics

¹⁸ KCSO Academy trainers regularly engage with POST to suggest changes to the training based on such issues as changes in criminal case law, different requirements for corrections versus patrol, and review of new trainings in development. This is a critical part of the POST training feedback loop, leading to better training across the state, and it shows KCSO takes their responsibilities seriously.

and our general finding that, if implemented, the WYSM training would provide partial compliance on several SJ provisions and, together with other training, would be an important and even necessary part of an overall package of training. That is, the most efficient path to compliance may be to offer the WYSM training along with other required training. The training provided an excellent introduction and overview of several important topics, including procedural justice, effective communication with the community, and deputy wellness. Additionally, the trainers provided a foundation for why treating the community with dignity and respect is critical to effective law enforcement practice. A strength of the WYSM training is that it can effectively engage deputies in ways that other approaches to training may not and, therefore, can successfully impart to deputies how the application of certain principles regarding communication, acting with professionalism and courtesy (see SJ paragraph 64), procedural justice (see SJ paragraph 50 and 75), and so forth, along with displaying appropriate regard for the impact of law enforcement actions on the community trust, can thus be beneficial not only to overall community–department relations (SJ paragraph 120) but to the deputies themselves with regard to their success on the job, safety, and well-being. Another plus of this WYSM training is that training costs, such as the instructor’s fees, are paid by POST, although KCSO covers costs associated with deputy backfill. To their credit, KCSO decided to move forward with the “Why’d You Stop Me” training for all deputies. The training for all KCSO deputies (of all ranks) began in January 2025 and is scheduled to end in April 2025.

The MT also attended a training for supervisors offered by the same vendor, titled “WYSM Supervisory Leadership Training,” on October 1, 2024. The trainers provided an overview of important practices that support effective leadership, procedural justice, coaching, wellness, and holding staff accountable for providing quality service to the community. The MT assessment found the training to be of good quality but that it would not move KCSO toward compliance as well as the CP21 training does. That, and the cost of the leadership training—all costs for which KCSO would be responsible—contributed to KCSO’s decision to not move forward with the “WYSM Supervisory Leadership Training” at this point. KCSO continues to explore other options available for leadership training to meet SJ requirements. In fact, the MT observed the pilot of a training held at KCSO while this report was being finalized and found it very promising. We will provide further feedback in the new reporting period.

d. Training Bulletins

For some of the SJ policy items, KCSO has issued training bulletins,¹⁹ often accompanied by quizzes based on the material covered for each employee to complete.²⁰ The training bulletins and quizzes are

¹⁹ Training bulletins are regularly published by the Training Section to keep KCSO personnel abreast of current police techniques and procedures, as well as detentions-related issues. The bulletins act as a continuous training program and as a stimulus for further study. The information contained constitutes official Sheriff’s Office policy on the subject matter under consideration in the absence of other instructions to the contrary. Deputies are held accountable to their content, and it is therefore important that KCSO tracks that appropriate personnel read and understand the bulletins. See more at https://www.kernsheriff.org/Policies_Document/Department/Department/Section%20A/A-0300%20Definitions

²⁰ SJ-related training bulletins released by KCSO in 2024 included: 24-20: Beyond Bias—Racial & Identity Profiling Update Training, 24-27: Language Access Survey, 24-28: Ideal Candidate Profile, Updated BWC Policy, Community Policing Defined Course, Shield Suite Application: RIPA Reports, Ideal Candidate Profile Review and Test, Bias-Free Policing Policy Review and Test, Annual SJ Review and Test, RIPA Review and Test, and Roll Call Training Application.

sent to staff via the LEFTA training and document management system. The quizzes are intended to ensure personnel read the documents and retain the key points of the policy. In many circumstances, the online approach is a good practice and sufficient for compliance. In other circumstances, other forms of training and/or refreshers will also be required, such as brief presentations and discussions during roll call sessions where deputies can ask specific questions and interact with supervisors to discuss real-life applications of the policies or concepts. As the MT, DOJ, and KCSO work through the new policies and SJ compliance, we will discuss what training can be completed via a training bulletin release and which training needs to be delivered via an alternate training method.²¹ This discussion will take into consideration various factors beyond the SJ, such as state law and POST mandates, other KCSO responsibilities, and cost.

e. Training Compliance

KCSO is committed to providing training to staff as evidenced by the department being found in partial compliance with most of the training items for this section. For instance, they are providing the WYSM and “Beyond Bias: Racial & Identity Profiling Update” trainings as well as CIT. They regularly issue training bulletins regarding SJ and other professional topics. We have discussed with KCSO that, to achieve training compliance, whenever possible all new training should be developed and approved by the MT and DOJ prior to implementation and existing trainings should be modified to meet compliance requirements as deemed necessary by the parties. For example, when the MT negotiates the compliance metrics for each item, only addressing that item via a training bulletin may not be sufficient to meet the requirements of the SJ. The training requirements will be handled SJ requirement by SJ requirement.

3. BODY-WORN CAMERA (BWC) PROGRAM

All deputies on patrol were issued a BWC by November 2021. KCSO patrol deputies are now provided with two BWCs each. Many KCSO deputies are assigned take-home vehicles, so the second camera allows them to charge one camera and wear the second camera. This is done to ensure KCSO deputies always wear a BWC as required by policy. This is an excellent practice, particularly since many deputies begin their shifts without first physically checking in at the station to retrieve equipment.

4. SUPERVISORY REVIEW OF STOPS

a. RIPA Stops Data

The department has been found to be in partial compliance with SJ paragraph 66 regarding recording stop data but not yet in compliance for paragraphs 71–73. Since KCSO has been collecting RIPA data

²¹ SJ paragraph 178 addresses the implementation of new policies and, among other things, says: “Training beyond roll-call or similar training will be necessary for many new policies to ensure deputies understand and can perform their duties pursuant to policy.”

for several years, the MT has seen evidence of deputies completing the required RIPA data. On the other hand, the MT has also seen instances where deputies have not completed the required RIPA forms, and the KCSO BWC Unit has noticed this as well. KCSO will need a formal audit to ensure all the stops have the required RIPA forms before KCSO achieves compliance.

The RIPA form captures most of the required stop information related to SJ requirements. During this period, the department also released a new RIPA policy that provides direction to deputies for the accurate completion of the RIPA form. Deputies are required to complete the forms to document stops prior to completing their shifts. KCSO requires supervisors to review each RIPA form to ensure that it is fully completed and to review any narratives describing the stop (see below). KCSO has worked to ensure all SJ-related data points are collected through CAD or RIPA or some other method and that deputies are trained to include these in their data recordation. For instance, they have developed a method for tracking supervisor approval for home-based consent searches (SJ paragraph 72). As necessary, KCSO includes these data requirements in policies, such as in the search and seizure policy under development.

b. Supervisory Review of Individual Stops and Stops Documentation

SJ paragraphs 76–81 detail a number of specific requirements for KCSO supervisory and managerial review of stops and stops documentation. The CAD system tracks deputy activities and calls for service. In instances where a stop of a person is made, the RIPA form is a primary means used to document specific information about what law enforcement actions took place at the stop. These reviews are intended to ensure a level of oversight of stops conducted by deputies in the field. The KCSO RIPA Policy, J-2350, addresses SJ paragraphs 76–81 and states:

Supervisors will regularly review (once a week) and evaluate stops, ensuring investigatory stops and pat-down searches are supported by reasonable suspicion, arrests are supported by probable cause, and in compliance with Kern County Sheriff's Office policies. Additionally, supervisors shall review and evaluate whether investigatory stops, searches, and arrests even if comporting with law and policy, indicate a need for corrective action or review of agency policy, strategy, tactics, or training.

Sergeants shall randomly audit/verify a stop data report from every deputy assigned to their station, squad, or unit once a week. Sergeants' audit/verification shall review the stop for accuracy and completion of information and will do so by comparing a stop data report to body-worn camera footage, Computer Aided Dispatch (CAD) notes, or the associated crime report. In addition to ensuring that RIPA entries are accurate, supervisors shall monitor for evidence of inappropriate entries or attempts to thwart proper reporting of stops (e.g., consistently entering all races on every stop, not entering identifying information, or providing vague justifications). (KCSO RIPA Policy, J-2350, p. 7.)

This process is a staple of ensuring lawful and quality interactions with community members when being stopped by the police. These reviews not only include a review to ensure the form is completed accurately, but also to ensure the stops meet policy and legal requirements for the stop. Additionally, the process allows supervisors to ensure these stops are in line with department priorities for

enforcement and conducted in a professional manner. Finally, this process is an important part of the department's efforts to ensure data quality because these forms provide data required to analyze and assess the department's practices when conducting stops, which is discussed later in this report. SJ paragraph 77 requires regular reviews and audits of stops documentation, such as CAD and RIPA, in addition to arrest reports and citations. Every RIPA entry is currently reviewed by a supervisor before it is submitted to DOJ.

During site visits and ride-alongs, the MT observed KCSO sergeants and senior deputies reviewing RIPA forms, incident reports, and other reports completed by KCSO deputies. In one instance, the MT sat with a supervisor to observe their RIPA form review process. The purpose of the MT observation was twofold: to get a sense of the process supervisors use to review stops, and to get a sense of the quality of deputy documentation of stops. We reviewed several RIPA forms that were subsequently approved and BWC footage for two of the stops based on the review of the forms. The sergeant diligently looked through the forms and checked to ensure all the fields were completed and the actions listed matched the expectations for that kind of stop. For example, in one case, the deputy noted the records indicated the stop only lasted five minutes, but the person was handcuffed before being issued a warning for the stop. The sergeant felt a stop involving handcuffing would generally last more than five minutes. As a result, the sergeant opted to view the BWC footage for the stop. After watching the BWC footage, it was apparent that the deputy had a brief interaction with the driver and never handcuffed the person. The person was released with a warning. The sergeant noted discrepancies he observed between the RIPA form and what the BWC footage showed and then sent an email to the deputy directing that necessary corrections be made to the RIPA form. Additionally, the deputy was in field training at the time, so the sergeant also sent an email to the deputy's field training officer (FTO).²² In a second case, a community member was arrested for possession of narcotics, but the RIPA form didn't indicate contraband was recovered from the person. A review of the report detailed the recovery, which was verified in the BWC footage. The only error in this incident was not indicating contraband was recovered on the RIPA form documenting the stop. The supervisor notified the deputy of the need to correct the form. The SJ and KCSO policy require the RIPA forms to be completed accurately, which did not occur in these two cases. Thus, the cases were not in compliance due to documentation problems. Violations or deficiencies regarding actions in the field were also assessed, but none were found in these instances. The sergeant exercised good judgment while reviewing the RIPA form and took appropriate steps when identifying a discrepancy in the stops documentation.

In October 2024, the MT sat with the KCSO BWC Unit and reviewed a small sample of stops. This was not a formal audit or review, but allowed the MT to demonstrate to KCSO the types of reviews we will do of stops documentation and of BWC footage related to stops.²³ To assist in the review, the MT had created a spreadsheet for tracking SJ requirements for stops actions and required documentation. The exercise provided an excellent opportunity for the MT to gain a more detailed understanding of KCSO's stops and stops documentation processes and to talk through SJ compliance questions with KCSO staff.

²² All deputies assigned to patrol duties must complete a POST-approved 15-week "field training" program. During the field training, new patrol deputies will ride with an FTO to learn about the response to calls for service, conducting preliminary investigations, enforcement activity, and other law enforcement field functions.

²³ The sample did not follow standard sampling procedures as it was not for compliance assessment purposes. Formal audits will follow professional auditing methodologies, and a work plan for the audits will be approved by the parties before work begins.

KCSO has since indicated they are conducting an internal review of the processes for recording stops data and for ensuring all required data are submitted to the state, a review that the MT supports.

In 2025, the MT will conduct additional discussions and reviews of this nature. We will also discuss with the parties the appropriate time to begin a formal MT stops audit for compliance assessment. These preliminary reviews will inform our formal audit plan and help make it as useful and efficient as possible. Importantly, these informal reviews also provide the department an opportunity to identify and begin to correct issues regarding deputy compliance with the SJ and KCSO policy in the field and with their documentation of stops, thus increasing the likelihood of improving subsequent compliance and maintaining those results.

The informal MT review described above reflected the type of review expected of supervisors and managers by SJ paragraphs 76–81, which includes holding deputies accountable not only for proper documentation of what occurs during a stop but also that the stops were conducted according to the law, KCSO policy, and the SJ. SJ paragraph 77 requires that KCSO supervisors conduct weekly reviews of their deputies' stops documentation. When supervisors identify shortcomings in stops, in some instances supervisors are required to meet with the deputies to discuss their activity during the stop and/or their stops documentation (SJ paragraph 78) and, relatedly, the department needs to ensure it appropriately and effectively addresses all such violations or deficiencies (SJ paragraph 79). More broadly, SJ paragraph 80 requires KCSO to "track repeated violations of the provisions of this Agreement, or deficiencies and the corrective action taken, if any." The violations and discrepancies and any actions taken need to be documented by supervisors so that the department has a record of issues and how they were handled, and so follow-up can be conducted to ensure the expected behavior was achieved or if further action is needed, both relative to particular deputies and to any potential supervision, training, and policy issues across the unit. The MT will also use such documentation for compliance assessment.

The MT has not yet assessed SJ paragraphs 76–81 for compliance, but we are aware that KCSO is already fulfilling aspects of these provisions. For instance, KCSO reports that commanders conduct reviews to ensure supervisors conduct the required RIPA reviews. The BWC Unit audits also fulfill accountability functions. The MT and KCSO will continue to discuss how compliance with these provisions can be achieved and measured. When the parties agree it is an appropriate time, the MT will conduct formal reviews and audits to assess KCSO's compliance.

c. BWC Unit Audits

KCSO has continued to staff a BWC Unit with eight sheriff aides and one sergeant. The BWC Unit utilizes a process to randomly pick BWC footage for audit by the sheriff aides. (See also the third annual report.²⁴) They look for compliance with KCSO policy and accuracy of RIPA documentation. The review includes some of the following topics:

- Proper use of the BWC to record the entire incident;

²⁴ <https://kcsomonitoring.info/documents-and-reports/>

- Proper documentation for the stop;
- Professionalism;
- Potential bias present in deputy actions; and
- Exemplary performance

Sheriff aides reviewed 14,645 reviews of BWC footage in 2024. Because the footage is randomly pulled, the sheriff aides watch a wide range of videos, such as prisoner transports, deputies driving to a call, stops of individuals in the field, calls for service, and tactical events. Special attention is paid to ensure all the required RIPA forms are completed by KCSO deputies when an individual is stopped as required by state law. When a sheriff aide observes a potential policy violation, they notify the BWC Unit supervisor, who will conduct further analysis. If the supervisors feel a policy violation took place, then they can refer serious allegations to Internal Affairs for investigation. For minor violations or training, the BWC Unit supervisors will refer the matter to a field sergeant to address the issue. The MT was informed that the most common issue found was deputies failing to complete a RIPA form as required by California law.

The MT was asked to review the set of questions used by the BWC Unit to provide feedback. The MT provided KCSO with written feedback and met with the BWC Unit on October 2, 2024. Generally, the MT felt there were opportunities to add several questions to specifically assess provisions of the SJ and a recommendation to reorganize the questions into relevant groupings. KCSO was receptive to the feedback. KCSO incorporated a number of the MT recommendations and created a manual with instructions for staff conducting the reviews. In addition to the random reviews of videos, sheriff aides process requests from outside agencies that require redaction as allowed by state law. While sheriff aides prepare the video redactions, they also audit the same videos with the same questions used in the randomly selected videos. KCSO has been exploring other computerized systems to randomly select videos but has not made any change thus far.

5. SUPERVISION IN THE METRO PATROL DIVISION AND IN OUTLYING AREAS

The Monitor's third annual report discussed the differences and challenges associated with staffing and operations that exist in the Metro Division as compared to the more remote areas and substations. The MT conducted visits to both during this reporting period.

In many cases, the Metro Division in Bakersfield faces challenges typical of other large metropolitan jurisdictions throughout the county. There are high numbers of calls and a significant commitment of KCSO patrol and investigative resources to the metro area. In contrast, the substations tend to be located at a considerable distance from KCSO headquarters and cover large geographic areas but with much smaller populations. The calls for service tend to be much less frequent than in the metro area, but, because of the lower number of deputies assigned to the substations and distances involved, there can be a similar strain on resources. Additionally, criminal investigations that are handled in the centralized criminal investigations bureaus in the metro area are usually handled by the deputies or senior deputies at the substations.

The SJ requirements apply to all KCSO personnel. The staffing in substations and management practices may differ at the outlying substations, but the SJ provisions apply all the same. The MT recognizes patrol and supervisory review of deputies in the densely populated metro coverage area in and around Bakersfield may differ from a rural area near, for instance, Ridgecrest. The MT continues to be willing to discuss how each of the SJ provisions can effectively be applied at each of the stations given the unique circumstances they may face.

The MT appreciates the logistical issues and challenges that supervisors must contend with in meeting their oversight responsibilities in these remote areas of the county, such as less frequent formal roll call briefings being conducted and inconsistent opportunities for interaction between deputies and supervisors. Nonetheless, it is important that KCSO seek effective solutions to deal with these challenges and fulfill the oversight responsibilities that are incumbent upon supervisors and managers.

As we have noted, there are ways KCSO can provide policy updates using the LEFTA system instead of relying only on an in-person roll call briefing to cover a topic, but electronic systems cannot entirely replace the benefits and need employees have for direct interactions with their supervisors and managers. As mentioned above, KCSO is in discussion with a vendor whose online platform can assist supervisors in providing regular roll call training for deputies in a more structured and interactive manner. As with all SJ-mandated training, trainings provided with the assistance of a vendor will still need to be approved by the MT and DOJ.

6. KCSO STOPS DATA SYSTEMS AND DATA ANALYSIS

KCSO has been working to implement technology to improve the accessibility and usability of their data systems. Some of the advantages of new technology would include the following.

- Improved access to current data so that department managers can identify and respond to concerning or encouraging trends and issues in a timely fashion.
- “Top Ten” lists and other peer comparisons easily conducted so supervisors and managers can quickly identify personnel or units that may require attention or better assess the impact of law enforcement activities in the field (see discussion of peer comparisons in the third annual report).
- Largely automated reports produced on a routine basis for KCSO leadership for strategic planning and risk management purposes.

KCSO has indicated it is still on track to have the resources available to produce these types of regular assessments and reports by 2026. The MT will continue to meet with staff about the systems under consideration and provide technical assistance if requested by KCSO. We reiterate that it is important these systems be designed to meet KCSO’s particular needs and requirements. KCSO managers as well as staff currently assigned to record, access, analyze, and report on the data and other information contained in these systems should be consulted regarding any new system’s functionality.

The use of data, particularly stop data, is at the heart of the SJ. SJ stops provisions that need to be assessed through various types of data analysis as part of KCSO and/or MT reviews and audits include paragraphs 60–63, 65, 68–69, 75, 80, 82, and 167, as well as requirements addressed in other sections of the SJ. The MT and KCSO will have discussions to ensure it is clear what is needed for KCSO’s use of

data to meet compliance in these areas, including with their RIPA data analysis currently underway (see below).

While compliance with multiple SJ paragraphs requires the availability and application of these sorts of data to assess results, the benefits to the Sheriff's Office and the Kern County community go well beyond the SJ. The access to and use of data is key for KCSO leadership to effectively monitor and assess the impact of the strategies they employ and the performance of their personnel. The data can show how and where deputies are conducting activities and if the efforts are in line with the crime prevention/response strategies used by the department. The data will also help leadership determine if their efforts are having the intended (or unintended) effects, whether community expectations are being met, and even how individual deputies' performance compares with their peers and organizational expectations.

The use of real-time reporting systems in law enforcement is considered a best practice, and the MT hopes KCSO can identify and implement a system to meet their reporting needs. For example, Microsoft Power BI can be leveraged to display and present the RIPA data for supervisors to review on a regular basis. This would be a tool to help supervisors quickly assess the activity of their deputies for the last month, year, or since the beginning of whatever period the data were collected. KCSO reports that they will be making a budget request to increase the capabilities of their current platform to provide more analytics and reporting capabilities. The platform can become even more useful when adding additional information from RMS and CAD. Modernized data systems will also help facilitate the stops reviews discussed above, including supervisory review of stops, BWC Unit audits, and MT audits. The department continues to explore these options, and the MT hopes to see further progress in this area during the next reporting period.

Meanwhile, the Sheriff's Office is not waiting for upgraded data systems to move the work forward. KCSO has a dedicated sergeant and two analysts who assist with completing SJ-required reports for KCSO. The MT has met with and communicated with these staff members numerous times in this reporting period. KCSO has supported this team throughout this entire period and has shown a commitment to keep this team staffed with personnel who understand data. The sergeant has professional and significant outside schooling in data use and analysis. The analysts have developed skills in data collection and verification. Their expertise has been invaluable, as the legacy data for KCSO have required significant work to organize in a way that can be used in reports and analysis. The staff will also assist in creating the reports as required for SJ provisions, such as those related to providing periodic reports on use of force, stops, language access, and complaints (SJ paragraphs 24, 55, 56, 82, 100, 112, 122, and 157).

a. RIPA Analysis

KCSO is required to assess the activity of deputies and law enforcement programs to determine if there are activities leading to counterproductive relationships with the community (paragraph 82). Compliance with paragraph 82 requires that, after the KCSO data analysis is completed, KCSO assesses the data findings and evaluates whether any alternative enforcement practices exist that would eliminate or lessen any concerns noted, including potential disproportionate impact. Affected

stakeholders need to be consulted as solutions are explored and implemented. These steps are codified in the KCSO's RIPA policy J-2350.

KCSO has engaged a professor from California State University, Bakersfield, to assist in their analysis of RIPA data for SJ paragraph 82. In this reporting period, the MT had an opportunity to meet with the professor to discuss the approach to the analysis and potential completion date. The report was originally expected in January of 2025, but it has been delayed and is now expected by the end of March 2025. The professor described the need for significant data cleanup and verification due to issues encountered during the process of transferring RIPA data over to the analysis system and corrections required. These types of issues are not uncommon when large projects of this nature are undertaken for the first time. The expectation is that fixes are put in place so that follow-up analyses can be conducted with timelier transfer of the data and the need for only a minimal level of cleanup. The MT has expertise in these sorts of analyses and can provide technical assistance if needed.

As the KCSO develops their analysis capabilities, the MT and KCSO will need to ensure there is agreement on the types, frequency, and methodology of the assessments. In the meantime, the MT expects KCSO to provide regular updates on the progress of the reports, and, when completed, the MT will review the data report, provide feedback to KCSO, and assist with the development of a follow-up action plan. As with all stops data analysis, the most important part of the process will be KCSO's managerial assessment of and response to the data findings, including its discussion of the findings with the community and the development and implementation of any corrective action that may be needed.

b. Assessment of Crime Reduction Strategies

The Sheriff's Office is required to review, assess, and make corrections in stops and searches and other crime reduction strategies that are found to be contributing to any counter-productive divisiveness or tension between KCSO and the community (paragraphs 60 and 61). This assessment, provided with assistance from the Cal State Bakersfield professor, should provide a solid foundation for KCSO to begin ongoing required assessments of the strategies, programs, and other enforcement activities employed. As part of the partnership with the outside professor, KCSO staff assigned to the project have also been learning how to conduct these assessments on their own. This will have significant long-term benefits for KCSO to conduct ongoing assessments of their practices and their intended and unintended impacts in the community.

Notably, use of peer comparisons need not wait for modernized data systems or for the larger assessment of disparity to be completed. KCSO can currently produce a list of deputies who conduct the most consent searches, parole/probation searches, detentions, or any other law enforcement activity of interest. These can all be lawful activities but are the types of high community-impact activities that should be regularly monitored by KCSO leadership and supervisors. In this next reporting period, the MT encourages KCSO to begin peer comparison analysis of staff activity in the field.

Compliance with paragraphs 60 and 61 requires KCSO to use data and related stops and their enforcement activities in the field and determine whether changes to their practices or efforts are warranted. The reviews should address both activities taking place at the individual deputy level and at

the collective level across units or the whole station. If KCSO determines there are issues that need to be addressed, then they must implement measures to address the concerns.

7. NEXT STEPS FOR KCSO

Although these next steps are largely the same as those provided in the previous reporting period, the MT notes that KCSO has conducted much of the essential groundwork required to move forward with the training related to the new bias-free policing and stops policies. Once the policies have been implemented and trained, the MT will focus on measuring KCSO's adherence to the policies in the field.

In the next reporting period, the key activities and objectives for KCSO to examine relating to stops, seizures, and searches include the following.

- KCSO will continue to cooperate with the MT and assist by responding to the MT's various data and document requests, inquiries, and reviews and with compliance metrics development.
- As required by KCSO bias-free and RIPA policies, KCSO will ensure that (1) deputies conduct and document their stops, searches, and seizures in accordance with the SJ and the law; and (2) supervisors review and evaluate data associated with investigatory stops and searches (SJ paragraphs 60–75).
- KCSO will continue the development of their search and seizure policy and a related process for ensuring compliance with SJ paragraph 72, which requires deputies to notify a supervisor when considering a consent-based search of a home.
- After finalization and approval of policies, KCSO will, as needed, develop or revise the associated training curriculum in consultation with the MT. Among other steps, this will include KCSO reviewing its current training related to investigatory stops, searches, and seizures for alignment with the SJ and identifying areas that require enhancement or new policy development (paragraph 75).
- KCSO will continue to pursue data system solutions and, working with the MT, will expand regular data analysis and documentation review to identify and develop responses to potential issues, and improve the use of the findings to inform practice and meet SJ requirements (paragraphs 55–58, 68, 80, 82).
- Working with the MT, KCSO will continue to identify and develop plans to address any gaps in current data collection and stops documentation practices. Among other steps, this will include assessing the extent to which the RIPA-related data collection and supervisory reviews comply with SJ requirements, as well as reviewing current BWC auditing processes for possible augmentation to meet other SJ-required supervisor and managerial review and oversight functions (SJ paragraphs 27, 66, 68, 80, 76–82).
- KCSO will continue to provide the professor from California State University, Bakersfield, with the data necessary to conduct and complete the analysis of stops by KCSO deputies.
- KCSO will revise or develop accountability and supervision practices to ensure that unlawful stops, searches, and seizures are identified and addressed (paragraphs 76–82).

8. NEXT STEPS FOR THE MT

- The MT will work with KCSO and DOJ to schedule in-person or virtual site visits for meetings and to conduct site observations.
- The MT will review and assess proposed policies for compliance with the SJ.
- The MT will ensure a timely review of the training curriculum to ensure compliance with the SJ before KCSO delivers the training, and document approval once compliance is established.
- The MT will review training records to ensure the required persons have been trained in the new policies as required by the SJ.
- The MT will conduct observations, interviews, and ride-alongs at the stations.
- The MT will provide technical assistance to KCSO to assist with the effective use of RIPA data to better understand the impact of enforcement patterns in the Kern County community. These efforts include the completion of the disparity analysis from the outside professor at California State University, Bakersfield. The MT will review the documents and provide feedback to KCSO with areas for further research or suggestions to address disparities identified by the report.
- The MT will discuss and provide recommendations for ways KCSO tracks the meetings between supervisors and deputies in cases where the supervisor observed a deputy failing to meet legal or policy requirements during an enforcement action (paragraph 78) and where corrective actions have not been effective in correcting deputy behaviors (paragraph 79).
- The MT will meet with KCSO to discuss compliance with tracking repeated violations of the SJ provisions
- The MT will provide technical assistance as needed for KCSO managers to expand their use of data and other documentation to help identify and respond to potential issues.
- The MT will provide technical assistance to the new KCSO departmental analyst position.
- The MT will conduct further field observations and an initial audit of stops conducted by KCSO deputies to assess compliance with these policies and provide feedback to KCSO on what aspects of stops and the supervisory review process are on track for compliance and which need attention.

SUPERVISORY AND MANAGERIAL USE OF DATA TO INFORM PRACTICE

Whenever a deputy stops and detains someone, however briefly, the facts and circumstances leading to that stop and detention and any subsequent action must be rigorously documented and available for review to assess the deputy's decision making, compliance with KCSO policy and legal standards, and adherence to the SJ's terms and conditions. The documentation includes required reports, RIPA stops documentation forms, CAD, and other required documentation.

Supervisors and managers must review the information and make assessments, ranging from evaluations of individual performance to unit or shift performance, to include identification of emerging trends or patterns, and determine the efficacy of policing strategies. The next step and goal of these reviews is to take corrective action, where needed, to ameliorate any undesirable issues that are identified.

If any adjustments are required, data from future stops must be used to measure and evaluate the impact of any corrective measures. KCSO must use the aggregate data collected as a means to continue informing the development and refinements in their crime prevention and other policing strategies and assessing whether disparities or unintended consequences exist. Such information should be used to inform and drive management decisions about acceptable policies and practices and assist with the formulation and delivery of fair and equitable law enforcement services in Kern County.

Stops and calls for service are typically the most common point of contact involving deputies and community members and are, in many ways, the linchpin of the community–KCSO relationship, serving as a primary source of information that influences the public's perceptions of the agency.

Deputies record extensive information on nearly every interaction with the public, including each stop or call for service; each search, detention, citation, or arrest during those contacts; and the disposition of each call or stop. Documentation of even brief stops usually includes short narratives describing what occurred and the deputy's reason or justification for their actions. More involved contacts—such as those that include searches or that lead to arrest—require more detailed written reports. It is essential that all data and documentation are accurate, thorough, and reliable; collectively, these data serve as the foundation for most audits, analyses, and reviews conducted by KCSO supervisors and managers and by the MT.

Once data and other forms of documentation are submitted, they are stored in various data systems for later access by supervisors and managers, sometimes with assistance from data specialists. The information accessed may be related to individual stops, such as reviewing a particular arrest report filed by a deputy. Reviews may also contain aggregate data, describing multiple stops and/or calls for service organized by any number of factors, such as time period, location or neighborhood, individual deputy or KCSO unit (e.g., Traffic Enforcement), type of criminal behavior, or type of outcome (e.g., searches, citations, arrests).

Supervisors and managers review the information and make assessments that include evaluations of individual performance as well as unit or shift performance, and which can focus on identification of emerging trends or patterns, as well as an examination of the efficacy of policing strategies. The final step and goal of these reviews is to take corrective action to eliminate or reduce any undesirable issues that might be identified.

D. RESPONDING TO AND INTERACTING WITH PEOPLE WITH BEHAVIORAL HEALTH DISABILITIES OR IN CRISIS

SJ paragraphs 83–94 require that, for calls involving individuals with behavioral health disabilities or who are in crisis for a variety of reasons, KCSO responds appropriately, including prioritizing the safety of the deputies and subject, using de-escalation, and avoiding unnecessary criminal justice system involvement. This requires KCSO to maintain a robust Crisis Intervention Team (CIT) first responder model that is adequately resourced with well-trained personnel and, whenever possible, respond to these calls with non-law enforcement personnel and clinicians and/or specially trained sworn staff. It also requires revisions to dispatch protocols and certain policies, including for use of force, with the goal of prioritizing Kern County’s Mobile Evaluation Team (MET) service providers as well as CIT-trained deputies to respond to mental health crises. The SJ requires KCSO to thoroughly document these calls and evaluate the effectiveness of its CIT model, to inform its crisis intervention program, and to identify any policy, training, or implementation issues that may arise.

KCSO continues its efforts to ensure that all interactions with individuals in behavior and mental health crisis are met with a well-trained and compassionate response from KCSO. To date, KCSO has revised dispatch and other policies to address all areas of the settlement agreement, has provided high-quality crisis intervention training to nearly all personnel, and honors noteworthy deputy responses to individuals in crisis.

1. KCSO’S FIRST RESPONDER MODEL

As noted in previous reports, KCSO’s leadership has implemented a CIT program that adheres to the goals stated above and continues to communicate these goals through training as well as in ongoing discussions about the related policies and organizational expectations of employees. KCSO has again gone beyond the letter of the SJ by expanding the approach to dispatching calls to include the services of a recovery specialist tasked with handling 911 calls that meet mental health criteria.

The Monitors find that KCSO is now in sustained compliance with the following provisions.²⁵

Paragraph 87: KCSO will continue to use a Crisis Intervention Team Training (CIT) first-responder model of police-based crisis intervention with community, health care, and advocacy partnerships to assist individuals with behavioral health disabilities and individuals who are in crisis.

Paragraph 88: The goals of the CIT program will continue to be to equip deputies with methods to properly interact with persons with behavioral health disabilities or in crisis safely; de-escalate crises and reduce the unnecessary use of force against individuals with behavioral health disabilities or in crisis; minimize arrests; improve the safety of patrol deputies, individuals with behavioral health disabilities or in crisis and their families, and others within the community; refer

²⁵ At a minimum, sustained compliance is achieved when compliance has been maintained for at least one year.

individuals to the County's behavioral health crisis system; and reduce the inappropriate involvement of individuals with behavioral health disabilities with the criminal justice system.

2. DISPATCH AND PATROL POLICIES

KCSO is in compliance with SJ paragraph 83, which requires having policies and protocols that establish (1) a preference for dispatching CIT-trained deputies to calls involving individuals with behavioral health issues or in crisis, (2) dispatch protocol preference for MET for calls about individuals with behavioral health issues or in crisis, and (3) a preference for de-escalation tactics by other CIT-trained personnel when MET is unavailable. The dispatch policy was approved in December 2024, and the mental health crisis response policy was updated and implemented in 2022 (see the third annual report for description).

3. TRAINING

a. CIT Training

KCSO has continued to show its exceptional commitment to CIT training. The Monitors determined KCSO is in sustained compliance with the following provisions.

Paragraph 85: Sworn staff, call takers, and dispatch personnel will continue to receive training that emphasizes a person may be suspected of having a behavioral health disability or being in crisis from a number of factors, including self-reporting, information provided by witnesses or informants, KCSO's previous knowledge of the individual, or a deputy's direct observation.

Paragraph 86: Deputies will continue to be trained to not make assumptions regarding the dangerousness of an individual based on that individual's disability.

Paragraph 89: KCSO will continue to work toward ensuring all patrol deputies receive a 40-hour Crisis Intervention Training (CIT) training and ensuring corrections deputies continue to receive a modified CIT training that is specific to correctional settings. KCSO will continue to provide all cadets in its academies and all lateral transfers to KCSO CIT training consistent with deputy and detention classifications. In addition, sworn personnel who are newly promoted to a supervisory position shall receive a refresher CIT training as part of their leadership training.

All new deputies receive CIT training as part of the Academy, and KCSO continues to work toward training all deputies. The Monitors recognize and applaud KCSO's commitment to this goal. In a department that includes so many rural and under-resourced areas and shares MET services with Bakersfield Police Department, it is particularly important that all KCSO personnel are exposed to CIT.

At the time of this report, the following represents the proportion of personnel trained.

- **Patrol deputies.** Almost 100% of available KCSO patrol deputies are CIT trained. Only nine of 519 sworn personnel from deputy to commander ranks have not taken the CIT course. Seven of the nine

deputies who have not taken the course are on extended leave (administrative, medical, etc.). The remaining two deputies are not part of a patrol function but nevertheless were expected to attend the CIT course in February 2025. KCSO has augmented the training schedule this year to provide three opportunities to take the course, aiming to have 100% of staff trained. In 2024, KCSO hired eight lateral deputies. Of those eight deputies, seven received CIT training within the year. The remaining individual was demoted to a lower classification.

- **Detentions deputies.** Of the 310 sworn detentions staff, 100% have completed the initial eight-hour CIT training for detentions. Also, 224 of 257 available detentions deputies have completed a detention-focused, four-hour refresher course (87%); of the 33 staff who have not completed the refresher training, 11 are on leave (medical, extended leave, or admin) and 16 were scheduled to attend a refresher class by late February 2025.

b. In-Service Training

KCSO is in partial compliance with SJ paragraph 90.

KCSO will continue to provide CIT training on responding to individuals in crisis to all of its recruits and will continue working toward training all deputies. KCSO will work with the Monitors to determine the necessary amount of in-service training. The annual training will be adequate for deputies to demonstrate competence in the subject matter and will include specified topics.

KCSO is currently working with Kern County Behavioral Health and Recovery Services (KCBHRS) to propose a plan for determining the necessary amount of in-service training as mandated in SJ paragraph 90. While no formal determinations have been made at the time of this report, the MT notes that refreshers are currently provided on an ad-hoc basis as needs are identified by the crisis intervention coordinator and MET leadership. Those refreshers are mainly available to metro deputies during roll call briefings. The MT observed one such refresher that focused on identifying individuals in crisis and documentation; we found the briefing to be well conducted, with good deputy engagement. However, delivering this type of refresher training is more challenging outside of the metro where, due to the nature of staffing at the substations, start-of-shift briefings are not consistently provided (see the Stops section for more information). KCSO is reviewing options to systematically provide virtual trainings to all deputies for compliance with this provision.

c. Dispatch Training

The Monitors have determined that KCSO is in sustained compliance with SJ paragraph 91, which requires that all KCSO dispatchers and their supervisors will receive CIT training that is adequate to enable them to identify, dispatch, and appropriately respond to calls for service that involve individuals in crisis.

- *Dispatchers.* Of the 43 dispatchers and supervisors, three have not taken the 40-hour CIT course. These three staff members are newly hired as of January 25, 2025. These employees are scheduled to participate in the upcoming CIT course in February 2025.

4. CRISIS INTERVENTION COORDINATOR

KCSO continues to have an experienced Crisis Intervention Coordinator who oversees this operation; therefore, KCSO is in sustained compliance with SJ paragraph 92, which requires that the Sheriff's Office designates a sworn employee at the rank of sergeant or higher to serve as the Crisis Intervention Coordinator. The Crisis Intervention Coordinator currently holds the rank of Commander, which demonstrates a strong commitment to the CIT program by senior leadership. KCSO also has a sergeant with significant expertise in crisis intervention who sits on the CIT steering committee and coordinates the training with the Training Section Lieutenant.

5. DATA COLLECTION AND ASSESSMENT

a. Deployment

SJ paragraph 84 requires KCSO and the County to provide "sufficient resources to staff MET at a level that is calculated to make MET services available as often as feasible." Monitors determine that KCSO is in partial compliance with this portion of paragraph 84. While the monitor and KCSO discuss the data that will need to be collected on an ongoing basis for use in analyzing whether resources are as sufficiently available as is feasible, we note that KCSO has a number of strategies in place to triage the calls for service that require MET attention. As discussed in the previous annual report, MET increased its staff by 10 to support the implementation of 988/Mobile Crisis Response, which provides immediate access to behavioral health, substance abuse, and crisis support services for anyone who contacts them. KCSO has a virtual MET policy and program in place and provides devices and other information to use virtual MET, and deputies continue to use this. To reach compliance with the SJ, KCSO will have to analyze current staffing and call data to determine whether MET services are available as often as feasible and examine any barriers to using virtual MET.

b. Protocol to Evaluate Policy Effectiveness

KCSO has not developed a "protocol to evaluate the effectiveness of its policies for responding to calls for service involving a person in crisis or with a mental health disability, and responding to inmates in crisis, who are suicidal, or who have mental health disabilities" as required by SJ paragraph 93. In the next reporting period, the MT and KCSO will collaborate to develop a strategy for meeting this requirement. The MT and KCSO will discuss how to operationalize the factors that will need to be addressed in the protocol, including:

- The collection and analysis of data, including, for instance, the number of deputies and newly promoted supervisors who receive CIT training and refreshers (paragraphs 89 and 90);
- Their availability and deployment on every shift; the number and nature of mental health-related calls-for-service received; and the consistency with which deputies, call takers, and dispatch operators identify individuals with behavioral health disability or who are in crisis (paragraph 85);
- Qualitative assessments of the various processes supporting the crisis intervention program, such as the dispatch of MET- and CIT-trained deputies; and

- Assessments of the appropriateness of dispatcher responses to calls for services that involve individuals in crisis (paragraph 91).

6. ANNUAL COMMENDATION

KCSO is in sustained compliance with SJ paragraph 94, which requires KCSO to establish a special award to be given annually to employees who demonstrate exceptional skill in employing CIT training in the field. As reported in the Monitors' second annual report, KCSO has also added other commendations for employees demonstrating exceptional skills in such areas as avoidance or de-escalation of force (as required by SJ paragraph 49); employing additional resources, such as MET; or developing partnerships with other agencies to address the root causes of law enforcement contact.

KCSO now has an annual CIT awards ceremony in partnership with the KCBHRS MET team. The ceremony took place in September 2024 and included awards for the following:

- CIT Presenter of the Year;
- Person With Lived Experience of the Year;
- CIT Advocate of the Year;
- CIT Crisis Specialist of the Year; and
- CIT Telecommunications Specialist of the Year.

7. NEW MENTAL HEALTH OBSERVATION UNIT

KCSO reported that the County has authorized a total of 34 additional detentions deputy positions and mental health staff for a new mental health observation unit in a section of the Lerdo facility. In the mental health observation unit, detentions deputies will be present all day alongside the individuals housed in the unit, with an emphasis on forming relationships and responding to the needs of individuals in a timely and productive manner. KCSO is planning to provide access to tablets (with controlled internet access) along with a point-based behavior modification system where individuals can earn points and rewards when agreed-to goals are achieved (e.g., maintaining hygiene or active participation in classes). Detentions deputies will be hand selected to staff the mental health unit and all will receive the full 40-hour CIT training. As needs are identified and evolve, additional training may be included.

8. NEXT STEPS FOR KCSO AND THE COUNTY

Over the upcoming year, KCSO and the County will continue to build on the progress in this section and add the assessment of these efforts, as required by paragraphs 84, 90, and 93.

- Continue to emphasize the CIT model throughout the department (e.g., SJ paragraphs 83 and 87).
- Examine whether MET is sufficiently staffed (SJ paragraph 84).

- Develop data collection and evaluations strategies to track the effectiveness of current policies and procedures (SJ paragraph 93).
- Continue to review and enhance training curriculum as needed to ensure the SJ requirements are effectively addressed, including the identification of suspected mental or behavioral health disability or crisis (paragraphs 85 and 86) and understanding and appropriate use of the CIT model (paragraphs 87 and 88).
- Continue to explore improvements to its data collection and analysis capacities.
- Building on the work conducted by the PSU to assess the availability of MET, KCSO will develop a protocol by which the Sheriff's Office will conduct regular assessments of the effectiveness of its mental health-related policies (SJ paragraph 93).

9. NEXT STEPS FOR THE MT

- The MT will provide technical assistance, as needed, to KCSO in expanding its data collection capacities and the development of a protocol for the Sheriff's Office to conduct regular assessments of the effectiveness of its mental health-related policies.
- The MT will continue to work with KCSO as they review training rosters and staffing assignments to evaluate the availability of CIT staff available on shifts.
- The MT will review a selection of calls for service to evaluate whether behavior and mental health crises were appropriately identified and responded to and discern whether any concerning patterns are evident.
- The MT will conduct document reviews and observational reviews (in-person interviews, ride-alongs) of various mental health-related processes and service provisions provided by the County and KCSO.

E. MANAGEMENT AND SUPERVISORY OVERSIGHT

SJ paragraphs 95–98 include several specific requirements that KCSO must meet to ensure supervisory and management policies, training, and practices are in place that will support an organizational culture that values and emphasizes accountability for results at all levels and within every unit of the department.

These particular provisions reinforce the expectation that supervisors and managers are responsible for providing proper guidance and effective oversight of their operations and for the employees who serve under their command. The SJ outlines performance expectations and requirements for KCSO deputies who are engaged in a broad range of activities—from conducting stops or advancing community policing strategies, to receiving complaints from members of the public, to having to effect arrests and respond to situations that can sometimes result in having to use force to subdue a combative subject, and so forth. In turn, all such field activities result in supervisors having to also fulfill their responsibilities, as spelled out in policies and SJ provisions, which include monitoring the work and performance of deputies and providing corrections where necessary. Managers likewise play a key role in ensuring the personnel under their command are following the standards set forth in the SJ and

KCSO policy and ensuring supervisors are providing adequate guidance when reviewing the work being conducted by KCSO deputies. Further, the SJ provisions require the tracking and analysis of data and use of the results to evaluate performance, inform practice, and ensure accountability mechanisms are functioning so that managers have reliable information that enables them to readily identify and respond to issues and concerns that may arise. All parts of the system and the individuals responsible for this oversight must work in concert and remain focused on ensuring high levels of accountability and service are provided.

In 2025, the MT and KCSO will discuss how to operationalize key aspects and objectives of this section, including the following.

- KCSO develops and implements policies and guidelines that provide managers and supervisors with clear direction and training on how to ensure the goals of the SJ and the organization are achieved.
- KCSO employs effective supervisory and management oversight and techniques. It is not merely a matter of identifying issues and applying corrective action, but ensuring those actions are appropriate and effective and that they are followed up on to determine whether subsequent performance yields the intended outcomes.
- KCSO establishes, in consultation with the MT and DOJ, specific metrics or criteria to assess the effectiveness of policing strategies, practices and the supervision provided.²⁶ This clarity will help ensure that supervisors can fairly and consistently apply these standards across all their evaluations of deputy performance.²⁷
- This section stresses the importance of community policing and the need for genuine engagement and collaboration with the community when addressing crime and quality-of-life issues; this engagement provides another layer of accountability.
- This section recognizes and reinforces the importance of having clearly articulated policing strategies in place that are continuously monitored and evaluated.

Management and supervisory oversight is ultimately the most critical element that determines whether compliance objectives are met and sustainability is evident. Most of the specific requirements reinforced in this section are discussed in more detail in other sections of the SJ. Formal compliance assessment of paragraphs 95–98 will largely be established and documented as a result of accomplishments noted in those other sections, albeit with an eye toward ensuring the various aspects of supervisory and management oversight fit into the overarching system that ensures staff of every rank understand and are held to account for their responsibilities and that there is sufficient documentation and tracking of the various processes and outcomes. As progress continues toward compliance with the various related provisions and tied to those in this section, the MT will identify any areas that need further assessment in order to meet the particular requirements of this section. At this time, it is the ongoing compliance assessments for closely related provisions in other SJ sections that must take precedence. Having said

²⁶ The criteria used may incorporate existing county and department criteria.

²⁷ The term “supervisor” typically refers to a sergeant supervising deputies but, in fact, it includes any supervisory relationship within the rank structure: A lieutenant supervises the sergeants who report to them; a Commander supervises the staff who report to them, etc.

that, we acknowledge that KCSO has already made considerable progress in many of these areas. So, here we summarize some examples of that progress which are detailed in other sections of this report.

1. SUPERVISORY OVERSIGHT AND INVESTIGATION OF FORCE AND PREA

SJ paragraph 95a and 95b will primarily be assessed through the work related to UOF and Complaints and, in particular, through MT audits in those areas. In the meantime, from various observation and document reviews, including Incident Review Boards, the MT's UOF process audit from 2023, and other KCSO audits, we note that KCSO has been working to identify any issues and improve the consistency and thoroughness of their oversight of force incidents and their investigations of force and complaints. The Monitors have not yet reviewed PREA-related incidents but are familiarizing ourselves with custody complaint and grievance processes.

2. HOLDING SUPERVISORS AND MANAGERS ACCOUNTABLE

SJ paragraph 95c will be measured via provisions in most other SJ sections. KCSO continues to refine many of its policies related to UOF, RIPA/stops, canine, stops and bias-free policing practices, behavioral and mental health, community policing, and personnel complaints. Several of those policies specifically delineate supervisory and managerial responsibilities as well as supervisory review, data analysis, and auditing processes. For instance, the soon-to-be-implemented RIPA policy has language for KCSO audits of stops data, per SJ paragraph 82, and for supervisor and management accountability, per paragraphs 79 and 81. Regular reviews of individual stops by supervisors is also addressed, per paragraphs 77–78, to ensure deputies consistently conduct stops in accordance with the Constitution, state law, KCSO policy, and the SJ. De-escalation, also emphasized in this section, will be an important element of the UOF and behavioral and mental health policies, and of the procedural justice requirements included in the bias-free policing policy. UOF policy F-0200 and accompanying attachments address supervisory review of force, and D-0200 and D-0300 do the same for complaints. Nearly all of the key policies have now been developed in conjunction with technical assistance from MT subject matter experts. Most of those not already approved are currently under compliance assessment by the Monitors and DOJ. Once in place, most of these policies will likely require revisions or additions to training before implementation.

Apart from policies, the MT has observed indications that certain practices are already in place relating to steps being taken to improve supervisory accountability. For instance, the BWC Unit reviews deputy stops, and when issues are identified, the deputy's supervisor is notified along with that supervisors' superiors. This ensures not only that supervisors are holding deputies accountable but that managers are holding the immediate supervisors accountable for following up. The MT has observed on multiple occasions managers quickly responding to issues identified in such areas as supervisory review of stops documentation and RIPA form submission. Similarly, the MT reviews of Sustained Complaints have noted several occasions where adjudications held not just deputies accountable for improper conduct but also supervisors and managers for actions they should have taken.

The promotions policy and plan currently under review will reflect several measures meant to ensure that there are accountability structures in place within the hiring, performance assessment, and

promotions processes. They will also help ensure that staff who are promoted to supervisory and management positions have the skills necessary to carry out the Sheriff's Office accountability processes and expectations. Examples of checks and balances within the human resources processes include numerous measures for ensuring promotions processes are transparent and fair. For instance, staff of no lower than the rank of commander can make no-hire decisions based on background checks. Potential hires and those considered for promotion are to be evaluated in part based on their match to the Ideal Candidate Profile, including having the communication and interpersonal skills and problem-solving mindset to engage in community-oriented policing with diverse community members and groups.

The very fact that the KCSO Compliance Coordinator has the rank of Chief Deputy is testament to the respect for accountability structures and a commitment to ensuring the SJ mandates are effective and sustainable.

3. ENGAGING WITH THE COMMUNITY AND INCORPORATING FEEDBACK

Certain provisions of SJ paragraph 95 require KCSO to engage with and listen to community feedback (paragraph 95d), incorporate community feedback when able and appropriate (paragraph 95e), and develop and evaluate policing strategies and tactics reflective of contemporary best police practices (95f). The Kern County CAC has been reviewing proposed Sheriff's Office policies and providing feedback to KCSO, which has incorporated suggestions when appropriate. In relation to SJ paragraph 95f, KCSO has submitted a community policing policy to the DOJ and the MT that includes a strategic plan that is guided by the pillars of 21st-century policing. These efforts place the department in partial compliance with this SJ paragraph (see Community Policing section of this report). KCSO uses a database to track community policing activities and problem-solving projects. Supervisors have the responsibility to enter an activity or project into the system and provide an overview of the issue and actions taken to address the specific situation. KCSO staff frequently refers to these log entries in their discussions with the CACs and MT. Avenues for meeting community policing and problem-solving policing training (paragraph 120) are also currently being reviewed. In the meantime, deputies already receive various related training, including "Cultural Diversity/Discrimination" and "Principled Policing in the Community" during the Academy, "Beyond Bias: Racial & Identity Profiling" every five years, and the WYSM training described in the Stops section. KCSO is also having all deputies attend the WYSM training and is piloting the implementation of a supervisor training called "Front Line Leadership." Each of these trainings includes sections dedicated to the need for genuine community engagement and collaboration with the community on crime and quality-of-life issues.

4. CONTEMPORARY POLICING PRACTICES

KCSO continues to pursue upgrades to their current data systems in order to ensure everyday department practice reflects data-driven modern policing.

The sergeants and senior deputies at the stations reported regular communication with deputies about crime trends and important investigations. This is how they communicate the needs with staff. The substations report that a significant amount of time is dedicated to conducting follow-up work on

investigations and call response. This may limit the amount of time they can spend on problem solving or community policing projects.

KCSO uses LEFTA System's web-based platform to ensure deputies receive, read, and acknowledge receipt of the policies. This system allows for easy assessment of policy implementation and provides data that supervisors then use to hold deputies accountable for policy acknowledgment. KCSO has also created an internal system to track the delivery of roll call trainings. These tools enable supervisors to hold people accountable for the receipt of information and also send the message to the work force that managers will be checking.

5. SUPERVISORY TRAINING

Besides the training related to the SJ paragraph 95 requirements, SJ paragraph 96 requires all supervisors to receive MT- and DOJ-approved training on management skills, contemporary policing practices, and, especially, de-escalation techniques. Several of the trainings that are relevant to this provision were mentioned above, in particular, trainings that are intended to ensure policies governing supervision and investigations are being followed.

The "Front Line Leadership" training mentioned above is a four-day course intended for sergeants and above. The topics include leadership, effective leadership traits, ethics, community policing, achieving compliance from staff, and resilient leadership strategies. There will be two pilot courses, and the first will occur in March 2025. KCSO has conducted a self-assessment of the training and indicated the applicability of the training to specific SJ training requirements. The MT will observe the pilot training to assess which SJ provisions are addressed in the training.

6. KCSO EVALUATION OF THE EFFECTIVENESS OF SUPERVISORY PRACTICE

The MT will provide technical assistance as requested to help KCSO develop the metrics and internal reviews required by SJ paragraphs 97 and 98. Again, most of these will serve the dual purpose of measuring compliance with these paragraphs as well as measuring the effectiveness of processes related to the UOF, stops, behavioral mental health, HR, community policing, and complaints sections. The MT will also conduct reviews to provide an independent assessment that can then be used to inform the methods KCSO uses internally. A focus here will be not only measuring compliance at a particular point in time but to also assess whether KCSO has processes in place that are institutionalized and sustainable.

F. LANGUAGE ACCESS

This section of the SJ requires KCSO to "effectively communicate with and provide timely and meaningful access to police services to all members of the Kern County community, regardless of their limited ability to speak, read, write, or understand English" (paragraph 99). "Language access" means providing non-English speaking or people with limited English proficiency (LEP) with reasonable access

to the same services as English-speaking individuals.²⁸ The Language Access section (paragraphs 99 and 100) consists of four main components: designation of a language access coordinator; creation of a language access policy in meaningful collaboration with the CAC; training in the language access policy for all KCSO deputies, communication supervisors, call takers, and dispatchers; and development and implementation of a language access policy and audit protocol.²⁹

THE IMPORTANCE OF LANGUAGE TO BUILD COMMUNITY RELATIONSHIPS

Language access is a critical and urgent component of the SJ and is a key element of providing constitutional and bias-free policing. It is essential that KCSO personnel and members of the public understand one another and have clear and productive communications regarding law enforcement-related issues that are often complicated and emotional.

There are many common circumstances in which language barriers become an obstacle to providing appropriate services. When a person dials 911, the dispatcher who receives the phone call needs to be able to accurately understand the situation being described and convey that information to field deputies. Some searches cannot be legally conducted if the individual does not knowingly provide consent. And situations can inadvertently escalate due to language barriers: For example, if an individual fails to comply with a deputy's instructions because they do not understand, their actions may be misconstrued as willful non-compliance, which can lead to deeper legal consequences and may even lead to otherwise avoidable use of force.

The ability to communicate with all community members is essential for community policing and building community trust, particularly in immigrant communities, which typically are among the most marginalized (paragraph 120).

1. KERN COUNTY COUNTYWIDE LANGUAGE ACCESS POLICY

SJ paragraph 99a requires KCSO to work and meaningfully engage with the CAC and community stakeholders to develop and implement a language access policy (LAP; also referred to as a language access plan). As discussed in the Monitors' third annual report, Kern County Human Resources Division (County HR) has been working to create a countywide LAP that will be applicable to all County departments. This new policy will serve to standardize the County's protocol regarding language access, while still allowing individual County departments to continue using their existing internal protocols,

²⁸ Migration Policy Institute: Frequently Asked Questions on Legal Requirements to Provide Language Access Services at <https://www.migrationpolicy.org/programs/language%C2%A0access-translation-and-interpretation-policies-and-practices/frequently-asked>

²⁹ Other SJ sections also contain paragraphs with language-related requirements, including paragraph 16 (canine handlers must issue clear warnings in Spanish and English if the suspect is reasonably believed to be a Spanish-speaking limited-English proficient individual), paragraph 123 (KCSO must seek the assistance of CAC and community advocates to disseminate information such as complaints, forms, and brochures in English and Spanish), paragraph 130 (KCSO must provide informational language in appropriate non-English language and/or appropriate translation services to file a complaint about a KCSO deputy or employee), and paragraph 133 (KCSO will make its complaint brochure explaining complaint procedures available in Spanish or any other language that the County must provide to voters during an election). While there is some overlap with the Language Access section, these paragraphs are monitored in each of the relevant sections.

provided they are consistent with the overarching policy. A KCHR representative has continued to attend occasional CAC meetings to receive feedback from the CAC and other community members.

On April 23, 2024, the MT and CAC received an early draft of the language access policy from the County for review and feedback. The MT provided feedback on the County's draft, and the CAC was given until May 20, 2024, to offer their feedback; however, KCSO clarified that the CAC may offer additional insights at any point during the drafting of the policy. Included in the CAC comments were concerns about ensuring interpreter availability for Indigenous communities from Mexico and generally increasing the number of certified interpreters. In the latter half of 2024, the County's focus was working internally to receive feedback from various County departments, as well as the associated County employee unions. As of January 2025, County HR advised the MT that discussions with unions are continuing regarding bilingual pay. County HR is in the initial stages of identifying qualified agencies to provide certified interpreters in additional languages listed in the draft countywide LAP.

KCSO is in compliance with SJ paragraph 99b, which requires that a language access coordinator be designated to work with County HR to ensure the language access policy is compliant with applicable federal and California law.

2. KCSO LANGUAGE ACCESS POLICY

The department's LAP is intended to address unique needs of law enforcement that are not covered by the County's more comprehensive policy—for example, when deputies are engaged in law enforcement activities and such interactions as being able to inform a person with LEP why they were pulled over, or reading a detained person their Miranda rights in a language that person understands.

The latest draft of the department's policy was shared with the MT in May 2024, and it reflects input from KCSO and California Rural Legal Assistance (CRLA), who is represented by an active CAC member with language access expertise. In June 2024, review and additional feedback on the LAP was discussed at a quarterly CAC meeting and shared with KCSO and County HR. The CAC's feedback included recommendations to consider linguistic variants (e.g., among groups such as Mexican Indigenous communities), to clarify definitions used in the LAP, and to share the LAP with the deaf and blind community to ensure greater inclusion in the policy development process. The County's language access coordinator received feedback with the purpose of incorporating it into the countywide policy where appropriate and agreed to share back with the CAC for additional review once additional feedback is received from other entities.

This is an area where the MT encourages the County and KCSO to continue their efforts to develop and implement new approaches that would help in obtaining ongoing feedback from a broader spectrum of community members who are not currently members of the CAC. As shared by CAC members, there are individuals who do not feel comfortable or safe communicating or interacting directly with law enforcement for various reasons—distrust, fear, and so forth—and rely on others for assistance. (See SJ paragraph 99a.)

The MT observes that providing interpretation services during community events is considered a "given" by KCSO when they are helping host and participating in community meetings. These services

are paid for by the department, as they have created a line item in their budget to pay for CAC and community engagement–related activities. (See the Community Policing section for more information about community meetings and events.)

As of January 2025, County HR and KCSO continue to encourage deputies who are bilingual, or who might be interested in developing their language skills, to apply for certification. KCSO is trying to get funds added to its budget to pay for translator certifications so employees would no longer have to cover that cost themselves.³⁰ Additionally, they are researching what other jurisdictions use for help with translation, to include artificial intelligence (AI) possibilities.³¹

3. CURRENT KCSO LANGUAGE ACCESS PROCESS

It is expected that the department’s LAP—once submitted for review and approval by the MT and DOJ and later implemented--would replace the current practice of excessively relying on the limited number of deputies who are certified as bilingual. When there are no deputies available for interpretation, the practice has been to ask someone nearby (such as a family member or friend of the individual detained) to interpret for them. Additionally, the department continues to use Voiance, Linguistica International, and LanguageLine Solutions—all third-party interpretation providers—to assist with field, station, and detention facility translation services.³² Relying on third-party providers or on non-certified third parties such as family and friends is not ideal because they may lack the technical or legal expertise needed to properly interpret the language used by law enforcement, and they may lack impartiality. Furthermore, such contacts may occur in areas with poor reception, making it difficult for deputies in the field to access the necessary services or information. This could lead to miscommunication or delays in response. As a law enforcement agency, KCSO frequently deals with sensitive situations like domestic violence and other abuse, which require specialized law enforcement skills and training to effectively support those in need.

The MT notes that the latest LAP draft incorporates feedback from the CAC, MT, and Sheriff’s Office, which is essential. However, there are still areas to address, such as identifying a list of documents that must be translated into non-English languages, and establishing a sustainable system for providing interpreters to be available to the department at all times during the day and night. The MT looks forward to receiving and reviewing an updated version of KCSO’s department-specific policy to address

³⁰ Increasing the number of certified interpreters among KCSO staff may also produce a cost savings for the department. KCSO points out that the cost of hiring external interpreters for a half-day meeting is approximately \$350 each time, and their availability may be limited or delayed. In contrast, paying an employee who is already receiving bilingual pay to utilize their skills during that sort of meeting and in many other circumstances is around \$600/year per deputy. However, at this time, the County has indicated they do not intend to increase incentive pay.

³¹ An AI application that County HR and KCSO are considering is Wordly, which is used by government agencies for press conferences, city council meetings, planning sessions, customer service kiosks, and employee training. It provides live translation into over 60 languages. The County of Los Angeles uses this to inform people of the wildfires and other community emergencies. Attendees at those events have the choice of scanning a QR code with their phone, or clicking a link from their computer, and then selecting their preferred language from a drop-down list. They can then read captions or listen in the language of their choice.

³² In the absence of a countywide policy, the current practice is that individual County departments each manage their own contracts and vendor lists.

these unique challenges, as well as its associated training that underscores the significance of professional interpreters, the impact on community trust, and the delivery of bias-free, constitutional police services.

4. BILINGUAL PAY AND BEST PRACTICE CONSIDERATIONS

As noted in the Monitors’ previous annual reports, certified bilingual staff should be compensated fairly for their work and have their workload reduced without consequences based on the time spent interpreting. Table 1 shows the number of certified bilingual staff as of August 2024, which has not increased since what was reported in the last reporting period.

In August 2024, KCSO distributed an internal language survey to, among other things, identify staff who are certified as bilingual, and reasons why they may not be inclined to test for certification even if they do speak another language. The responses provided by KCSO staff showed that about 36% of those who responded spoke a language in addition to English, primarily Spanish. According to KCSO, some of the responses raised questions for them about the certification process; they reached out to KCSO HR to explore ways to modify the process to be able to get more employees certified. For instance, KCSO flagged issues around confirmation of ASL as a certifiable language, determining staff eligibility to continue receiving bilingual pay after promotion, investigating whether an increase in incentive pay is possible, and clarifying who pays for associated certification costs.³³

KCSO informed the MT that it has 229 employees who speak a language other than English (144 writing, 76 verbal, six reading), which is considerably higher than the numbers of those who are certified. This is consistent with what the MT has learned in discussions with KCSO personnel regarding their hesitancy to apply for bilingual pay.

| TABLE 1 | | |
|------------------------------------|--------------------|-------------|
| KCSO CERTIFIED BILINGUAL PERSONNEL | | |
| CLASSIFICATION | WRITTEN AND VERBAL | VERBAL ONLY |
| Civilian | 24 | 25 |
| Detentions | 9 | 11 |
| Patrol | 18 | 22 |

5. KCSO ANNUAL AUDIT

SJ paragraph 100 requires KCSO—in consultation with the MT, DOJ, and the County HR language access coordinator—to develop an audit protocol and to conduct annual audits to determine how KCSO manages language access services, whether these services align with community needs, and how

³³ Costs for bilingual testing is \$59 for a reading and writing exam and \$79 for a conversational and reading/writing exam. Currently deputies pay this fee themselves, but KCSO is exploring the possibility of absorbing these costs.

these services compare with similar entities. Once language access policies have been finalized and approved, KCSO and County HR must develop an audit protocol, and then make the audit findings public.

The MT has advised KCSO and County HR that we can provide technical assistance and work collaboratively to help develop an audit protocol. A first step would be for them to review how they collect data on language access; for instance, how they track the number or percentage of their calls for service and stops that require translation services, and determine what changes are necessary for an audit. Currently, deputies only document the use of interpretation services in CAD or reports in which they request them through dispatch. However, there is no formal protocol for consistently recording this information in reports.

6. NEXT STEPS FOR KCSO AND THE COUNTY

The MT acknowledges that implementing a language access policy involves more than just drafting the document, getting feedback from the community and other partners, and getting MT and DOJ approval. Implementing such a policy requires, among other actions, the possibility of contracting for interpretation and translation services, training staff, and identifying infrastructure impediments.

That said, the following steps are expected to be taken during the next reporting period.

- County HR will continue to participate in the CAC (which includes representatives from KCSO) to receive direct community feedback and guidance related to drafting the LAP (paragraph 99) and its eventual implementation.
- The County and KCSO will continue their efforts to develop and implement new approaches to help in obtaining ongoing feedback from a broader spectrum of community members beyond the CAC (paragraph 99a).
- County HR, in collaboration with KCSO, will complete a draft countywide language access policy and provide it to the CAC, the MT, and DOJ (in that order) for review and feedback (paragraph 99a).
- KCSO, in collaboration with County HR, will complete a draft of a department-specific LAP and provide it to the CAC, the MT, and DOJ (in that order) for review and feedback (paragraph 99a).
- County HR and KCSO will continue to explore and contract with vendors that can provide their jointly identified specialized language services.
- After finalization of the policy, and in consultation with the MT, DOJ, and KCSO, Kern County will develop a language access training (paragraphs 99 and 100).
- In consultation with the MT, DOJ, and County HR, KCSO will develop a baseline audit protocol upon completion and approval of its LAP (paragraph 100).
- KCSO and the County will continue to cooperate and assist with the MT's various data and document requests, inquiries, and reviews and with the development of compliance metrics.

7. NEXT STEPS FOR THE MT

- The MT and DOJ will continue to review and provide feedback on submitted policies and, when submitted, trainings.
- The MT will provide recommendations and technical assistance as needed and requested for development of trainings and the audit protocol.
- The MT will continue to engage with KCSO, the County, the CAC, and other community members; will continue to observe, via ride-alongs, station visits, and review of documentation, how KCSO staff interact with the public throughout their workday; and will continue to assess whether and how new mandated policies, such as language access, might serve both KCSO and community needs.
- Working with KCSO and DOJ, the MT will make site visits to observe relevant training and engagements involving persons with LEP and to interview key community partners, including KCSO personnel and community groups representing persons with LEP.

G. RECRUITMENT, HIRING, AND PROMOTIONS

A specific goal of the SJ is for the KCSO and County HR to take necessary steps to realize a KCSO workforce that more closely reflects the demographic makeup of the Kern County community they serve. Moreover, it is critical for KCSO to recruit, hire, promote, and retain individuals who have the life experience, skill sets, and values that will advance the overarching goal of the SJ that KCSO fully embraces and practices constitutional and community-oriented policing. Some of the provisions relating to recruitment, hiring, and promotions described in SJ paragraphs 101–116 are the responsibility of County HR, some are KCSO responsibilities, and others are shared.

1. KCSO STAFFING

KCSO and County HR continued to have success in reducing vacancies. The department had experienced net losses of personnel in 2021 and 2022 but since then, their staffing level has improved each year. In 2024, KCSO hired 243 new staff, including 73 deputy sheriff hires, 80 detentions deputies, and 90 civilian employees. Despite the attrition of more than 137 employees, KCSO ended the year with a net gain of 106 employees. As of December 2024, the overall vacancy rate was 18%, including 14% for sworn operations/patrol deputies, 15% for detentions deputies, and 25% for civilian positions (including park rangers).³⁴

³⁴ In August 2024, KCSO absorbed 40 park ranger positions, of which only 15 are filled.

2. KCSO AND COUNTY HR RESPONSIBILITIES

Responsibility for recruitment and hiring processes is split between County HR and KCSO, with some overlap.³⁵ KCSO and County HR each have their own recruitment teams; they collaborate in some ways but generally work independently. County HR handles initial applications and testing, at which point KCSO takes over for conducting hiring interviews, background investigations, and the rest of the process through Academy training. For promotions, County HR collects the initial applications and conducts testing and a first round of interviews, assigning a rating to each promotional candidate. When KCSO identifies an open position they wish to fill, they receive a short list of the top-ranked candidates and then begin their own evaluation, including a work file review and interview. The final decision for promotional decisions rests with the Sheriff. The data behind each of these stages of the process is compiled and maintained by the respective agency responsible for the activity involved. Therefore, cooperative data sharing and collaboration needs to occur in order to gain a comprehensive understanding of how individuals flow through the process from recruitment through application, testing, background check, interview, and the Academy. KCSO and County HR have demonstrated a good working relationship in the past few years, and both have shown a capacity to use data to evaluate and inform practice. In the new reporting period, the MT will continue to work with the parties to ensure appropriate data are available for both agencies to conduct the tracking and reviews they require.

3. RECRUITMENT AND HIRING

As noted in previous MT annual reports, KCSO has taken a variety of steps to improve its ability to attract, hire, and retain highly qualified individuals into its sworn positions. With hiring rates continuing to improve, it is important that the County and KCSO also focus on the diversity and skills of the applicant pool and ensure that those who are hired and promoted possess the qualities and traits laid out in the newly developed Ideal Candidate Profile (SJ paragraphs 101–103, 110, and 111).

In conjunction with County HR, KCSO has taken steps to improve the recruitment and hiring process to make it less burdensome and more efficient, and to better collect data on the process so as to more thoroughly analyze whether its efforts and strategies are achieving SJ requirements. Some examples follow. The County has greatly enhanced salary and benefit packages to meaningfully compete with other law enforcement agencies. County HR now has a modern hiring website designed to be more accessible and to provide information about KCSO that is intended to enhance its image and make it an agency that prospective applicants would like to join. As reported previously, County HR and KCSO have put in place multiple changes to the application process, such as offering qualification pre-screenings and expedited testing at recruitment events, extending the eligibility period for test scores,

³⁵ The California Commission on Peace Officer Standards and Training (POST) and California Board of State and Community Corrections (BSCC) governs the written tests for peace officers, as well as background investigations. KCSO and County HR are charged with ensuring POST and BSCC guidelines are followed.

accelerating the background checks, providing better communication with each applicant throughout the process, and incorporating the use of the Ideal Candidate Profile among other improvements.³⁶

a. Recruitment Activities and Events

KCSO and the County have expanded their outreach efforts to enlarge the pool of qualified applicants. KCSO and the County each conducts its own events, attends the events of the other, and participates in events sponsored by other organizations. Recruitment staff and sworn deputies are available at events to answer questions and help applicants start the application process. Below are some highlights of KCSO and County outreach efforts in 2024.³⁷

Venues included high schools, the local colleges, Kern County library, Kern County agencies (including HR), the Regional Training Center (the location of the Academy), and the Sheriff's Office headquarters. Some events focused on recruitment of professional staff or sworn staff, while others were general job fests or community career events. Locations included greater Bakersfield, Arvin, California City, Lamont, Mohave, Delano, Elk Hills, Kern Valley, Lake Isabella, McFarland, Ridgecrest, Shafter, Taft, and Wasco. Events included Sikh Riders of America Annual Ride, Home and Garden Show, National Night Out, Que Buena Radio Soccer Tournament, Mercado Latino Posada, Coffee with a Recruiter, and Coffee with a Cop. In order to further its outreach effort, KCSO formed new partnerships such as those with Starbucks, the 5.11 Uniform Store, North of the River Community Center, and the Kern High School District (KHSD).

Recruitment outside Kern County is pursued via social media platforms Facebook and Instagram, targeting both Northern and Southern California. Recruitment events were attended at Camp Pendleton, Lancaster, and Santa Clarita.

KCSO continued its efforts to attract high school students to the possibility of a career with KCSO. Through their partnership with KHSD Regional Occupational Center and Career Technical Education Center, high school students have taken tours of KCSO facilities, heard presentations from specialized units, and participated in physical training and ride-alongs. Events the partnership hosted for students included the newly inaugurated annual Academy Experience Day, a Women in Law Enforcement event, and a Mock Interview Day.

KCSO continues to inform the CAC of upcoming recruitment events and encourages committee members to share recommendations for recruitment strategies. The MT continues to urge both the County and KCSO to collaborate more extensively with the CACs on developing and implementing outreach and recruitment approaches and events. Continued efforts to encourage and facilitate greater involvement and collaboration with CAC members could include the scheduling of discussions between the CAC and recruitment staff where recruitment processes and direct participation of CAC members

³⁶ In the previous annual report, it was reported that KCSO was in the process of hiring four civilian background investigators in hopes of improving efficiency and timely completion of background investigations. All four positions have since been filled, and all these investigators have completed the POST 32-hour background investigator course. One of these civilian investigators has also completed a 10-week polygraph examiner's course, and another civilian investigator was scheduled to take the course in January 2025.

³⁷ In 2024, the KCSO Recruitment Team participated in 83 recruitment events.

can be explored, making specific requests of the CAC to assist in planning or coproducing events, and conducting post-discussion and post-event follow-ups to assess how the relationship might be expanded moving forward. These activities can include both KCSO and County recruitment teams.

b. Using Data and Other Information to Improve Outreach and Track Its Effectiveness

KCSO reports having developed a tracking mechanism to assess the effectiveness of micro-recruitment events. At KCSO's request, County HR has initiated manual tracking of hires, a labor-intensive process still in its initial phase. The data can be tracked back to specific recruitment efforts to help assess what activities were most helpful toward drawing in successful candidates. Presently, KCSO receives recruitment data from County HR, and they maintain a spreadsheet to document attendee information.

Since April 2022, County HR began collecting more detailed applicant data, including zip codes, and has begun analyzing applicant distribution and identifying areas from which fewer applications are submitted. The information is used to identify areas to increase recruitment activity.

The MT has encouraged the parties to enhance this approach by developing more detailed demographic profiles of the various parts of Kern County, whether by census track, neighborhood, or some other designation, in order to identify areas where there might be higher concentrations of individuals from underrepresented groups who may be suitable candidates for consideration. Ensuring that such areas are emphasized for recruitment events and, importantly, tailoring the recruitment strategies to the characteristics of the area may well increase the number of applicants from those groups. KCSO and KCHR should continue to use a variety of methods in addition to geographic-based approaches to attract potential candidates from underrepresented groups.

Analysis of the demographic data collected in relation to recruitment and hiring should be conducted and studied by managers on at least a yearly basis to determine whether and to what extent specific recruitment efforts are yielding the desired results and, in particular whether any specific strategy is achieving greater success in securing applications from underrepresented groups. Such reviews should include a determination as to whether additional or modified strategies should be considered to further improve results.

c. Hiring Process Improvements

Additional refinements were made in the hiring process that have the potential to further improve the ability to keep potential candidates interested in staying involved in the KCSO hiring process. We note that these changes also have positive ramifications for recruitment, since these features are advertised and thus can attract potential applicants.

In the past, some applicants were lost to other agencies because the process in other agencies might be moving more quickly elsewhere, and job offers from those other agencies were made sooner. To maintain the interest and desire of applicants to stay involved with KCSO, the department instituted two programs. It established a cadet program under which eligible candidates who have not yet completed the background investigation process can be hired, as paid cadets, for the interim positions of

detentions deputy trainee or deputy sheriff trainee. This program was started in 2023, but KCSO reports that it has not been utilized recently because of the more timely background check process and because, with multiple Academies offered per year, the wait time for the next class to begin has been reduced. However, it remains an option and displays the creative thinking that is taking place.

KCSO also established a pre-Academy program that commences two weeks before the start of its Academy. This allows training staff to interact with trainees to address areas of needed study and physical fitness improvements that can benefit those who are about to start the Academy. (See more information in the Stops section.)

In furtherance of its effort to retain the interest of good candidates who might fail the Academy training stage, KCSO has determined where possible and appropriate to offer civilian positions to such individuals and, at the same time, help them to address their Academy failures with hopes that they reapply for sworn positions at a later time.

KCSO and County HR are in compliance for their Recruitment Plan, and they are currently revising their Hiring Plan (SJ paragraphs 103–105).³⁸ These reports include descriptions of HR-related activities by the department and County, data related to the outcomes of those efforts, KCSO and County HR assessment of that data, and actions taken to improve outcomes where needed. For the Recruitment Plan, KCSO and County HR conducted a follow-up review after one year that indicated most of the action steps laid out in the plan had been addressed and new steps were added. KCSO has also produced biannual reports and other data reviews that show trends in much of the data first reported in the recruitment and hiring plans. This process of tracking changes in outcomes over time and making related changes to practice as needed reflects the expectations of SJ paragraph 101 which states:

To maintain high-level, quality service, ensure deputy safety and accountability, and promote constitutional, effective policing, KCSO and the Kern County Human Resources Division will review and revise as necessary its recruitment and hiring program to ensure that KCSO continues to successfully attract and hire a diverse group of qualified individuals, for both patrol and detentions. (Emphasis ours.)

Compliance with many of the HR-related SJ provisions is about both the processes undertaken as well as the results or outcomes that can be measured. In any law enforcement or human resources agency, it is the responsibility of managers to ensure that, on an ongoing basis, departmental practices and outcomes are being proactively reviewed to ensure they are meeting agency priorities and expectations and that adjustments are made as needed. With regard to the HR section of the SJ, the MT has found that KCSO and County HR managers are regularly conducting such reviews and taking corrective action when issues are identified. The MT has provided extensive feedback regarding the areas where this ongoing review can be improved and deepened, and KCSO and County HR have shown they are both capable and willing to make continued improvements

³⁸ A “hiring plan” is not specifically required by the SJ, but KCSO and County HR chose to produce one as a means to meet SJ requirements.

Sustained compliance will be achieved when it is clear that KCSO and the County continued this effort, supported by ongoing thorough reviews and appropriate action, to ensure that its recruitment activities effectively attract a broad and diverse pool of potential applicants, and that its recruiting, hiring, and promotions processes are fair, free from bias and disparate impact, and produce a workforce reflective of Kern County and the Ideal Candidate Profile.

4. IDEAL CANDIDATE PROFILE

KCSO finalized its Ideal Candidate Profile and has taken steps to implement it. With this development and the work described above regarding recruitment and hiring processes, and once the promotions policy and plan is approved, KCSO will likely be in compliance with SJ paragraph 106. The Profile has ramifications for both recruitment and hiring as well as performance evaluations, training, supervision, and promotions. The Profile will be spoken about by recruiters and featured in employment material, helping jobseekers better understand the type of person the Sheriff's Office values and perhaps broadening their view of what a career in law enforcement entails. Hiring personnel will be expected to consider the Profile in their interactions with potential candidates and in their hiring decisions, including through the assessment of Profile dimensions in the background investigation as is currently done.

As reported in the Monitors' third annual report, the Ideal Candidate Profile is not specifically required by the SJ. KCSO chose to create it as a way to provide clarity for all potential hires and current staff on the department's expectations regarding the desired employee traits, including those described in paragraphs 103e, 106, 110, 121, and elsewhere in the SJ. These traits ensure consideration is given to traits and skills that support the agency's focus on furthering community policing, problem-solving skills, and constitutional policing practices emphasized in the SJ and reflected in a culture that is supportive of the pillars of 21st-century policing.

The Profile also provides guidance on how these traits should be manifested in various aspects of KCSO employment, including recruitment, hiring criteria, the training and annual performance appraisals of all current staff, promotions, supervision, and management. The Profile is meant to assist and guide KCSO personnel in each of these areas, including those hoping to be hired or promoted and those making hiring, assessment, and promotion decisions.

KCSO has implemented a training bulletin addressing the Ideal Candidate Profile and created posters emphasizing it at the Regional Training Center. The department has highlighted the importance of the Profile to its Recruitment Team, and it has incorporated it into its draft promotional policy and plan. It has also added a preface about the Profile to its job bulletins. The Sheriff has posted a message on the internal Sheriff Net that emphasizes the Profile's importance. Reading the training bulletin and watching the related video is mandatory for all personnel; the Training Bureau has developed an online training and quiz to ensure all employees are familiar with the Profile. Lastly, the Ideal Candidate Profile has been posted at various locations throughout KCSO.

5. MENTOR POLICY

KCSO has also taken the promising step of creating a mentor policy. The associated Mentoring Program can assist employees in outlining their career development goals, and objectives and may assist employees who are transitioning after completing the Academy or promoting to a higher rank. The Mentoring Program is also a tool recruiters can use to reassure potential candidates that the department is interested in providing guidance to help employees transition into KCSO culture and succeed. A draft policy on this program was submitted to the MT for review and comment. The MT submitted written comments to KCSO in January 2025 and recently discussed them with the department.

6. ANALYSIS AND REPORTING

KCSO and the County have continued to improve their collection of data to evaluate efforts to achieve and maintain a workforce that reflects the demographic makeup of the Kern County community. The SJ mandates that every stage of the relevant processes is reviewed in detail in order to ensure that the department and County are doing what they can to achieve SJ goals and objectives. That information is being provided in a variety of reports, such as KCSO quarterly HR reports, KCSO biannual reports, KCSO background investigation report, the County HR recruitment plan, the County HR hiring plan, and the KCSO promotions plan.³⁹

Due to the conscientious efforts KCSO and County HR have undertaken to meet these expectations and the improvement evident in each successive report, the MT has found that the department and County HR are in compliance with many of the analysis and reporting requirements related to hiring, including paragraphs 101, 102, 103, 104, and 108. When the promotions materials are approved, the number of HR-related provisions in compliance will likely grow. We have also made clear that, to maintain compliance and to achieve sustained compliance, we will look for continued improvements in the quality and consistency of presentation and assessment of data described above. The MT has provided detailed comments and suggestions on the various reports to help in that regard, and we have provided KCSO and County HR with an outline of the information that should be included in reports (see below).

We discuss each of the reports individually below. Here we give an overall assessment of the status of the quality of the reports.

- In these reports, the data are now being presented for nearly all the parts of the process that need to be reviewed.
- In another indication of progress, trend data disaggregated by demographics are now often, although not always, presented. It is critical that reports consistently provide historical or trend data to compare yearly progress toward achieving the desired goals.

³⁹ Related information is also provided in the KCSO Annual Report.

- Additionally, the most recent KCSO and County reports have more consistently offered written commentary describing the managerial review of the data presented. Managers need to engage in comprehensive analysis of that information in order to determine and document whether their efforts are meeting their expectations or, if necessary, to formulate and implement additional strategies.
- Finally, as time passes, it is important that the data findings and assessments are updated along with descriptions of the results of and lessons learned from corrective action taken in response to previous findings and next steps. When the MT and DOJ approved the recruitment plan, we made clear the data analyses included in the plan would need to be periodically updated, and SJ paragraph 113 requires the promotions plan to be reviewed every two years.

The updates noted in the last bullet above are necessary for KCSO and County HR to continue to assess whether their activities are having their intended impacts or if adjustments are needed. This requirement is emphasized in the Introduction to the Recruitment Plan,⁴⁰ which states:

This document represents the first of what will be periodic updates and revisions to the Recruitment Plan. Recruitment, along with hiring and retention, is an ongoing and constantly evolving challenge, so future iterations of the plan will require improvements in the data collected and presented, the level of analysis conducted by KCSO and KCHR, and additions or revisions to the plan and the action steps required to meet its objectives. (p. 4)

The MT has observed that, while each of these reports are very helpful, they are also somewhat duplicative and require a large commitment of resources and time. It can also be difficult to compare and evaluate data and information across the reports because some of them are prepared by KCSO and others by County HR, using different data (or data that need to be shared between the two), and because the timeframe and scope of each report are somewhat different. Accordingly, the MT, KCSO, and County HR have agreed to discuss a plan to ensure the reporting is as efficient and effective as possible, potentially to include modifying or discontinuing some of the current reports.

Relatedly, the MT provided a detailed outline or template to help ensure the information contained in these reports is consistent and sufficient for the MT to assess compliance with the HR-related provisions of the SJ while also, as much as possible, being helpful to KCSO and County HR managers.

As discussed above, KCSO and County HR have made various efforts to improve success rates of applicants based on prior results and data analysis. Past MT annual reports discussed the piloting of a replacement for the POST Entry Level Law Enforcement Test Battery (PELETTB), which was discontinued when sworn patrol written exam failure rates increased rather than declined. In addition to the changes to the recruitment and hiring processes described below, KCSO and County HR began providing study aids for the PELETTB; that adjustment seems to have improved scores and remains in place. We also previously reported KCSO's decision to change the timing of the physical agility test and adding associated coaching in order to foster higher pass rates. KCSO now reports it was not satisfied with the results of this change and is considering other options. The MT applauds this continued effort. In another example, due to firearms testing failures in the Academy, KCSO transitioned to a Glock 47 with

⁴⁰ See "2023 Kern County Recruitment & Hiring Plan for KCSO" at <https://www.kernsheriff.org/Transparency/AnnualReports>

a red dot optic. Early analysis seemed to show the change helped reduce failures at the range for one Academy, but, overall, success rate has remained at 80–90% over the last three years. Finally, high fail rates on detention senior deputy promotional exams led County HR to work with KCSO subject matter experts to revise the test; similar changes are coming for the detentions sergeant exam and for sergeant promotion exams.

SJ paragraph 105 requires KCSO and the County to conduct a disparate impact study to determine whether any step in the hiring process has a disparate impact and, if so, to seek measures that might reduce or remove the disparity. SJ paragraph 111 has a similar requirement related to unlawful discrimination in promotions. The parties will need to discuss what is expected regarding evaluating for disparate impact. The MT notes that several KCSO and County HR reports, including the background report and the hiring plan draw conclusions regarding disparate impact without explaining the methods used and/or the basis for reaching their conclusions. Further discussions between KCSO, the County, DOJ, and the MT will be required to establish what methods of disparate impact analysis will satisfy this requirement and what criteria should be used to assess the data findings.

a. County HR Recruitment Plan and Hiring Plan

In the third annual report, the MT reported that the Recruitment Plan was found in compliance with SJ paragraphs 101–104 on the condition that the plan would be updated periodically and further refined with particular attention to consistent data presentation, analysis of all relevant data, thoughtful assessment of the findings, and appropriate action taken. KCSO and County HR met to discuss the status of the action steps laid out in the Recruitment Plan and found 21 of 28 had been completed. Steps still being worked on include: a micro-learning/training on implicit bias for staff involved in recruiting; other cultural sensitivity measures, including evaluating interview and test questions; a partnership with California State University, Bakersfield; a campaign to promote women in law enforcement; and the annual re-assessment and re-evaluation of the effectiveness of the Recruitment Plan (discussed below). The MT acknowledges the good work done in this regard, as evidenced by increased application rates and other measures.

The County has submitted its first draft hiring plan to the MT for review and comment. The MT found the report to be the most thorough and consistent produced by County HR thus far. The MT met with both KCSO and the County to discuss our observations and suggestions on the plan. Written comments and recommendations were then provided to KCSO and the County in January 2025. The MT is confident that the hiring plan will be finalized and ready to submit for DOJ approval by the end of the second quarter of 2025. Until then, KCSO and the County remain in partial compliance for SJ paragraphs 105 and 107.

The MT looks forward to the opportunity to review the next iteration of the Recruitment Plan analyses. As discussed above, the processes addressed (and any others not addressed) in the original Recruitment Plan need to be revisited periodically, to include the following.

- Update on all related activities.
- Updated data, always with trends for relevant demographics.

- Update on status and lessons learned from any corrective action taken as a result of previous findings.
- Managerial assessment of issues and patterns identified in the new data results and, for each, any corrective action needed, including evaluation of whether their efforts to achieve compliance have been fruitful and, if necessary, formulate and implement additional strategies that may lead to compliance.

b. KCSO Background Investigation Report

In October 2024, KCSO submitted to the MT the Sheriff's Office background investigation report. The report gave a detailed overview of the background investigation process, the Ideal Candidate Profile's role in hiring, and trends related to applicants and their success in the hiring processes based on review of data from 1,472 background investigation reports conducted during the period from July 1, 2022, to June 30, 2023. The report responded to SJ paragraph 108 as well as other hiring provisions. The report was produced by KCSO, and much of the information it contained was also included in the hiring plan.

California Government Code Section 1031 requires a pre-employment background investigation prior to hire as a peace officer. The purpose of a background investigation is to determine whether an applicant is suitable to be a sworn operations deputy or detentions deputy. These investigations are conducted in accordance with guidelines issued by the California Commission on Peace Officer Standards and Training (POST) and the Bureau of State and Community Corrections (BSCC). However, these guidelines are a baseline, and a law enforcement agency is free to broaden the scope of its investigation to take into account its special and specific needs and goals. Investigators consider the personal history statement submitted by the applicant, relative and personal references, education history, residence history, employment experience and history, military history, financial history, legal history, driving history, and other topics related to moral character and bias assessment.

KCSO has initiated an audit assessing compliance with paragraph 108 and related provisions. The MT reviewed the audit plan, provided some feedback, and suggested the department follow through with the audit. We look forward to reviewing the report.

c. KCSO Promotions Policy and Plan

The SJ requires KCSO and the County to develop and implement a promotions policy and a promotions plan (SJ paragraphs 109 and 113.) The purpose of the policy and plan is to ensure fairness and that promotions are made without favoritism or unlawful discrimination, that the promotional process is transparent, and that applicants are fully aware of all that is encompassed in the promotions process. (SJ paragraph 111.) The Mentoring Program described above will also provide yet another avenue for ensuring all staff have access to resources and individuals who can assist them with their professional development and promotional opportunities.

The policy and plan have been drafted, and several versions have been reviewed by the MT. The MT has provided written comments and suggestions for these documents, and KCSO has been receptive to them. The department has been open to comment and shows a commitment to the transparent and fair

processes required by the SJ. The MT is confident the materials will be ready for DOJ review early in the next reporting period.

d. KCSO Biannual Reports

The biannual reports (previously called diversity reports) have been produced every six months since mid-2023. The most recent, December 2024 Bi-Annual Report, was submitted in January 2025 and addresses the last half of 2024. We will provide KCSO with specific feedback regarding that report in the near future. It appears this report reflects the improvements in data presentation and analysis we have noted in other recent reports. Importantly, the quality of the report has improved and appears to be sufficient to enable the MT to assess the processes, activities, and outcomes that are described. More importantly, it appears sufficient for KCSO and KCHR managers to assess the progress of the various activities and to identify areas that need attention. That is, of course, the goal of these reports.

The December 2024 Bi-Annual Report reflects continued increases in hiring and staffing, and reductions in separations, as reflected in the KCSO Staffing section above.

Table 2 from the report is recreated below, providing the overall proportions of each racial/ethnic group in Kern County and among the KCSO workforce over the past four years. (The report also provides the proportions split in various ways, such as by gender and by classification, i.e., patrol, detention, professional.) There remains a challenge with regard to recruiting and hiring Asian and Black individuals and women into sworn positions. White people are still somewhat overrepresented, but data for this category are gradually showing more alignment with the demographics found in the census data. Hiring of Hispanic people into sworn position appears to be naturally heading toward parity.

| TABLE 2 | | | | | |
|---|-------------------------------------|--------------------|---------------------|----------------------|----------------------|
| KERN COUNTY SHERIFF’S OFFICE RACE: U.S. CENSUS AND KCSO WORKFORCE | | | | | |
| RACE | KERN COUNTY CENSUS APRIL 2020 | KCSO APRIL 2021 | KCSO DEC 1, 2022 | KCSO DEC 31, 2023 | KCSO DEC 31, 2024 |
| American Indian and Alaska Native alone | 2.8% | 0.8% | 0.9% | 1% | 0.8% |
| Asian alone | 5.8% | 1.3% | 2.3% | 2.6% | 2.4% |
| Black or African American | 6.3% | 2.8% | 2.4% | 2.6% | 2.6% |
| Hispanic or Latino | 56.8% | 42.7% | 47.7% | 53.7% | 52.4% |
| Native Hawaiian or Other Pacific Islander alone | 0.3% | 0.9% | 0.2% | 0.2% | 0.3% |
| White alone, not Hispanic or Latino | 30.4% | 50.6% | 45.3% | 39.1% | 40.5% |
| Two or More Races/Other | 3.4% | 0.9% | 1.1% | 0.08% | 1.0% |
| Total Individuals by Count | 909,235 | 1,147 | 1,065 | 1,144 | 1,244 |

Note. Information from <https://www.census.gov/quickfacts/fact/table/kerncountycalifornia,US/POP010220#POP010220>

The MT notes that the SJ requires recruitment efforts “for attracting and retaining a quality workforce that reflects the diversity of the Kern County Community” (SJ paragraph 102), hiring efforts policies and practices that “show a commitment to hiring and promoting qualified candidates at all ranks that reflect a broad cross section of the Kern County community the department serves” (SJ paragraph 106), and “enhanced strategies for promoting qualified applicants who reflect a broad cross section of the Kern County community” (SJ paragraph 111). Thus, KCSO and County HR-related reports have appropriately compared recruitment, hiring, and promotions data to census data for the entire county population, not just for that portion of the county population who are eligible to be hired at KCSO.

At this point in time, the extensive outreach and recruitment efforts that have taken place have not yet resulted in significantly expanding the proportion of Black/African American and Asian sworn personnel so they are more reflective of the proportion in the general population. The SJ requires indicia of efforts to attract, hire, retain, and promote a workforce reflective of the Kern County population. The SJ does not identify any particular quantities of each group, nor does it expect the KCSO workforce to exactly reflect the proportions of each group in the community, but nevertheless, numerical data and proportions are needed to identify whether any processes or factors related to recruitment, hiring, promotion, or attrition are keeping KCSO from achieving a workforce reflective of the community and if KCSO and County HR efforts in those areas are making an impact. KCSO and County HR need to examine the strategies they have used to attract applicants from these groups and attempt to figure out why, since 2021, the numbers have remained relatively static. On the positive side and as noted above, KCSO states that it is going to organize micro recruitment events to better engage underrepresented groups. Further and deeper conversations with community organizations and community leaders from underrepresented groups is also encouraged in order to better understand what it might take to get a greater number of qualified applicants and hires from these communities.

The biannual report also shows that White men have sought out and achieved promotion at higher rates than those from other races and genders, but there have been some recent advances in rates for women and Asians. Hispanic men also represent a large proportion of recent promotions, particularly among detention staff. Approval and implementation of KCSO’s Promotion Policy and Plan and its Mentoring Program may impact these findings positively. KCSO can also consider other efforts to encourage all qualified staff members to seek promotions.

The conclusion to the most recent biannual reports indicates the following activities have been prioritized. These items relate to SJ paragraphs 101 and 106, among others.

- KCSO continues to work with community groups to improve its numbers of underrepresented groups. This is important work. A future report, such as a biannual report, should provide more information about the specific organizations and/or community leaders contacted, why they were chosen, and lessons learned from these engagements.
- KCSO internal recruitment team plans to organize micro recruitment events that are aimed at engaging qualified candidates who reflect the community. Again, this is excellent, and we look forward to hearing specifics about groups outreached, strategies used for recruitment, and outcomes.
- KCSO intends to participate in out-of-county recruitment events. This has the potential to broaden its pool of applicants. More details on these activities would be helpful in assessing the effectiveness of these efforts and the return on the Department’s investment of time and resources in these

activities. This might include identifying why particular locations or events were chosen, whether unique materials or messaging proved to be beneficial, and whether the results of these endeavors proved to be significantly different from those that are conducted within Kern County.

7. NEXT STEPS FOR KCSO AND THE COUNTY

- KCSO and the County will meet with the MT and DOJ to discuss and agree upon what method of disparate impact analysis is required by the SJ and thereafter produce the disparate impact report (SJ paragraph 105).
- KCSO and the County will finalize the Hiring Plan and submit it for Monitors and DOJ approval.
- KCSO will continue, with MT assistance, to complete the revisions to its draft of its promotions policy and promotions plan. When the policy and plan are finalized, they should be submitted to the Monitors and DOJ for approval.
- KCSO and the County will continue to discuss with the MT how to streamline and better ensure the consistency of all HR-related reports that they produce, and to make certain that such reports supply specific and sufficient information and data for the Monitors and DOJ to assess compliance with the HR-related provisions of the SJ.
- After receiving and considering MT written comments and suggestions on the KCSO background investigation report, KCSO will meet with the MT to discuss these comments and suggestions with the goal of securing approval of the report in satisfaction of paragraph 108 and any other relevant SJ provisions.
- KCSO and the County will continue to expand their outreach and recruitment efforts to broaden its pool of applicants for sworn positions. Subsequent to that, and based on all available data, a report will be provided that analyzes results and findings on whether these efforts are effectively reaching underrepresented groups that they have identified and targeted for recruitment.
- KCSO and the County will continue to improve data collection and tracking on each stage of recruitment, hiring, and promotions activities. Particular attention should be given to providing comparative yearly data to more accurately assess progress in improving the diversity of KCSO sworn personnel.
- KCSO will continue implementation of the Ideal Candidate Profile and assess whether it has been an effective tool in recruiting and hiring qualified individuals, such as highly qualified applicants who demonstrate community policing and problem-oriented policing skills and proclivities.

8. NEXT STEPS FOR THE MT

- The MT will improve the timeliness of its reviews and submission of comments and suggestions to draft policies, plans, and reports submitted by KCSO and the County.
- The MT will work with KCSO, the County, and DOJ to agree on what is needed to achieve compliance with the HR-related provisions of the SJ.
- The MT will work with KCSO and the County to streamline and ensure the consistency of all HR-related reports that they produce, and to make certain that such reports supply specific and

sufficient information and data for the MT and DOJ to assess compliance with the HR-related provisions of the SJ.

- The MT will continue to work with KCSO and the County to finalize the hiring part of the recruitment and hiring plan and the KSCO promotions policy and promotions plan in order to submit them for DOJ approval.

H. COMMUNITY POLICING

KCSO agrees to enhance, promote, and strengthen partnerships within the community, to engage constructively with the community to ensure collaborative problem-solving and bias-free policing, and to increase transparency and community confidence in KCSO (SJ paragraph 117).

The overall purpose of this section of the SJ is to emphasize the importance of establishing and maintaining meaningful engagement with the community, including open dialogue, to ensure mutual understanding and trust, transparency, and collaborative approaches are employed to address public safety issues. Meaningful engagement requires ongoing public involvement to identify and develop effective strategies based on shared responsibilities for resolving public safety issues in the community. Community policing demands continual evaluation of results—again, with community input—to inform and improve police practices moving forward.⁴¹

As discussed in this section, KCSO continues to make meaningful progress and is in compliance or partial compliance with most SJ provisions related to community policing. These include maintaining and participating in the Community Advisory Council (CAC),⁴² participation in community meetings and events, seeking community input on policies, enhancing and expanding community partnerships and community policing, reporting on KCSO community engagement activities, assisting in the community survey, and submitting for approval a community policing policy that includes a community policing strategic plan, a framework to engage with the public in developing revised policies, and an attendance plan to ensure deputies actively and regularly engage with community members. These efforts aim to strengthen relationships with groups such as youth, LEP individuals, communities of color, and a range of community-based organizations (SJ paragraphs 10, 58, 59, 117, 118, and 119).⁴³

1. COMMUNITY POLICING POLICY, STRATEGIC PLAN, ATTENDANCE PLAN, AND TRAINING

One of the main areas of focus for KCSO in the last reporting period was the development of a community policing policy and related documents which are currently being reviewed for compliance

⁴¹ Community policing is a philosophy that promotes organizational strategies supporting the systemic use of partnerships and problem-solving techniques to proactively address conditions that give rise to public safety issues such as crime, social disorder, and fear of crime. Community policing has three key components: community partnerships, organizational transformation, and problem solving. For more information, visit <https://cops.usdoj.gov/>

⁴² The SJ refers to the CAC as the Community Advisory Panel (CAP, or the Panel), but the group has decided to refer to itself as the Kern County Sheriff's Community Advisory Council or CAC.

⁴³ These are summaries of the listed SJ paragraphs. See SJ for complete language.

by the Monitors and DOJ. They were created in collaboration with the CAC and with technical assistance provided by the MT. As reported in the third annual report, technical assistance was also provided through the Collaborative Reform Initiative for Technical Assistance Center (CRI-TAC), an office of the US DOJ Office of Community Oriented Policing Services (COPS). While there is, appropriately, overlap in the content and purpose of the various materials and in the SJ paragraphs they are meant to address, the department's community policing policy and procedures are laid out in three key documents. The core document is the community policing policy, with additional structure and guidance for KCSO personnel conducting and participating in community policing activities provided through the policy's attachments, particularly the Community Policing Strategic Plan (Strategic Plan) and the Community Meeting Attendance Plan (Attendance Plan).⁴⁴

a. Community Policing Policy

SJ requirements regarding community policing and related activities are laid out in several paragraphs, including the following.

Paragraph 59: KCSO will continue to work with its Community Advisory Panel [CAC]. The [CAC] should continue to engage in a good faith effort to have representatives from various, diverse stakeholder groups, including, but not limited to, the Kern County Public Defender's Office, California Rural Legal Assistance (CRLA), the American Civil Liberties Union (ACLU), United Farm Workers (UFW), the Dolores Huerta Foundation (DHF), the NAACP, Greater Bakersfield Legal Assistance (GBLA), PICO Bakersfield, as well as members of Sikh and LGBTQ+ community groups. The [CAC] will . . . meet with Sheriff's Office staff at least quarterly to provide input into policy and procedure, provide insight into the community's concerns, and educate the community about their Sheriff's Office.

Paragraph 117: KCSO agrees to enhance, promote, and strengthen partnerships within the community, to engage constructively with the community to ensure collaborative problem-solving and bias-free policing, and to increase transparency and community confidence in KCSO. To achieve this outcome, KCSO agrees to implement the requirements set forth below. As noted above, KCSO also agrees to form and maintain a CAP, and to develop its use of force policies, community policing strategy and policies, bias-free policing policies, and civilian complaint policies with input from the CAP and other stakeholders within the community.

Paragraph 118. KCSO agrees to broaden its efforts to actively participate in community engagement efforts, including participating in local community meetings, making itself available for community feedback, and working with the community on the development of diversion programs. KCSO agrees to enhance its engagement with all members of the community, including its critics. KCSO agrees to create additional easy points of access for community feedback and

⁴⁴ When approved, the Community Policing Strategic Plan and the Community Meeting Attendance Plan will be published as attachments to the Community Policing Policy.

input, such as providing “community feedback” or “talk to your commander” links on its website and social media pages.

Paragraph 121: KCSO will incorporate into its organizational strategies and policing philosophy the Final Report of The President’s Task Force on 21st Century Policing and its concepts.

The MT notes that developing effective, sustainable public engagement programs may be challenging, particularly when working with diverse communities with varying expectations, and was pleased to receive KCSO’s comprehensive community policing policy that is based on the policing pillars outlined by the President’s Task Force on 21st Century Policing Final Report (SJ paragraph 121) and incorporates the other Community Policing-related SJ paragraphs such as 10, 59, 117, and 118. The policy addresses topics such as the CAC, building a reciprocal relationship with community members, outreach to diverse groups, organizing community engagement activities and events, crime prevention strategies, transparency, and deputy training.

In the technical assistance phase, KCSO shared the draft policy with the CAC, MT, and DOJ for review and feedback, some of which included: adding more detail to the policy relating to strategies for enhancing community connections, changing the term “underrepresented groups” to “underrecognized groups,” and emphasizing the importance of mutual learning between law enforcement and the community. KCSO incorporated this feedback into the policy and submitted it to the Monitors and DOJ for formal compliance assessment and approval.

b. Strategic Plan

As required by SJ paragraphs 10, 59, and 119, KCSO must develop a plan for strategic engagement with diverse sections of the community. This section of the SJ emphasizes the critical need to improve trust and build a collaborative relationship between KCSO and the community it serves.

Paragraph 10: KCSO will agree to develop a strategic plan to meaningfully engage with community stakeholders and work with its newly formed and existing Community Advisory Panel in developing the revised policies described above.

The stated purpose of KCSO’s Community Engagement Strategic Plan is for KCSO to strengthen trust within the communities they serve through community policing and problem-solving policing. The Strategic Plan includes goals, objectives, and methods to measure these goals, and will be reviewed annually to evaluate progress and identify opportunities for improvement. Once the Strategic Plan is approved and implemented, it will be a significant step toward compliance with SJ paragraph 10 and 119.

c. Attendance Plan

Paragraph 119: A variety of sworn personnel shall continue to actively attend community meetings and events. KCSO agrees to develop a plan for such attendance. The plan shall indicate the number and types of events to be attended on a regular basis and take into account the need to

enhance relationships with particular groups within the community, including, but not limited to, youth, LEP individuals, and communities of color.

Among other important content, KCSO's Community Meeting Attendance Plan includes activities for KCSO to enhance community connections and to engage more with populations who may be hesitant or uncomfortable when engaging with law enforcement. The plan includes detailed guidance on planning and conducting various types of meetings and on documenting and following up on lessons learned from the engagements. The plan is now being reviewed for compliance by DOJ. When approved and fully implemented, this will bring KCSO close to compliance with SJ paragraph 118.

The MT has shared with KCSO that effective community policing requires active participation from personnel at all levels. We have also discussed that simply attending meetings or events is not enough to satisfy this objective or the requirements of the SJ. The goal is to build stronger relationships, address common goals, and foster trust with the community. Deputies who attend community engagement meetings and events but do not make an effort to engage with community members may create the perception that KCSO staff do not value community input and are only attending to fulfill an obligation. At the Oildale meeting, the MT observed KCSO managers doing a good job of correcting deputies who were not engaging, but deputies should be expected to actively participate and engage with community members without reminders, including when opportunities for engagement arise away from formal meetings. The guidance provided by KCSO's pending Strategic Plan and Attendance Plan as well as the training required by SJ paragraph 120 will help in this regard.

Individuals contacted by deputies during calls for service are being provided a bar code that links to short surveys about their interaction with the deputies and other law enforcement and safety issues. KCSO shared with the MT that it intends to use these "My90" survey responses to guide decisions on where to hold community engagement meetings and identify topics of interest.⁴⁵ Since 2023, weekly survey responses have helped reveal trends of community perceptions, highlighting trends and concerns, such as deputies not following procedural justice or bias-free policing principles. According to department leadership, the data are reviewed by commanders to address any issues, and annual benchmark reports allow comparisons across jurisdictions that participate in using this platform. The department reported that My90 helps KCSO collect feedback from community members and deputies, through community surveys and post-contact surveys, to aid with transparency, trust, and communication. Despite limitations such as the fact that the surveys are not distributed to individuals involved in stops, the MT believes these surveys can be an important source of community feedback, which is crucial for accountable, community-oriented policing. We would therefore like to discuss ways to encourage broader community participation in My90 surveys.

d. Documenting Community Policing and Problem-Oriented Policing Activities

Another element of KCSO's draft policy and related documents are instructions and forms to facilitate the tracking of community policing activities. KCSO tracks community engagement activities, including

⁴⁵ The My90 website describes My90 as "an automated engagement tool built to capture the voice of the community and public safety, ensuring every voice is heard through a simple and fast feedback platform." See [My90 - Axon.com](https://my90.com).

those involving community-oriented policing (COP) and problem-oriented policing (POP), through log entries in a department system where deputies document descriptions of events or activities, the number of people in attendance, and their role(s), if any, in the events and activities. When information is given to deputies about a particular concern, deputies are encouraged to engage in and describe any actions taken using the Scanning, Analysis, Response and Assessment (SARA) model (see text below for more information on SARA). The MT has seen progress in KCSO's COP and POP activities in the last reporting period. Approval and implementation of KCSO's Strategic Plan is expected in this reporting period, which should further advance and expand these activities. The MT looks forward to reviewing instances where COP and POP are applied to issues identified by the department and by community members and where the response to a neighborhood concern is not limited to simply applying traditional enforcement tactics that may not provide lasting or effective results.

e. Training

SJ paragraph 120 requires KCSO to "provide a structured annual in-service training on community policing and problem-oriented policing methods and skills for all deputies, including station supervisors and unit commanders."⁴⁶ As indicated above, the policy and related documents are being reviewed for feedback and approval. In the interim, the department has been working on developing a training course for supervisors and managers to review the policy and its attached plans to ensure it is rolled out in a unified manner. KCSO should continue to focus on developing and implementing the training as outlined in SJ paragraph 120. Once the community policing policy and plans are finalized, it is imperative that all personnel, regardless of rank, fully understand what community policing is and how to collaborate with the community as partners in ensuring public safety. The MT looks forward to reviewing and providing feedback on the proposed training curriculum.

In the last reporting period, the MT acknowledged that the POP-related training provided by Arizona State University (ASU) in May 2023 to some department leadership was a good first step toward compliance with paragraph 120, yet it was insufficient for purposes of the SJ. To progress toward compliance with SJ paragraphs 120c and 120e–g, the department must ensure that all deputies, station supervisors, and unit commanders receive training that adds to the ASU training and addresses SJ requirements of including "leadership, ethics, and interpersonal skills," "problem-oriented policing tactics for both employees and community members," "conflict resolution and verbal de-escalation of conflict," and "cultural awareness and sensitivity training."

⁴⁶ According to SJ paragraph 120, "training shall include: (a) methods and strategies to improve public safety and crime prevention through community engagement; (b) scenario-based training, including roll call training, that promotes the development of new partnerships between KCSO and community targeting problem solving and prevention; (c) leadership, ethics, and interpersonal skills; (d) community engagement techniques, including how to establish formal partnerships and actively engage community organizations, including youth, immigrant, and LGBTQ+ communities; (e) problem-oriented policing tactics for both employees and community members; (f) conflict resolution and verbal de-escalation of conflict; and, (g) cultural awareness and sensitivity training."

COMMUNITY POLICING AND PROBLEM-ORIENTED POLICING

A community policing program cannot be implemented only in one section of the community, and it will not be effective if just one particular division or unit within a law enforcement agency is responsible for it; it must permeate the entire organization and apply to the whole community. Community policing is a philosophy that requires organizational transformation, which, in turn, supports engaging the community as an equal and meaningfully engaged partner in the co-production of public safety.

Problem solving is a critical component of community policing, and implementing the SARA model is an important step. KCSO leadership needs to be clear and intentional with its staff that when identifying, prioritizing, and selecting problems to address, it must rely on not just police-source data but, critically, on a broader range of data and information from community sources. Then, the collected data must be used by the Sheriff's Office to inform policies, engagement, and enforcement-related strategies and be assessed and evaluated to determine what impact, if any, those actions had or did not have and how to improve moving forward. The Sheriff's Office also must be transparent about these findings, not only to fulfill SJ requirements but, importantly, to serve as another way to improve its partnership and relationship with community members.

Attending and actively participating in community meetings are important opportunities to gather public input and for relationship- and trust-building between KCSO and the communities they are sworn to serve and protect. Building relationships and trust with the community will call for a commitment of resources, time, patience, and a sincere desire to promote healing and understanding. The MT has held meetings and conversations with KCSO where we have emphasized the attendance of such convenings to learn about community priorities and perceptions as well as misperceptions that may exist between the community and KCSO.

2. THE KERN COUNTY SHERIFF'S COMMUNITY ADVISORY COUNCIL

The CAC was established in October 2020, prior to the formal implementation of the SJ. With regard to the part of SJ paragraph 117 that requires that KCSO form and maintain the CAC and provide ongoing support to help it achieve the SJ's goals, the department is in sustained compliance. As described below, KCSO personnel regularly engage with the CAC, particularly in their role as CAC members. In this reporting period, KCSO has provided funds to pay for materials needed to conduct meetings, events, and outreach. KCSO has also paid venue fees and the costs for Spanish-speaking interpreters at community events hosted jointly by the CAC and the department.

Multiple SJ provisions address the crucial role the CAC needs to play in bridging the gap between diverse communities and KCSO. The CAC's mission is to strengthen communication, trust, and understanding to promote a safer Kern County. The CAC helps improve the relationship and trust between the community and KCSO by meeting at least monthly with the department, offering input on policies and procedures, and representing diverse stakeholders. The CAC is tasked with seeking and collecting community input and sharing it with KCSO as well as sharing with the community information from KCSO and the MT. The CAC serves as a primary link between community members and KCSO.

The CAC continued to meet in this reporting period, and although it was less active in terms of community engagement outreach than in previous years, important work was conducted. Based on observations shared by CAC members and KCSO staff, along with results noted by the MT, progress

continued on developing and refining policies, and the strength and effectiveness of the working relationships appear to be continuing to improve.

a. KCSO and CAC Relationship

A recent example demonstrated continued open communication as well as a growing level of trust between KCSO and the CAC and the community at large. In late January 2025, the CAC shared with KCSO two significant concerns they had heard from the community: high dropout rates for cadets in the Academy and fears within immigrant communities about local law enforcement partnering with US Immigration and Customs Enforcement (ICE) and the Border Patrol in conducting enforcement activities. CAC members felt empowered and comfortable in making direct contact with KCSO leadership to ask them about these issues. In response, department leadership expressed their gratitude for being able to have open communication and to provide accurate information and, if possible, dispel uncertainties expressed by community members. Regarding the Academy class retention, the department provided recent statistics that were far less alarming than the community understood and, in fact, were within the expected historical levels. The CAC members were then able to share this information with the public because they believed that the responses they were receiving from KCSO could be trusted. This is a prime example of why it is essential for law enforcement and the community to have a transparent relationship where communications are open and trusted, even on potentially thorny topics.

We report this finding with a caveat that demonstrates an area where more work is needed to strengthen the relationship between the CAC and KCSO. The strength of the current CAC–KCSO relationship appears to be centered on very few staff members. To maintain the health and effectiveness of the relationship between the community and KCSO, as well as for achieving SJ compliance, it is important for all KCSO staff to be engaged and regularly interacting with the CAC and the broader community in routine and meaningful ways. The MT is aware and impressed that a typical CAC meeting has multiple KCSO staff members actively participating, but the goal should be to have a range of staff with whom the CAC are in contact and comfortable engaging on other matters away from the meetings. This will help advance the everyday work of the department with regard to the CAC and expand the lines of communication when issues arise. This is especially true given the ongoing and necessary transitions that occur throughout the ranks of a large law enforcement agency. KCSO has expressed its intention for the current coordinator to remain in that position until the SJ monitoring period is closed; this is proving to be very helpful and supportive of the department's community engagement efforts as well as the ongoing work with the MT. Nevertheless, KCSO's engagement with the CAC and other community groups ultimately must be a shared responsibility of staff at all levels of the organization. Both the CAC and KCSO have expressed to the MT a desire to continue their collaboration beyond just achieving SJ compliance, but this will prove to be more challenging over time unless more KCSO staff are considered trusted partners by the community members.

b. CAC Activity and Membership

At the time of our last annual report in January 2024, the CAC had 24 members. As of the writing of this report, the CAC comprises approximately 20 members, with varying levels of active participation. Several members have departed, but there are also a few new members who represent diverse

communities in the county and offer different experiences and expertise. The CAC continues to be led by three co-chairs, two of whom are community members and one a KCSO representative. (The current KCSO chair is the Compliance Coordinator.) There are four subcommittees that focus on different provisions of the SJ, including a new Ad Hoc Planning Subcommittee, which plans and organizes CAC-hosted events.

In 2024, two CAC members were removed due to poor attendance, following a unanimous vote by the three co-chairs, as per the CAC's bylaws.⁴⁷ Being a CAC member is a time-consuming volunteer role, and those who dedicate themselves to this important work deserve recognition. It is expected that there will be turnover, as some members resign due to time constraints, employment responsibilities, or personal reasons, so it is important for the CAC to continuously recruit new members to represent community voices and engage with KCSO.

In December 2024, the three CAC co-chairs instituted some changes as part of their efforts to increase active participation and to improve coordination and scheduling of meetings and agenda items. They decided to require in-person attendance at the mandatory quarterly meetings, and they established an annual schedule to include four quarterly meetings as required by the SJ and separate meetings focused on specific subcommittees.⁴⁸

c. CAC Subcommittee Work

In an October 2024 general meeting, CAC discussed that there has not been much progress with subcommittee work. In individual conversations, the MT learned there was a shared concern in the CAC about lack of engagement and attendance in the Council and the need to appoint chairs to each subcommittee. Subcommittee meetings, where much of the CAC work is done, have been difficult to organize and have not occurred regularly over the past year. The MT and CAC members have discussed that more structured meetings and clearer communications of expected member roles and responsibilities will likely help address some of the inactivity in the last reporting period. As always, the MT will provide technical assistance wherever it is requested and appropriate.

i. Community Policing Subcommittee

In May 2024, an active member of the Community Policing subcommittee also resigned, creating another vacancy in leadership. Since her departure from the CAC, this subcommittee has not met regularly, and the work in this area has stalled; however, the CAC recently nominated two CAC members to serve as co-chairs; they will be tasked with building upon previous work by this subcommittee.

⁴⁷ The CAC bylaws were established in 2023 and can be found at <https://kerncac.org/about>.

⁴⁸ While KCSO personnel play active roles in the CAC, the community members who serve as CAC co-chairs run the general meetings and oversee the subcommittees. Each subcommittee is composed of CAC members who bring diverse experiences and expertise, along with two or three assigned KCSO personnel who help support the work of the subcommittees. Each subcommittee is supposed to have at least one chair to serve as lead. Each subcommittee is led by a chair (or co-chairs) for that subcommittee with support from the three CAC co-chairs and with participation by other CAC members.

ii. Policy & Education Subcommittee

This subcommittee appointed a new chair and got their charter approved by the CAC co-chairs, as required by the CAC bylaws. There were several months in 2024 where this subcommittee did not meet; however, the MT was informed that this subcommittee had been meeting regularly in the latter part of 2024, particularly with some of the newer CAC members.⁴⁹

In May 2024, the CAC, KCSO, and County HR had a productive discussion related to the language access plan, during which CAC members provided KCSO and County HR with a list of interpreters for Indigenous languages, such as Mixteco (see the Language Access section for more information). However, KCSO highlighted the unique challenges and need for having interpreters available 24 hours a day, especially for situations that frequently arise outside of regular business hours.

In December 2024, the subcommittee, CAC leadership, KCSO, and the MT met to discuss the status of policies required by the Stipulated Judgment and those drafted by the department, such as the language access policy, UOF/canine policy, search and seizure policy, and the mental health crisis response policy. KCSO subsequently outlined the policies for which feedback was received from the CAC and MT and provided an update on their approval status with the Monitors and DOJ.

The MT and CAC, including KCSO, discussed ways in which community engagement could be increased. Approaches under consideration include CAC members circulating policies in their communities and other groups they may work with, and the policy subcommittee creating a calendar of meetings to share policies and provide a venue for community feedback. Publicizing and sharing these meeting dates and the policy documents ahead of time and on a more regular basis may help increase attendance.⁵⁰

iii. Communications & Engagement Subcommittee

In November 2024, the chair for the Communications & Engagement subcommittee resigned due to ongoing work commitments, leaving a significant vacuum of experience, expertise, and enthusiasm. Nonetheless, the Communications & Engagement subcommittee remains active and continues to oversee the CAC's website (<https://kerncac.org/>) and email account (info@kerncac.org), and it has shared plans to explore more social media presence to help advertise CAC-related meetings and events.

The Communications subcommittee used innovative ideas to expand its outreach to the community. Among those is a monthly podcast, "The Law," hosted by a CAC member, with plans to continue in

⁴⁹ At the general CAC meeting in October 2024, the MT gave updates on the status of different policies, including community policing and use-of-force policies.

⁵⁰ KCSO policy development process includes KCSO working with MT subject matter experts and KCSO receiving and incorporating CAC and community feedback. The next steps include feedback from the Monitors and DOJ to ensure the policies meet all SJ and legal requirements. After policies are approved by the Monitors and DOJ, KCSO can move forward with developing training for the approved policies. The training curriculum must also be reviewed and approved by the MT and DOJ before the training may be provided to KCSO staff.

2025.⁵¹ The first episode, released in March 2024, focused on introducing the CAC, its purpose, and the SJ. The second episode featured the MT discussing its role in the SJ, its website,⁵² and community policing. A third episode in May 2024 covered the department's public complaint processes.

In May 2024, the subcommittee's charter was approved by the CAC, with a focus on creating committee portals and platforms for community members to provide input. KCSO also assisted in creating CAC outreach materials, including "business cards" with the CAC logo and a QR code. Other outreach materials included a brochure that features pictures of new CAC members.

iv. Ad Hoc Planning Subcommittee

The new Ad Hoc Planning subcommittee was created in April 2024 to plan public meetings and increase community engagement and outreach throughout the county. The subcommittee will include two members from each of the other subcommittees to facilitate communication between CAC members, combine resources, and provide diverse considerations from each of the subcommittees. The first task of this group was to prepare for a community meeting jointly hosted by the CAC and KCSO in Oildale. Two Ad Hoc Planning subcommittee meetings were held in May 2024 in preparation for the Oildale meeting. The meeting is described in detail below.

3. KCSO COMMUNITY MEETINGS AND EVENTS

This section and the next will describe some of the impressive community engagement and community policing activities the department engaged in during this reporting period, contributing to the MT finding of partial compliance with SJ paragraphs 117, 118, and 119. KCSO is on track to reach "full" compliance on these provisions. As they did in this reporting period, they need to continue to proactively look for more feedback and partnerships with non-CAC community members. They will also need to further expand their community policing and problem-solving activities. The approval and implementation of the Strategic Plan, Attendance Plan, and training for all ranks will greatly enhance the quality and extent of these activities.

KCSO continued to attend and participate in a variety of meetings and activities during this reporting period, such as:

- Monthly CAC general meetings;
- CAC subcommittee meetings;
- Internal CAC ad hoc meetings; and
- Non-CAC community meetings.⁵³

⁵¹ Podcasts of "The Law" may be found here: <https://kerncac.org/kern-cac-in-the-media>

⁵² MT's website <https://kcsomonitoring.info>

⁵³ CAC meeting minutes and videos are available to the public on the CAC's website: <https://kerncac.org/>

a. Oildale Community Meeting

On June 13, 2024, the CAC and KCSO staff from the Oildale Station jointly hosted a three-hour community meeting at a community center in Oildale. Since the last community meetings hosted by CAC and KCSO were held in 2022, in Boron and Lamont, the purpose of this meeting was to reintroduce the CAC's mission to the public and to serve as a pilot meeting on which future community meetings could be modeled. The meeting hosts engaged community members in attendance and gathered their feedback on various aspects of policing and law enforcement.

The agenda included a KCSO presentation on their draft community policing policy and engagement strategies, a 10-minute update from the MT on SJ compliance status, and an overview of the roles and responsibilities of the CAC, KCSO, and MT as outlined in the SJ. Goodie bags prepared by the KCSO Crime Prevention Unit were distributed. Local media also attended.

Meeting attendees were separated into four breakout groups. Participants were encouraged to answer several questions to provide valuable feedback, including the following.

1. What is something you believe KCSO is doing right or seems to be working?
2. What is something you believe KCSO could do better?
3. What is the most pressing concern in the community within this area that impacts policing?
4. What is the most pressing concern with KCSO in this area requiring attention?
5. If training is a priority, what kind should be prioritized?
6. If policies are a priority, which ones should be prioritized for review?
7. Would you prefer a smaller, larger, or same size police presence in your area?
8. Do you see deputies as enforcers, protectors, or both equally?
9. What does successful community engagement look like?
10. What steps can we take to cultivate better relations?

In fitting with the SJ requirements that KCSO consider public input on their policies, KCSO incorporated CAC's and community members' feedback from this meeting into KCSO's community policing policy before it was submitted to the MT and DOJ for review and approval. KCSO's Attendance Plan was directly informed by the feedback, which recommended that KCSO provide deputies with instructions on how to successfully hold community meetings in a constructive and organized manner. The Attendance Plan requires that every community meeting has a scribe to collect and tabulate responses to consolidate recurring themes identified by the public, or identify cases where using the POP model may be helpful, to name a couple of examples.

The meeting provided some lessons learned. Although the venue was large enough to hold 180 people, attendance was low from community members who were not already part of the CAC. Also, perhaps due to the low turnout, the CAC members in attendance played large roles in the smaller group discussions, sometimes to the detriment of hearing from non-CAC members. The CAC and KCSO recognized the low attendance was a concern. They since identified the need for better outreach, including targeting Spanish media (TV and radio) and nonprofits that could reach rural areas.

Apart from these issues, the MT found the meeting format to be successful and effective; we encourage KCSO and the CAC to continue with their plan of scheduling meetings in different communities throughout the year with improvements based on the community feedback and lessons learned from this meeting. Relatedly, a member of the MT met individually with the CAC co-chairs to share the observation that raising awareness and publicizing meetings was a challenge for the CAC in previous community meetings and to discuss the strengths of current approaches as well as opportunities to conduct more outreach across the county, raise awareness of the CAC and the status of compliance with the SJ, and, most importantly, to engage in dialogues between the public and KCSO.

b. Non-CAC KCSO Meetings and Events

KCSO hosts and participates in an extensive array of community meetings. We discuss some of their ongoing effort here. As KCSO's Strategic Plan and Attendance Plan are approved and implemented, the MT looks forward to gaining a better understanding of the scope and frequency of KCSO deputy involvement in these events and meetings, the partnerships formed through these activities, how input and interaction from these meetings is used to inform KCSO law enforcement activities related to crime prevention and problem-solving activities, and the steps taken toward the community and KCSO becoming more effective co-producers of public safety.

In the last reporting period, KCSO participated in such events as a prayer luncheon, Rotary Club meetings, the Annual Peace Officer Memorial in May 2024 (the CAC was invited; a CAC co-chair attended), Trunk or Treat at Headquarters for Halloween, Shop With a Cop (where deputies take children from under-resourced communities shopping for Christmas gifts), and a Christmas basket delivery.

Deputies and department leadership are encouraged to attend these events and to participate in community meetings. Significantly, there was a lieutenant who participated in an impressive 11 community meetings in 2024 in the areas of East Kern, Mojave, Rosamond, Tehachapi, and Jawbone Canyon. This is an example of what should be happening throughout the department, with more deputies similarly engaged. The MT recognizes the time and effort required in planning and attending so many meetings and events; however, this does help ensure community members throughout the county are given an adequate opportunity to participate in providing feedback on policies and police practices as well as playing a vital role in community policing strategies and programs.

Community meetings are important because they provide a venue for the public to interact directly with law enforcement in an informal atmosphere. We are hopeful that the guidance provided by the department's community policing policy, once it is approved, will help further this effort. The MT shared with KCSO that all sworn staff should be prepared to actively support and engage in the agency's problem-oriented and community policing strategies. Community policing requires the involvement of every department member and should be recognized as a guiding philosophy, reflecting the department's values and expectations for all staff.

An event KCSO found to be particularly significant and that is reflective of efforts to broaden the department's outreach efforts was an Anti-Hate Forum hosted by Pride Year-Round, NAACP, Sikh Women's Association, and the Center for Gender and Sexuality Diversity on November 21, 2024. The

purpose of the forum was to bring together the community and law enforcement to exchange information about how hate crimes are addressed in the city of Bakersfield and in Kern County. This event was in response to hate crime incidents against transgender women of color in Bakersfield. It has since expanded to include multiple community stakeholders concerned about hate crimes and incidents in the area. Panelists included law enforcement representatives from the Bakersfield Police Department, the US Attorney's Office of the Eastern District of California, and the Federal Bureau of Investigations (FBI), as well as community organizations and state departments, Dolores Huerta Foundation, California Commission on Racial Equity, and the California Department of Civil Rights, where they shared with the community the process of hate crimes prosecution, law enforcement's role in addressing it, and efforts to improve services to the community. It was held in a question-and-answer format.

The MT looks forward to hearing about and observing more meetings and events demonstrating KCSO's continued efforts to engage with a full range of community members and groups.

c. KCSO Crime Prevention Unit

The department's Crime Prevention Unit (CPU) collaborates with KCSO sergeants and deputies to give public presentations on certain crime prevention measures and the benefits of establishing effective neighborhood watch groups. These presentations take place across various neighborhoods in the county, with some requested by community groups and others identified by the CPU as needing outreach. Additionally, the CPU hosts and participates in numerous community events such as fall harvest festivals and resource fairs, and provides presentations on target hardening and internet safety for teens, for example.⁵⁴ These are positive and important steps toward relationship building with the community.

4. PUBLIC REPORTS AND INFORMATION

KCSO is required to conduct an assessment of its community engagement initiative and activities and issue an annual public report (and post it on its website) that includes identification of successes, obstacles, and recommendations for future improvement (SJ paragraph 122). This assessment is important to maintaining transparency and continually improving KCSO–community engagement and partnerships.

KCSO drafts annual reports that include other report requirements from different sections of the SJ. For instance, the annual report includes a use-of-force report (SJ paragraphs 24, 55, 56), a semiannual analysis of stop data collected under RIPA (SJ paragraph 82), a report on community engagement efforts (SJ paragraph 122), and a report of promotional activities and outcomes (SJ paragraph 112), and it will eventually include an annual plan audit and report for language access (SJ paragraph 100). KCSO's annual reports for 2022, 2023, and 2024 are available on the Transparency tab of KCSO's website.⁵⁵

⁵⁴ The CPU hosted and/or attended over 160 events, presentations, and meetings between July and December 2024.

⁵⁵ <https://www.kernsheriff.org/Transparency>

Pursuant to SJ paragraph 118, KCSO is also required to “create additional easy points of access for community feedback and input” on its website and social media. The department’s Strategic Plan includes additional venues for community members to communicate with KCSO, and vice versa. KCSO reports it is developing a policy input portal by which community members can provide feedback on draft policies. Additionally, the current draft of their plan includes ways in which community advocates and the CAC can help disseminate to the public important information such as complaint forms and brochures in English and Spanish (SJ paragraph 123). Upon approval of this plan, KCSO will be able to implement its stated goals, strategies, and objectives. (More information on document translation can be found in the Language Access section of the report.)

5. COMMUNITY SURVEY

KCSO is in compliance with SJ paragraphs 124–127 of the SJ, which require KCSO to “assist the Monitor in conducting a reliable, comprehensive, and representative biennial survey of members of the Kern County community regarding their experiences with and perceptions of KCSO and of public safety.” KCSO assisted the MT since the survey work began in 2021. The CAC was invaluable throughout the process with their members’ efforts to share the survey link with other organizations and community members using different methods such as email listservs, posts on social media, and flyers with QR codes.

The first biannual survey was completed and shared with the CAC in September 2024.⁵⁶ The survey report notes that despite steps taken to increase participation, the survey did not achieve the representativeness the Parties sought, especially concerning race and ethnicity: Hispanic and Black community members were underrepresented among survey participants compared to their proportion in the Kern County population. We have begun discussions with the Parties on how to improve representation in the next survey. Nevertheless, the findings are valid and meaningful, especially when viewed by certain groups separately. Some of the findings include the following.

- Two-thirds (66%) of respondents agreed or strongly agreed that KCSO deputies regularly patrol their neighborhood in a way that makes them feel safe and at peace (23% were neutral on this item; 11% disagreed or strongly disagreed).
- Half of all respondents agreed or strongly agreed that KCSO deputies in their community do their job well (22% were neutral; 28% disagreed or strongly disagreed).
- Over 60% (62%) agreed or strongly agreed that KCSO needs to improve how it serves their community (20% were neutral; 17% disagreed or strongly disagreed).
- Just under half (47%) agreed or strongly agreed that KCSO is interested in reducing crime in their neighborhood (25% were neutral; 29% disagreed or strongly disagreed).
- Regardless of demographic grouping, almost two-thirds of all participants agreed that KCSO had insufficient staffing levels.

⁵⁶ The survey report is available at <https://www.kernsheriff.org/Transparency/AnnualReports> and at <https://kcsomonitoring.info/documents-and-reports/>. The survey data can be accessed at <https://public.tableau.com/app/profile/taylor.herhusky/viz/KernCountySheriffsOfficeKCSOCommunitySurvey/Demos>

- On almost every item, compared to those who had not attended community meetings, survey participants who had attended community meetings held by KCSO were more likely to agree that KCSO was doing “a lot” or “a great deal” on items such as KCSO’s effort to build collaborative relationships with the community and engage in problem-solving policing.
- Respondents who identified as Black were less likely to agree, while those who identified as White or Asian generally had the highest level of agreement.
- Those who had been the subject of force or witnessed force by KCSO deputies had substantially lower levels of agreement on most items.
- On most items, those who had been arrested in the past five years also had substantially lower levels of agreement than those who had not been arrested, but not on all matters: Arrestees and non-arrestees had similar views on some items, such as KCSO patrols making them feel safe or at peace in their neighborhood and KCSO taking the time to meet members of their community.

The goal was to get 2,000 respondents; however, despite the efforts to distribute the survey over a one-year period, the MT received a little more than 800 responses.⁵⁷ Conversations about how to increase the number of responses were held among the MT, CAC, and KCSO. Among the topics considered were the length of the survey, how to improve and increase representation, and how the survey can be better promoted in a way that the community will fill out the instrument. As a result of these discussions, the following strategies were identified for the next biannual survey.

- Personalize emails instead of solely relying on mass emails that do not provide content or context of the survey’s purpose. Mass emails are also more likely to be ignored.
- Place flyers with QR codes and survey links in public spaces such as supermarkets.
- In addition to social media, use paper and pencil surveys to address concerns related to the digital divide.
- Provide spaces to engage with community members directly and ask the survey questions in a simpler, more direct manner.
- Reduce the length of the survey.

In consultation with the CAC, DOJ, and KCSO, the MT will develop the methodology and begin implementation of the next survey in the new reporting period.

6. NEXT STEPS FOR KCSO AND THE CAC

In the next reporting period, the following activities and objectives should be addressed by KCSO and the CAC regarding community policing and engagement.

- KCSO to finish developing and, when approved, implement a structured in-service training on its community policing policy and plan, and problem-oriented policing methods (SJ paragraph 120).

⁵⁷ Refer to the Monitors’ third annual report for more details about the survey processes, including among other things, entities involved and translation into different languages. <https://kcsomonitoring.info/documents-and-reports/>

- KCSO will continue efforts to build trust and meaningful positive relationships with the CAC as well as with other community stakeholders (SJ paragraphs 10, 59, 117, 118, and 121).
- KCSO will continue to reach out and engage with groups that are specifically identified in the SJ and other groups that represent traditionally underserved communities (SJ paragraphs 59, 118, and 121).
- KCSO and the CAC will continue to increase public outreach regarding the SJ and the associated responsibilities of KCSO and the CAC (SJ paragraphs 118, 122, and 123).
- The CAC will continue to review and provide feedback to KCSO regarding the policies identified in the SJ and within the agreed-upon deadlines and timelines discussed and decided upon in CAC meetings and correspondence.

7. NEXT STEPS FOR THE MT

In the next reporting period, the MT will continue to conduct ride-alongs, attend meetings and events, observe station activity, and review KCSO documents to gain insight and provide feedback regarding KCSO's community policing strategies and activities. Other key MT activities will include the following.

- Schedule and plan virtual and in-person site visits in coordination with KCSO, the CAC, and DOJ.
- Continue to attend CAC meetings and community meetings.
- In coordination with KCSO and the CAC, present the findings of the MT's fourth annual report with the community and make itself available for questions, comments, and discussion.
- Continue to provide reviews and feedback on documents submitted by KCSO and the CAC.
- The Parties and the MT will establish quantitative and qualitative performance metrics regarding community policing and strategic engagement and how compliance will be measured. Consideration will be given to community expectations.
- Continue to provide technical assistance, as requested and appropriate, to KCSO and the CAC on SJ requirements described above.
- The MT and DOJ will continue to assess submitted plans, policies, and training curricula for compliance and provide feedback to KCSO regarding any changes needed prior to approval and implementation.
- Continue to share with KCSO appropriate, relevant resources that may be helpful to their progress toward SJ compliance (e.g., DOJ publications, articles, studies, and examples from other sources and jurisdictions).

I. PERSONNEL COMPLAINT REVIEW

The SJ requires that KCSO ensure all complaints of misconduct are received and documented, that they are fully and impartially investigated, and that employees are held accountable when they are found to have committed misconduct. KCSO is also required to produce certain reports and conduct complaint audits to ensure the department is complying with these standards.

KCSO continued to make substantial progress on these requirements in 2024. The MT has provided technical assistance as requested, particularly in the area of auditing. Policy revisions are nearly finalized, the annual statistical report on public complaints has been approved, and the first round of audits is nearly complete. In all, it has been a very productive year for improving the department's handling of public complaints.

1. POLICIES

Paragraph 135 requires that the department:

... enhance its complaint investigation-related policies, to ensure that they are complete, clear and consistent. KCSO will implement mechanisms to ensure that all personnel allegations are accurately classified at all investigative stages, from intake through adjudication, so that each allegation receives the appropriate level of review required under policy.

The core policies governing the handling of personnel complaints are found in Section D of the Department Manual. Throughout 2023, the MT subject matter expert (SME) and KCSO executives exchanged drafts in an effort to clarify policies and procedures and ensure they meet the SJ's standards. By late 2023, consensus had been reached on five of the seven complaints-related manual sections. In 2024, the MT, SME, and KCSO managers met several times to discuss the remaining two manual sections that govern the investigation and adjudication of public complaints (D-0200 and D-0300). Beginning in October 2024, the department submitted the draft policies for formal assessment by the Monitors and DOJ. As is the regular process, this led to several further exchanges of drafts and discussions, first between the Monitors and KCSO, then involving DOJ. The policies are currently in the final stages of discussion prior to formal approval. The MT notes that KCSO has had a long-standing policy to accept all public complaints, so the department is in compliance with the requirement to accept all complaints (SJ paragraph 130).

It should be noted that the new policies represent a major shift in how complaints are handled by KCSO. The department's long-standing policy with respect to complaints had been to give supervisors the authority to adjudicate and issue discipline with regard to certain complaints. That approach provided insufficient guidance on this standard and did not ensure adequate documentation was being provided regarding actions taken. Transitioning from that standard to the new policies where the commanding officer must review and approve all personnel investigations (SJ paragraph 146) will result in increased and improved management oversight. Developing and implementing effective training on the new policies will be an important part of hastening this cultural change (SJ paragraphs 151–153).

2. PUBLIC INFORMATION ON FILING A COMPLAINT

Paragraph 133 requires that the department:

... make its complaint brochure that explains the complaint procedures available in Spanish or any other language that the County must provide to voters during an election. KCSO will also

make all of its complaint forms available on its website and in a fillable format that can be submitted electronically.

The department updated its complaint brochure, which provides the public with information on the personnel complaint policy and process. The form was approved by the MT in June 2023. It has been translated into Spanish and posted on the department website in English and Spanish. The form was in the process of being translated into additional required languages when the Professional Standard Unit's (PSU's) first complaint audit found that the form did not capture several pieces of information delineated in the California Racial and Identity Profiling Advisory Board's 2020 annual report (SJ paragraph 134). The department has now updated the form to include the RIPA information and submitted it for Monitor and DOJ approval. Once approved, it will be translated into the required languages and reposted on the department website.

3. KCSO AUDITS OF PUBLIC COMPLAINTS

Paragraph 154 requires that KCSO conduct:

... an annual, randomized audit of KCSO's complaint intake, classification, investigations, and the adjudication of those matters. This audit will assess whether complaints are accepted and classified consistent with policy, investigations are complete, and complaint dispositions are consistent with a preponderance of the evidence. Audits will be submitted through the chain of command to the Sheriff for a determination regarding recommendations made and further action required.

Additionally, paragraph 156 requires that the PSU:

... assess the effectiveness of the complaint process; analyze the complaints to determine if there is a need for a re-evaluation of existing policies, procedures, or trainings; conduct regular audits of complaint investigations to ensure the quality of those investigation, summarized statements accurately reflect recorded interviews, and standards are being met; and make reports of complaint statistics available to the public on a regular basis. KCSO will also utilize its Professional Standards Unit to assess the effectiveness of its complaint process, and the process for determining which complaints are investigated by Internal Affairs.

SJ paragraph 154 requires that the department conduct an "annual randomized audit" of concluded cases, while paragraph 156 requires KCSO's PSU to conduct "regular audits" of the complaint process. In early 2023, the MT and KCSO managers met several times to discuss the requirements of several related SJ provisions, including these two paragraphs. It was agreed that SJ paragraphs 154 and 156 should be addressed together and that PSU would conduct required quarterly audits that can collectively ensure each area of responsibility is addressed at least once throughout the year. The department now submits an annual audit plan as well as detailed audit plans for each quarter for Monitors' and DOJ's approval.

In 2024, at its own initiative, KCSO sent two PSU staff, a sergeant and a detective, to a well-regarded course on auditing and inspecting law enforcement agencies. That training was beneficial; we hope KCSO is able to continue to give staff the opportunity to attend auditing courses to develop and apply these important skills.

In December 2023, the department submitted an annual audit plan for 2024, which was approved by the Monitors and DOJ. The department then submitted an audit plan for each quarter. Upon approval of the audit plans, KCSO has consistently begun the audit work in a timely manner. The MT is also reviewing KCSO's 2025 annual audit plan submitted in December 2024.

- The first quarter 2024 audit focused on the availability of complaint materials and whether those materials were available in the required languages; complainants being discouraged or provided false information about complaints; compliance with RIPA standards; submission of quarterly sustained complaint reports; and publication of the Internal Affairs (IA) annual statistical report. The audit identified several deficiencies in these areas, finding that complaint material was not available at all the specified locations, complaints were not being accepted as required, and complaint forms did not include all the data recommended by RIPA. The audit found no evidence of employees discouraging complainants. This report was finalized and submitted by KCSO in December 2024; it has been reviewed by the MT and is currently being reviewed by DOJ.
- The second audit examined the acceptance of personnel complaints. PSU auditors submitted mock mail-in complaints, mock third-party complaints in English and Spanish by email, and mock telephonic complaints. It also examined phone calls and field activities to determine whether complaints made in the field were being handled properly. The audit showed that complaints were not being accepted as required. KCSO's report for this audit was submitted in November 2024; the audit was reviewed by the MT and, while this report was in the process of being finalized, DOJ provided its feedback. KCSO is now reviewing.
- The third audit examined complaint investigations, including identifying all significant allegations, proper classification, and IA oversight of complaints. Also included in this audit was a review of inmate grievances to determine whether personnel complaints were being handled as a grievance. KCSO's third-quarter audit report was submitted while this annual report was being prepared. We provided feedback which KCSO is reviewing.
- The fourth audit examined training for complaint investigators, training for staff who review investigations, and the adjudication of complaints. The original audit plan called for a review of all complaints and entries in KCSO's use-of-force reporting system (a.k.a. BlueTeam) made in the first quarter of 2024. The MT recognized that auditing a sample that large would require substantial resources and was unnecessary for compliance and suggested auditing one arbitrarily selected month rather than the whole quarter. The Monitors and DOJ concurred with that approach, so KCSO submitted a revised work plan reflecting that change.

The MT acknowledges the department's diligent response to the SJ's audit requirements. Auditing is an acquired skill that is not common among law enforcement agency personnel. The department made a significant effort this year to establish a meaningful internal auditing process and produced good quality audits. They are now sending PSU deputies to audit schools and have worked closely with the MT as we provided technical assistance.

The 2024 reporting period represented a successful learning year and, with that foundation in place, we look forward to an even more robust auditing effort in 2025 with larger sample sizes and thorough review of each SJ-required area and ensuring all complaints are properly identified and investigated. The audits undertaken in 2024 intentionally used smaller samples as PSU gained expertise. Moving forward, audits will typically require larger sample sizes and stratified random sampling so the

department can confidently project results onto the whole population. As reported above, the PSU has already demonstrated a willingness to identify concerns among higher ranked personnel and to point out systemic problems, such as the need to revamp the complaint form. This sort of professional independence is essential for effective auditing, and the MT will work to ensure that standard continues to be met. The eventual goal is to meet the expectations set forth in SJ paragraph 164 which states:

Compliance reviews and audits will contain both qualitative and quantitative elements as necessary for reliability and comprehensiveness. Where appropriate, the Monitor will make use of audits conducted by KCSO's Professional Standards Unit, taking into account the importance of internal auditing capacity and independent assessment of this agreement.

4. QUARTERLY REPORT OF SUSTAINED COMPLAINTS

Paragraph 155 requires that KCSO submit a quarterly report to the Monitors that identifies:

... all cases in which employees were found to have committed misconduct, and detailing the steps taken to hold them accountable for their conduct. The Monitor will then submit a report to KCSO and to DOJ providing its expert opinion as to whether the cases identified and the steps taken have been sufficient or insufficient, and provide recommendations as to improvements, if any, that should be made to the process for holding such personnel accountable.

In 2023, Internal Affairs submitted three Quarterly Sustained Complaint Reports (second, third, and fourth quarters). In April 2023, KCSO submitted the fourth-quarter 2023 report along with the first-quarter 2024 report, which is discussed below. In December 2024 and January 2025, KCSO submitted reports for the last three quarters of 2024, which we are currently reviewing.

The MT reviewed the first-quarter 2024 report and found it to be clear and sufficiently detailed. It adequately summarized the adjudication for each case, including the allegation(s) made and the involved employee's work history to the extent it was considered in the adjudication. Notably, in several cases the department held supervisors and managers accountable for failing to discharge their responsibilities appropriately. That included a lieutenant and sergeant who submitted inadequate use-of-force material, a sergeant who did not handle a use of force properly, and a lieutenant who did not provide adequate oversight of their assigned facility. It is an all-too-common occurrence among law enforcement agencies to focus attention solely on deficient performance by line-level employees but overlook failures or deficiencies by supervisory and managerial staff when conducting these reviews. This appears to not be the case with KCSO based on our recent reviews.

We have also seen instances where the department identifies training issues and takes appropriate action to correct them. In one case in particular, custodial personnel had a very difficult time communicating with a man who was deaf and mute and who used his own version of sign language, known only to him and close family members. They tried to communicate using the jail TTY system but were unsuccessful because the man could neither read nor write. They resorted to using hand gestures and writing notes. After the man was released to his family, the department researched the matter and published a training bulletin, titled *American Sign Language Video Relay Service*, to provide employees with information on the resources available should they be needed in the future.

We also noted a couple of issues that KCSO has addressed. There were adjudications that focused solely on the complaint at hand and did not appear to recognize or consider whether the case was an isolated incident or part of a possible pattern of conduct. For example, complaints of the failure to activate a body-worn camera or sleeping on duty may be an indication of a broader pattern of conduct. We also noted that penalties did not always articulate the full range of considerations required under SJ paragraph 149, such as seriousness of offense, employee work and discipline history, impact on other employees, and impact on public trust. To address these findings, the department has developed a form that is being used by the Discipline Review Board. The form has also been included in the revised personnel complaint policies that are currently under review. Until they are published, the department has informed the MT that the form will be disseminated so managers are encouraged to undertake a broader view of their disciplinary decisions.

5. ANNUAL STATISTICAL REPORT ON COMPLAINTS

Paragraph 157 requires that KCSO:

... publish an annual report of personnel complaint data that reflects the categories of complaints received and the final disposition of those complaint investigations that have been completed as well as the status of any complaint investigations still pending. The report will be made available to the public, once approved by the Sheriff and the Monitor. This report will reflect data for the preceding calendar year and will be released by April 1 of each year. to publish an annual public report of personnel complaint data that reflects the categories of complaints received, the final disposition of completed complaints, and the status of pending complaints. The report is to be published by April 1 of each year.

After some back and forth for clarification, the 2022 IA Annual Complaint Statistics Report was published on July 11, 2023. Using that report as a template, the department obtained approval for and published the 2023 IA Annual Complaint Report on May 24, 2024. Both reports provided the information required under SJ paragraph 157 and brought the department into sustained compliance with that paragraph.

6. PUBLIC COMPLAINTS SUBMITTED TO MONITORS BY THE PUBLIC

The Monitors' website received eight comments from the public in this period, seven of which the MT found to have been handled by the department in a manner consistent with the SJ. Two were copies of comments sent to the Community Advisory Council, one of which vehemently advocated for park rangers to become part of the sheriff's department. Two others involved access to jail records or complaints about the quality of jail food. The food inquiry identified shortcomings in the jail's handling of inmate grievances, and our review showed the department had already identified and corrected that problem, which was the result of an issue with the vendor. In another case, the person complained that jail deputies tried to intimidate him when he went to the jail to inquire about his sister. However, jail and body-worn cameras showed the deputies handled the incident professionally. In another case a person was cited for trespassing but claimed to have a legal right to be on the property. Our review showed the department handled the complaint correctly. Another person claimed deputies entered his

house without a warrant and physically detained him for no reason. But the facts showed the man threatened to kill himself before turning to follow his young children into a house. The deputies were justified in entering the house and physically detaining him. The last complaint concerned a woman whose neighbor only increased his efforts to annoy and frustrate her after she confronted him regarding various nuisances. The department properly reviewed and adjudicated her complaint, and the County Counsel determined the man's actions were constitutionally protected, so the department appropriately took no further legal action. In all, we found the department's handling of each of these complaints to be consistent with the SJ.

7. NEXT STEPS FOR KCSO

- Work with the MT and DOJ to finalize complaint policies.
- Once the policies and procedures have been approved, develop a training program for employees, supervisors, and managers on the intake, investigation, and adjudication of public complaints (SJ paragraphs 151–153) and submit the program to the Monitors and DOJ for approval.
- Develop and submit for MT and DOJ approval a program to train employees, supervisors, and managers on the new policies (SJ paragraphs 151–153).
- Once the complaint brochure is finalized, update the department website, have it translated into the requisite languages, and have sufficient quantities printed so it is available at the identified locations and in all patrol cars.
- Complete revisions to the audit report for the third quarter 2024 and submit the report for the fourth quarter 2024, request technical assistance from the MT if needed, then submit them to the Monitors and DOJ for approval.
- Continue to develop audit expertise within PSU, including scheduling PSU personnel for the appropriate audit schools.

8. NEXT STEPS FOR THE MT

- Work with KCSO and DOJ to finalize complaint policies.
- Provide technical assistance, as requested and appropriate, to assist KCSO in developing training materials on public complaints for employees, supervisors, and managers.
- When training material is submitted for compliance review, facilitate approval by the Monitors and DOJ.
- Work with KCSO and DOJ to obtain final approval of the complaint brochure.
- Review the third- and fourth-quarter 2024 reports when they are submitted and provide feedback on those audits.
- Review the department's 2025 annual audit plan.
- Review the audit plans for each quarter in 2025 to ensure they address the identified areas needing to be covered.
- Review the draft reports and provide PSU with feedback on each audit.
- Continue to provide PSU with technical assistance to grow their audit expertise.

- Review the 2024 Annual IA Statistical Report, and facilitate publication by April 1, 2025.
- Continue to review the quarterly reports of sustained complaints and provide KCSO and DOJ with our findings on their sufficiency.
- Provide technical assistance, as requested and appropriate, to assist KCSO in developing complaint investigatory summary reports (SJ paragraph 145) and audit methodologies to assess the effectiveness of the complaint processes (SJ paragraph 154).
- Once policies and procedures are in place, training has been provided, and sufficient time has passed to institute the changes, conduct inspections and audits of completed cases to assess KCSO's level of compliance with the SJ requirements. The MT will also verify that the appropriate staff have received the training.
- In addition to reviewing formal audits of public complaints, the MT will review and provide feedback to KCSO on complaints or other allegations of misconduct brought to its attention or discovered while reviewing various other material, such as uses of force and stops.
- The MT will continue tracking complaints received on its website (<https://kcsomonitoring.info>) related to the SJ and assessing whether KCSO processes them according to policy and legal requirements.