



Kern County Sheriff's Office
Policies and Procedures

TITLE: EMPLOYEE DISCIPLINE – ADMINISTRATIVE APPEAL		NO: D-0400	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: August 1, 1990	REVIEWED: 01/07/2026	REVISED: 01/07/2026	UPDATED: 01/07/2026

POLICY

A pre-disciplinary administrative appeal is afforded to all members of the Sheriff's Office during the disciplinary or termination process to provide a meaningful opportunity for members to respond and present their case. The employee shall have the right to respond to the appointing authority, either orally or in writing, and to informally present such reasons, statements, and other materials as to why the proposed disciplinary action should not be taken. The appointing authority shall consider the response offered by the employee before final action is taken.

DIRECTIVE A

Commissioned reserve deputies, probationary, per diem, and extra-help employees are not entitled to the procedural protection set forth in the rules of the Civil Service Commission. However, the Sheriff's Office will give such members written notice (Skelly letter) of proposed disciplinary or termination action prior to the imposition of that action. Members in these four categories may be terminated without the establishment of evidentiary cause as defined by Civil Service Rule 1705 et. seq.

The in-house pre-disciplinary appeal shall constitute the full administrative appeal for probationary, per diem, and extra-help employees. There is no right to further appeal except under the provisions and circumstances outlined in Civil Service Rule 1800 et. seq.

DISCIPLINARY ADMINISTRATIVE APPEAL

SWORN:

Any sworn member (or their representative) who has received a notice of discipline or termination may:

- In writing, appeal the imposition of discipline directly to the Sheriff-Coroner or the Sheriff-Coroner's designee.
 - May include their account of events.
 - May include any pertinent evidence, including documentation.
 - Submit their appeal within five (5) business days from the receipt of notice of discipline.

The Sheriff-Coroner, or their designee, upon receiving an administrative appeal, will:

- Review all documentation and the member's written appeal.
- Meet with the member and allow the member to state their case.

- When practical, issue a final decision in writing within three (3) business days of meeting.
- Forward the decision to the Internal Affairs Section Lieutenant.

Upon receiving the final decision from the Sheriff-Coroner, or their designee, the Internal Affairs Section Lieutenant will:

- Ensure any notice of discipline is drafted and served.
- Ensure the member is notified if discipline is not to be imposed.
- Ensure the appropriate paperwork is placed in the member’s personnel file.

NOTE: A designee of the Sheriff-Coroner will conduct the final stage of the administrative appeal if the Sheriff-Coroner is unavailable or a conflict of interest exists. In either case, the member will be informed of such.

NON-SWORN:

Any non-sworn member (or their representative) who has received a notice of discipline or termination may:

- In writing, appeal the imposition of discipline directly to the Undersheriff or the Undersheriff’s designee
 - May include their account of events.
 - May include any pertinent information or documentation.
 - Submit their appeal within five (5) business days from the receipt of notice of discipline.

The Undersheriff, or their designee, upon receiving an administrative appeal will:

- Review all documentation accompanying the appeal and the member’s written appeal.
- Meet with the member and allow the member to state their case.
- When practical, issue a final decision in writing within three (3) business days of the meeting.
- Forward the decision to the Internal Affairs Section Lieutenant.

Upon receiving the final decision from the Undersheriff, or their designee, the Internal Affairs Section Lieutenant will:

- Ensure any notice of discipline is drafted and served.
- Ensure the member is notified if discipline is not to be imposed.
- Ensure the appropriate paperwork is placed in the member’s personnel file.

NOTE: A designee of the Undersheriff will conduct the final stage of the administrative appeal if the Undersheriff is unavailable or a conflict of interest exists. In either case, the member will be informed of such.

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WRITTEN REPRIMAND/DISCIPLINARY TRANSFER ADMINISTRATIVE APPEAL

Written reprimands and disciplinary transfers cannot be appealed to the Civil Service Commission, but a member may file an administrative appeal through the chain of command to the Sheriff-Coroner.

Any member (or their representative) who has received a notice of disciplinary transfer or been served a written reprimand may:

- In writing, appeal the action directly to the appropriate Bureau Chief Deputy:
 - May include their account of events.
 - May include any pertinent information or documentation.
 - Submit their appeal within five (5) business days of receipt of the written reprimand or notice of disciplinary transfer.
 - If there is a conflict with the assigned Bureau Chief Deputy, then the appeal action can be sent directly to the Undersheriff.

Any member of the chain of command who receives such an appeal will:

- Without delay, forward to the next level in the chain of command.

The Sheriff-Coroner or their designee, upon receiving an administrative appeal, will:

- Review all documentation related to the underlying discipline and the member's written appeal.
- Meet with the member as soon as practical and allow the member to state their case.
- When practical, issue a final decision in writing within ten (10) business days of the meeting.
- Forward the decision to the Internal Affairs Section Lieutenant.

Upon receiving the final decision from the Sheriff-Coroner, or their designee, the Internal Affairs Section Lieutenant will:

- Ensure that the member is notified if the disciplinary transfer is upheld, not upheld, or modified.
- Ensure that the member is notified if the reprimand is upheld, not upheld, or modified; or
- Ensure the final decision is documented and appropriate documents are placed in the member's personnel file.

If the member is to receive a written reprimand or a documented oral counseling (DOC), they may:

- Within thirty (30) calendar days, submit a written statement to be attached to the written reprimand or DOC. This written statement shall accompany the written reprimand or DOC.¹

¹Government Code § 3306.

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