



Kern County Sheriff's Office
Policies and Procedures

TITLE: RULES OF CONDUCT – LAW ENFORCEMENT PERSONNEL NO: C-100			
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: August 1, 1990	REVIEWED: 5/15/2020	REVISED: 3/1/2007	UPDATED: 5/15/2020

POLICY

Law enforcement personnel are highly visible representatives of government and are entrusted with the responsibility of ensuring the safety and well being of the community they serve as well as delivery of effective police services. Employment in the field of law enforcement imposes upon persons attracted to it, responsibilities and limitations on freedom of action which do not exist in other callings. It is necessary to hold sworn members of the Sheriff's Office to the highest standard of conduct possible.

Law enforcement personnel, of the Sheriff's Office, shall not engage in any course of conduct which, when viewed in the context of contemporary standards, brings discredit to the member, the Sheriff's Office, or the law enforcement profession.

The conduct of peace officers must be above reproach. Honesty, credibility, and integrity are crucial to the proper performance of their duties as they are the essence of the function. The law enforcement Code of Ethics is therefore included as a goal towards which we should all strive.

DIRECTIVE

Violations of these rules of conduct, as well as the other policies and procedures of the Sheriff's Office, may result in disciplinary action pursuant to Civil Service Rule 1700 et.seq.

HONESTY

Deputies will:

- Speak the truth in all official communications, written or oral, whether under oath or not;
- Not withhold information pertinent to effective law enforcement;
- Not knowingly enter, or cause to be entered, any inaccurate, false or improper information into any Sheriff's Office record or report;

CONFIDENTIALITY

Members of the Sheriff's Office will:

- Treat as confidential the official business, reports and records of the Sheriff's Office in accordance with applicable law;
- Not impart any confidential information regarding Sheriff's Office business to any person or entity unless directed by competent authority or legal process;
- Not make public statements concerning the Sheriff's Office business, reports or records unless authorized by a superior or permitted by law.

GRATUITIES

Members of the Sheriff's Office will not:

- seek free admission for anyone to any place where admittance is through invitation or payment of a fee;
 - This rule does not preclude the efforts of recognized employee organizations to obtain favorable trade terms for its members.
- solicit any gift or gratuity;
 - Donations to the Sheriff's Office are acceptable following approved procedures.
 - This rule does not prohibit the acceptance of legitimate discounts offered by businesses to county employees.
- knowingly accept, directly or indirectly, any gratuity, loan, fee, reward or gift, from any person, relative or friend of a person, under investigation, in custody, or after being discharged from custody;
- accept from any person any gift, reward, or other compensation, for services rendered in the line of duty;
 - Except such rewards as may be approved by the Sheriff-Coroner.

CONDUCT WITH CITIZENS

In all cases of contact with people outside the Sheriff's Office, whether on duty or off duty, officers will not:

- interfere officiously or unnecessarily in the private affairs of any person;

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- request the aid of any person outside the Sheriff’s Office in order to gain advantage in internal departmental matters, i.e. transfers, reassignments, promotions, discipline, etc., except as provided by law or agreement;
- directly or indirectly seek acclaim through the public press for performing their duties;
- recommend, in any official capacity, to any person the employment of a particular attorney in any criminal matter;
- directly or indirectly interfere with another officer or agency’s criminal case;
- recommend to any person the employment of a particular bondsman; Communication will be limited to the legal requirements of notification of the right to post bail;
- knowingly transact any business with, or for, any person in custody or under investigation except in the line of duty or with consent of the Sheriff – Coroner, Undersheriff or a Chief Deputy;
- unlawfully interfere with, or improperly use the influence of, their position in elections;
 - There is no intent to remove from members their rights afforded by the First Amendment;
 - On duty political activity is not allowed;
 - Political activity while in uniform is not allowed;
 - Merely talking about politics while on duty does not constitute political activity.

LAW ENFORCEMENT CODE OF ETHICS

As a Law Enforcement Officer, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression, or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional Rights of all men to liberty, equality, and justice.

I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of the Sheriff’s Office. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary, in the performance of my duty.

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I will never act officiously or permit personal feelings, prejudices, animosities, or friendships to influence my decisions. With no compromise for crime and with relentless persecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession – law enforcement.

C-100-4

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Kern County Sheriff's Office
Policies and Procedures

TITLE: RULES OF CONDUCT – NON-SWORN PERSONNEL		NO: C-200	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: August 1, 1990	REVIEWED: 5/15/2020	REVISED: 5/5/2006	UPDATED: 5/15/2020

POLICY

Non-Sworn members of the Sheriff's Office are highly visible representatives of county government and are entrusted with supporting the delivery of effective police services to the community. As a valuable resource in the law enforcement field, non-sworn members of the Sheriff's Office must conduct themselves in a manner consistent with their position.

Because of the important, confidential and often sensitive nature of the various functions performed by non-sworn members, it is necessary to hold them to the highest standard of conduct possible.

Non-Sworn personnel shall not engage in any course of conduct which, when viewed in the context of contemporary standards, would bring discredit to members of the public service.

Violations of these rules of conduct, as well as the other policies and procedures of the Sheriff's Office, may result in disciplinary action pursuant to Civil Service Rule 1700 et.seq.

HONESTY

Members will:

- Speak the truth in all official communications, written or oral, whether under oath or not;
- Not withhold information pertinent to effective law enforcement;
- Not knowingly enter, or cause to be entered, any inaccurate, false or improper information into any Sheriff's Office record or report.

CONFIDENTIALITY

Members will:

- Treat as confidential the official business, reports and records of the Sheriff's Office;
- Not impart any information to any person or entity unless directed by competent authority or legal process;
- Not make public statements concerning the Sheriff's Office business, reports or records unless authorized by a superior or permitted by law.

GRATUITIES

Members will not:

- seek free admission for anyone to any place where admittance is through invitation or payment of a fee;
 - This rule does not preclude the efforts of recognized employee organizations to obtain favorable trade terms for its members.
- solicit any gift or gratuity;
 - Donations to the Sheriff's Office are acceptable following approved procedures;
 - This rule does not prohibit the acceptance of legitimate discounts offered by businesses to county employees.
- knowingly accept, directly or indirectly, any gratuity, loan, fee, reward or gift, from any person, relative or friend of a person under investigation, in custody, or after being discharged from custody;
- accept from any person any gift, reward, or other compensation, for services rendered in the line of duty;
 - Except such rewards as may be approved by the Sheriff-Coroner.

CONDUCT WITH CITIZENS

In all cases of contact with people outside the Sheriff's Office, whether on duty or off duty, members will not:

- request the aid of any person outside the Sheriff's Office in order to gain advantage in internal departmental matters, i.e. transfers, reassignments, promotions, discipline, etc.;
- in any official capacity, recommend to any person the employment of a particular attorney in any criminal matter;
- directly or indirectly interfere with another agency's criminal case;
- recommend to any person the employment of a particular bondsman; Communication will be limited to the legal requirements of notification of the right to post bail;

knowingly transact business with, or for, any person in custody or under investigation except in the line of duty or with consent of the Sheriff-Coroner, Undersheriff or a Chief Deputy;

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- engage in any improper political activity;
 - There is no intent to remove from members their rights afforded by the First Amendment;
 - On duty political activity is not allowed;
 - Political activity while in uniform is not allowed;
 - Merely talking about politics does not constitute political activity.

C-200-3

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Kern County Sheriff's Office

Policies and Procedures

TITLE: RULES OF CONDUCT – DISCRIMINATION/HARASSMENT		NO: C-300	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: August 1, 1990	REVIEWED: 03/19/2020	REVISED: 07/23/2018	UPDATED: 03/19/2020

POLICY

It is the policy of the Kern County Sheriff's Office to provide a work place free from unlawful discrimination and/or discriminatory harassment. "Unlawful discrimination" is discrimination based on the person's race, religious creed, color, national origin, ancestry, physical disability, mental disability, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status. Employee conduct, whether intentional or not, that results in discrimination or harassment of other employees, is illegal and will not be tolerated. All supervisory and command staff shall ensure that no employee is subjected to discrimination or harassment.

It shall also be the policy of the Sheriff's Office that all citizens contacted will be treated equally regardless of the person's race, religious creed, color, national origin, ancestry, sex, age, physical disability, ability, mental disability, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status.

References to any individual or group in a derogatory manner based on the above will not be tolerated. Retaliation against individuals who report unlawful discrimination or harassment will also not be tolerated. Supervisors and command personnel are to ensure strict compliance with this policy.

TYPES OF UNLAWFUL DISCRIMINATION / HARASSMENT

Sexual Harassment: Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made either explicitly or implicitly as a term or condition of an individual's employment, or;
- Submission to or rejection of such conduct by an individual is used as the basis for employment decision affecting such individual, or;
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Examples include, but are not limited to:

- Direct or indirect pressure for dates and/or sexual activity;
- Pinching or patting;
- Leering/Gawking;
- Sexual Jokes or Cartoons, etcetera;
- Verbal comments;
- Posting of sexually graphic material;
- Telling of sexually oriented jokes perceived by the listener as offensive.

Discriminatory Harassment: Actions or words that are derogatory, demeaning or disrespectful regarding a person’s race, religious creed, color, national origin, ancestry, physical disability, mental disability, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status.

Examples include, but are not limited to:

- Racial jokes or cartoons;
- Offensive reference to disabilities;
- Derogatory remarks regarding a particular religion.

PROCEDURE A: REPORTING DISCRIMINATION OR HARASSMENT

Individuals who believe that they have been the victim of any form of discrimination or discriminatory harassment are encouraged to:

- Tell the harasser that such behavior is unwelcome;
- A failure to tell the harasser does not preclude the offended employee from reporting the incident, nor does it exonerate the harasser;
- Report the incident or behavior to their immediate supervisor (or to the next superior officer in their chain of command if the harasser is the immediate supervisor, or any other ranking officer within the Sheriff’s Office).

C-300-2

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Individuals who witness any form of discrimination or discriminatory harassment are encouraged to:

- Report the behavior to their immediate supervisor (or to the next superior officer in their chain of command if the harasser is the immediate supervisor, or any other ranking officer within the Sheriff's Office).

Victims or witnesses of any form of discrimination or discriminatory harassment are encouraged to report the incident to the Sheriff's Office. However, a witness to or victim of harassment may bypass departmental reporting procedures without fear of reprisal and instead report the incident directly to:

- The Kern County Personnel Department, Equal Employment Opportunity Officer;
- The California Department of Fair Housing and Employment;
- The United States Equal Employment Opportunity Commission.

Any supervisor or superior officer receiving a complaint of discrimination or discriminatory harassment will:

- Listen to the complaint;
- Treat the complaint seriously;
- Refrain from minimizing the complaint or from discouraging the employee from reporting the incident;
- Record and document the complaint;
- Submit a complete report of the complaint in memo form to the Sheriff-Coroner via chain of command. (If the harasser is the immediate superior of the party receiving the complaint, the report shall be forwarded to the next superior officer in the receiving party's chain of command.)

The Sheriff-Coroner will:

- Direct an Internal Affairs investigation into the incident.

The Internal Affairs Investigator will:

- Upon being assigned a discrimination or discriminatory harassment investigation, immediately contact the complaining employee and provide them with a complete

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copy of Civil Service Rule 1800. The employee shall sign and acknowledge receipt of the copy of Rule 1800. This receipt is to be kept with the investigation case file.

PROCEDURE B: POLICY DISTRIBUTION

Section 420.3 of the County Administrative Manual requires that all new employees be given a copy of the County Sexual Harassment Policy at the time of hire. It also requires that a copy of the policy be given to each employee annually. In all cases employees are to sign an Acknowledgement of Receipt form each time they are provided a copy of the policy.

In compliance with County Policy, the following procedures will be followed:

Sheriff’s Human Resources Section Clerical Staff:

At the time of hiring any regular, extra help or contract employee, the Sheriff’s Personnel Employee Benefits Clerk will give the new employee the following documents:

- A copy of the County Sexual Harassment Policy from the County Administrative Manual, Section 420.
- A copy of the Sheriff’s Office Discrimination / Harassment Policy (DPPM C-300).

At that time, the clerk will have the new employee sign an Acknowledgement of Receipt form and place the form in the employee’s Sheriff Office personnel file.

The Human Resources Section clerk sending out annual Employee Performance Reports (EPR) will attach to each EPR a copy of the County Sexual Harassment Policy, a copy of the Sheriff’s Office Discrimination / Harassment Policy, and a blank Acknowledgement of Receipt form. The EPR and attachments will be routed to the employee’s division supervisor.

Supervisor:

During the performance review, the supervisor will give the employee the listed policies. The supervisor will have the employee sign the Acknowledgment of Receipt form, attach it to the EPR, and route them back to the Sheriff’s Human Resources Section.

Sheriff’s Human Resources Clerical Staff:

The Human Resources clerk will file a copy of the EPR and the original Acknowledgement of Receipt form in the employee’s personnel file.

C-300-4

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Kern County Sheriff's Office
Policies and Procedures

TITLE: PRE-EMPLOYMENT DRUG TESTING		NO: C-400	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: August 1, 1990	REVIEWED: 6/15/2020	REVISED: 3/1/2007	UPDATED: 6/15/2020

POLICY

The Kern County Sheriff's Office has a duty to provide professional law enforcement services and operate its courts and detention facilities in a safe and secure manner including the prevention of contraband (including drugs) from entering the jails.

The Kern County Sheriff's Office has a duty to safeguard the confidentiality of criminal justice information contained in the California Law Enforcement Telecommunications System ("CLETS") and the Criminal Offender Records Information ("CORI") system, the breach of which could hamper the Sheriff's ability to maintain law and order.

The Kern County Sheriff's Office has compelling governmental interests in these areas and has determined that pre-employment drug testing is necessary in accomplishing these objectives. Therefore, the Kern County Sheriff's Office shall conduct pre-employment drug testing of applicants for positions involving the following activities:

- All positions involving the use of firearms and all positions directly engaged in drug interdiction.
- All positions with access to prisoners or unsupervised access to contraband (including drugs).
- All positions with access to the California Law Enforcement Telecommunications System ("CLETS") or the Criminal Offender Records Information ("CORI").

Pre-employment drug testing will be conducted as part of the background process for all newly hired employees, and county employees who transfer in or promote to specified positions in the Sheriff's Office from other county departments. Notwithstanding the foregoing, pre-promotional drug testing will not be conducted on Sheriff's employees who have previously passed a county pre-employment drug test and seek promotion within the Sheriff's Office.

DEFINITIONS

Controlled Substances: Any drug or other substance, defined as a "controlled substance" by California Health and Safety Code Sections 11053 – 11057, which is either: (1) not legally obtainable by the applicant, or (2) which has not been legally obtained by the applicant for prescribed medical purposes, or (3) which has been legally obtained by the applicant, but which has been (a) abused for non-medical purposes, or (b) which may impair the applicant's ability to safely or effectively perform assigned duties.

DIRECTIVE A

Pursuant to Civil Service Rule 307.10.02, applicants shall be disqualified from employment if reliable evidence is discovered, during the application process or background investigation, that the applicant is currently using illegal drugs. In addition, pursuant to Civil Service Rule 307.10.03, applicants shall be disqualified for failing the pre-employment drug test described in this policy.

PROCEDURE

The background investigator will:

- Cause the applicant to respond to National Toxicology Laboratories or a County approved vendor, with the referral form completed by the investigator, where the applicant will submit a urine sample for analysis for the presence of any drugs of use.
 - Undersheriff
 - Chief Deputy Sheriff
 - Sheriff's Commander
 - Sheriff's Lieutenant
 - Sheriff's Sergeant
 - Sr. Deputy Sheriff
 - Deputy Sheriff
 - Detention Deputy Lieutenant
 - Detention Deputy Sergeant
 - Sr. Detention Deputy
 - Detention Deputy
 - Detention Deputy Food Specialist
 - Administrative Coordinator
 - Crime Prevention Coordinator
 - Crime Prevention Specialist
 - Confidential Administrative Assistant
 - Sheriff's Records Administrator
 - Sheriff's Senior Support Specialist
 - Sheriff's Support Specialist
 - Human Resources Manager
 - Human Resources Specialist
 - Sheriff Services Technician
 - Sheriff Services Assistant
 - Sheriff's Civil Litigation Coordinator
 - Sheriff's Property Control Officer

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- Micro photographer
 - Technology Services Manager
 - Computer Programmer
 - Sr. Information Systems Specialist
 - Sheriff's Aide
 - Warehouse Supervisor
 - Structural Maintenance Superintendent
 - Detention Deputy Maintenance Worker
 - Maintenance Worker 4
 - Maintenance Plumber
 - Air Conditioner Mechanic
 - Maintenance Electrician
 - Auto Mechanic 1/2
 - Aircraft Pilot
 - Aircraft Mechanic
 - Sheriff's Dispatch Supervisor
 - Sheriff's Senior Dispatcher
 - Sheriff's Dispatcher
 - Sheriff's Dispatch Assistant
 - Supervising Sheriff's Report Technician
 - Sheriff's Report Technician
 - Evidence Technician
 - Identification Technician
 - Light Vehicle Driver
 - Deputy Public Administrator
 - Autopsy Assistant
 - Property Control Officer
 - Supervising Coroner Investigator
 - Coroner's Investigator
 - Network Systems Administrator
 - 911 Coordinator
- Failure to complete the drug screen on the date specified by the investigator constitutes a refusal, and **automatically disqualifies** the applicant for the position.
 - Staff at National Toxicology Laboratories, Inc. are required to allow each client (applicant) a period of three hours to complete the drug screen.
 - The background investigator will notify the applicant of any positive drug testing results.
 - The background investigator will cause the results of the drug test to be filed in the applicant's background file.

DIRECTIVE C

The pre-employment drug screening will be capable of detecting at least the following drugs or drug groups at the listed screening and confirmation levels (in NG/ML by each method):

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	SCREENING	CONFIRMATION
• AMPHETAMINES	300	260
Amphetamine/Methamphetamine		
MDMA/MDA (Ecstasy)	1000	260
• BARBITURATES	300	100
Amobarbital		
Boutalbarbital		
Butalbital		
Pentobarbital		
Phenobarbital		
Secobarbital		
• BENZODIAZEPINES	300	100
• CANNABINOIDS	20	10
Marijuana (THC)		
• COCAINE	300	150
Benzoylacognine		
• OPIATES	300	150
Codeine/Morphine		
Heroin		
Hydrocodone/Hydromorphone		
• METHADONE	300	100
• METHAQUALONE	300	300
• PHENCYCLIDINE	25	25
• PROPOXYPHENE	300	300
Norpropoxyphene		
• OXYCODONE	100	100

Testing of urine samples will normally be done by National Toxicology Laboratories, or other approved contracted laboratory, which complies with accepted contemporary standard for laboratory analysis.

C-400-4

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Kern County Sheriff's Office
Policies And Procedures

TITLE: EMPLOYEE DRUG TESTING		NO: C-500	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: August 1, 1990	REVIEWED: 03/20/2020	REVISED: 09/29/2008	UPDATED: 03/20/2020

POLICY

No employee of the Kern County Sheriff's Office shall be under the influence of, or otherwise engage in the use, possession, transport, purchase, sale, or other distribution, of a controlled substance, or alcohol at any time while on duty:

- Shall not report for duty within (8) eight hours after the consumption of any alcoholic beverage, or report for duty with a blood alcohol concentration of .04 BAC, or higher.

Unless one of the following conditions exists:

- The possession occurs lawfully as a result of an on-duty seizure in the performance of your official duties; or processing of evidence as part of a criminal investigation; or in the performance of any other official duties;
- The employee came under the influence of a controlled substance as a result of an accidental contamination;
- The employee is an undercover peace officer who was performing essential on-duty activities during the performance of assigned duties.

No employee shall report for duty under the influence of a medication prescribed to the employee and, due to the medication, the employee is unable to safely, or effectively perform assigned duties.

If the employee reports that a positive test for a controlled substance is the result of a prescription drug, the officer shall be instructed to provide adequate evidence of the prescription as soon as possible.

Any employee witnessing a possible violation of this policy shall immediately report the suspected violation to their immediate supervisor (or to the next superior officer in their chain of command if the possible violation is by the immediate supervisor, or any other ranking officer within the Sheriff's Office).

DIRECTIVE

A positive result from a drug, or alcohol analysis will result in appropriate personnel action which may include disciplinary action, up to and including, dismissal.

Testing may be done on an employee only when there is reasonable suspicion, based on articulable facts that:

- The employee is under the influence, or otherwise engaging in the use, possession, transport, purchase, sale, or other distribution of alcohol, or any controlled substance;
- The employee has violated Sheriff's Office policies governing reporting to work under the influence of a prescribed medication;
- The employee has violated Sheriff's Office policies governing being under the influence of, or otherwise engaging in the use, possession, purchase, or sale of alcohol while on duty.

An employee may request testing if he has been exposed to a controlled substance capable of being involuntarily absorbed into the body, including those situations in which an employee believes he has been contaminated.

PROCEDURE

Reasonable Suspicion Testing

Any supervisor or command officer who becomes aware of any of the above will:

- In all cases where the employee is under the influence, or possibly under the influence of prescribed medication, alcohol, or controlled substances:
 - Keep employee in location away from public and other officers;
 - Maintain intermittent observation of the employee;
- If accidental exposure, take steps necessary to protect the employee's health and safety;
- For possible prescribed medication, or controlled substances violations, obtain a urine sample and submit it for analysis following standard procedures. This test will be for administrative purposes only;
- If the employee is suspected of being under the influence of alcohol, the employee shall submit to a Preliminary Alcohol Screening Test. A trained operator at the direction of a supervisor will conduct the test. This test will be for administrative purposes only;

C-500-2

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- If the employee’s off-duty conduct violates Sheriff’s Office policy and/or law:
 - Prepare written report in memo form;
 - Forward through the chain of command to the appropriate Chief Deputy;
- If immediate action is necessary to protect the public, or employee’s health and safety, follow steps as if on duty;
- If the employee’s on duty conduct violates Sheriff’s Office policy and/or law:
 - Notify appropriate Lieutenant, Commander, or Chief Deputy immediately;
 - Take steps necessary to protect public and employee’s health and safety.

For the purpose of determining whether an employee is under the influence the Sheriff has adopted the quantitative drug levels listed in the County of Kern Alcohol and Drug Policy, Exhibit C (“Reasonable Suspicion Screen”). These quantitative drug levels are for administrative purposes only.

If the employee’s actions are suspected to be criminal in nature, a Lieutenant, Commander, or Chief Deputy upon receiving such information will:

- Contact the Special Investigations Division Commander, or in his absence the SID O.I.C., and assign the investigation to a narcotics investigator. If the possible criminal activity involves the use of alcohol, the Watch Commander will assign an appropriate investigator from this agency or any other law enforcement agency in the State of California.

The assigned narcotics investigator will:

- Investigate the matter following accepted narcotics investigation techniques;
- If probable cause does not exist and no criminal case can be pursued, send the investigative package through the chain of command to the Sheriff-Coroner.

The assigned investigator for possible alcohol related criminal activity will:

- Investigate the matter following accepted investigation techniques.

In all cases alleging violations of this section:

- An Internal Affairs investigation will be initiated.

In all such cases, the assigned Internal Affairs investigator will:

- Conduct a thorough investigation following accepted and lawful Internal Affairs investigation practices.

C-500-3

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Kern County Sheriff's Office
Policies and Procedures

TITLE: COMMERCIAL VEHICLE DRUG TESTING		NO: C-510	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: February 1, 1996	REVIEWED: 08/30/2018	REVISED: 4/1/1996	UPDATED: 8/30/2018

POLICY

This policy is adopted as a supplement to the County of Kern’s General Policies and Procedures to end substance abuse in the work place and to assure that public safety adopted by the “County of Kern Alcohol and Drug Abuse Policy” as set forth in the Kern County Administrative Procedures Manual at Volume 19 and is attached hereto and incorporated by reference as Exhibit “A.”

This policy applies to non-exempt Kern County Sheriff’s employees assigned to operate county motor vehicles having a gross combination weight rating of 26,001 or more pounds inclusive of a towed unit with a gross vehicle rating of more than 10,000 pounds, or has a gross combination weight rating of 26,001 or more pounds, or is designed to transport sixteen (16) or more passengers, including the driver or is of any size and is used in the transportation of materials found to be hazardous for the purpose of the Hazardous Materials Transportation Act and which require the motor vehicle to be placarded under the HMR, 49 CFR Part 172 Subpart F.

This policy shall apply to those drivers that have a passenger endorsement “P” on their California Class “C” driver’s license which allows the driver to transport passengers in a vehicle with a seating capacity of (10-15) passengers, including the driver. California Vehicle Code 15278 (a)(2).

This information will be referenced in the Standard Operation Procedure manual describing the Sheriff’s Office of Transportation Compliance Requirements in the Safety Officer’s Office with the Kern County Sheriff’s Office Training Division.

DIRECTIVE

This policy applies to Kern County Sheriff’s Office employees who are assigned or who seek to be assigned to duties as drivers of commercial vehicles as those terms defined by 49 CFR Section 382.107, as more specifically, defined above.

All applicants for employment with the Kern County Sheriff’s Office in these designated positions and employees performing duties and positions subject to this policy are hereafter referred to as “covered applicants” or “covered employees.”

Each covered applicant or employee shall be provided with a copy of the “County Alcohol and Drug Abuse Policy” as well as this schedule and execute a written acknowledgment of receipt of the same. Such covered applicants and employees shall also be required to execute written consents to submit to the pre-employment, periodic, random, reasonable cause and post accident drug and alcohol test described in this policy as a condition of employment. The failure or

refusal to submit to testing upon direction of the Sheriff's Office provides sufficient grounds for refusal to employ or for discipline of the employee under the Kern County Civil Service Commission Rule 1705.03 (Conduct Unbecoming) and Rule 1705.11 (Violation of Any Lawful Order).

PRE-EMPLOYMENT AND PRE-ASSIGNMENT TESTING

Covered applicants and all present employees promoted or transferred to duties in a covered job classification or position shall be required to submit to alcohol and drug testing as a condition of employment. Such testing shall be conducted under the supervision of the Kern County Sheriff's Office and in accordance with the minimum standards set forth by 49 CFR part 40.

Persons rejected for failure to successfully pass the drug or alcohol screen will be disqualified from accepting employment in a Sheriff's Office position involving the driving of county commercial motor vehicles for 180 days.

If the covered applicant or employee has, within the previous two years, been employed in any private or public employment in which drug screen or alcohol screen testing was required, this fact shall be disclosed, and written consent shall be given by the covered applicant or employee for the disclosure of the results of any testing performed.

PERIODIC RANDOM TESTING

As a condition of continued employment, the Kern County Sheriff's Office shall conduct a number of tests equal to at least 50 percent of all covered employees each calendar year spread reasonably over a twelve-month period. The Sheriff's Office will conduct random selection and testing on quarterly schedule. The unannounced test will be conducted during the tested employee's normal work hours and at locations designated by the Kern County Sheriff's Office. Covered employees will be selected for testing on a random basis. Such testing shall be conducted under the supervision of the Kern County Sheriff's Office, Training Division/Safety Officer's Office. This testing is mandated by and shall be conducted in accordance with 49 CFR Section 382.305.

REASONABLE SUSPICION TESTING

Covered employees are subject to drug and alcohol screening under the conditions, standards and procedures established by Part 5, Section B and Part 6, Section B of the County Alcohol and Drug Abuse Policy. Additional grounds for such testing are established by 49 CFR Section 382.307.

Employees found to have a blood alcohol content of 0.02 percent or more or who test positive for measurable amounts of controlled substances shall be immediately relieved from the performance of safety sensitive activities. Upon confirmation of the test results, the employee shall be referred by the Sheriff-Coroner to the Employee Assistance Program (EAP). The Sheriff-Coroner may initiate such disciplinary action, including suspension without pay and discharge, as appears appropriate under the totality of the circumstances.

An employee determined to have 0.02 percent of alcohol in his/her system or who test positive for measurable amounts of any controlled substance shall not be returned to safety sensitive

C-510-2

EFFECTIVE: February 1, 1996	REVIEWED: 8/30/2018	REVISED: 04/01/1996	UPDATED: 8/30/2018
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duties until successfully completing a return to duty testing process as outlined below. This testing is mandated by and shall be conducted in accordance with 49 CFR Section 382.307.

TESTING FOLLOWING MOTOR VEHICLE ACCIDENT

Employees shall submit to blood alcohol content testing (by breath, blood or urine test) and controlled substance testing (by blood or urine test) following any motor vehicle accident in a county vehicle or in the course and scope of Kern County Sheriff’s Office business if:

- (1) The Sheriff’s Office employee received a “moving” motor vehicle citation as a result of the accident; or,
- (2) The accident results in a fatality; or
- (3) The accident results in any physical injury to any person which requires immediate medical care and treatment.

The employee shall immediately notify the Sheriff (or his/her designated delegate) of any accident requiring testing under this section. Notice shall be made as soon as practical after receiving any immediate, necessary emergency medical care. Test samples of blood or urine may be drawn, with the consent of the employee, by a qualified medical professional rendering the emergency medical treatment.

Upon receipt of notice of an employee involved in an accident requiring testing under this section, the Sheriff-Coroner shall arrange for the employee to perform a blood alcohol and drug test in accordance with the procedures set forth above. Blood alcohol test shall be administered within two (2) hours of the accident and drug test shall be administered within thirty-two (32) hours of the accident.

If no blood alcohol sample is given or blood alcohol test is taken by the employee within eight (8) hours of the accident or if no sample of blood or urine is taken from the employee within thirty-two (32) hours of the accident, the reason for this failure shall be documented by the Personnel Litigation Commander and/or Background Sergeant. An employee involved in any motor vehicle accident requiring testing under this section may not consume any alcohol after the accident (1) for a period of eight (8) hours and/or (2) until the blood alcohol/drug test are performed; whichever occurs first. This post accident testing is managed by and shall be conducted in accordance with provisions of 49 CFR Section 382.30 and 49 CFR Section 390.5.

RETURN TO DUTY DRUG AND ALCOHOL TESTING/FOLLOW-UP CARE

If a covered employee fails to successfully pass a periodic, random, reasonable cause or post accident drug or alcohol test as described herein, that employee will not be assigned to or permitted to perform safety sensitive duties involving the operation or maintenance of the commercial motor vehicle until that employee has taken and passed the drug alcohol and drug screen test. In order to pass such a test, the employee must have a blood alcohol content of 0.02 percent or less and a verified negative result for controlled substance use. Each covered

C-510-3

EFFECTIVE: February 1, 1996	REVIEWED: 08/30/2018	REVISED: 04/01/1996	UPDATED: 08/30/2018
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employee identified through the evaluation by EAP as needing assistance in resolving problems associated with alcohol use or controlled substance use, shall be subject to a program of rehabilitation and follow-up on the job testing for the following six (6) to twelve (12) months as required by 49 CFR Section 382.605.

TESTING RECORDS, SUMMARIES AND CONFIDENTIALITY

All records concerning testing under this policy shall be maintained pursuant to the requirements of 49 CFR Section 382.401 under the supervision of the Personnel Litigation Division of the Kern County Sheriff's Office in a secure location with controlled access. Records of commercial motor vehicle license holders, within the Sheriff's Office are kept and administered through the Transportation Sergeant. The Transportation Sergeant shall notify the Personnel/Litigation Commander of the timely requirement of such employees' drug/alcohol testing.

Records shall be retained within the Transportation Division for the following minimum periods:

- **Five years:**
 - Test results indicating an alcohol concentration of 0.02 percent or more and all positive controlled substance test;
 - Documentation of all refusals to test;
 - Calibration documentation;
 - Copy of each annual calendar year summary required by 49 CFR Section 382.403.
- **Two years:**
 - Records related to the alcohol and controlled substance collection process required to be maintained by 49 CFR Section 382.401(c).
- **One year:**
 - Records of negative and concealed controlled substance test and blood alcohol test results of less than 0.02 percent;
 - The records shall be made available upon written demand or lawful disclosure order to the Federal Highway Administration or any other public safety or regulatory agency.

A particular employee's record shall be made available to the employee on written request. A particular employee's record shall not be disclosed to any other third party except with the employee's written consent. Records may be disclosed to non-governmental third parties only upon lawful subpoena, issued with proof of notice to the employee under CODE OF CIVIL

C-510-4

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PROCEDURE Section 1985.4-1985.6 or upon order of a court of competent jurisdiction after application for disclosure by notice motion under EVIDENCE CODE Section 1040-1043.

C-510-5

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Kern County Sheriff's Office
Policies and Procedures

TITLE: ALCOHOL AND DRUG TESTING		NO: C-0520	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: January 1, 2019	REVIEWED: 07/09/2020	REVISED: 07/09/2020	UPDATED: 07/09/2020

BARGAINING UNITS

This policy is implemented for the Kern County Sheriff's Command Association (KCSCA), Kern Law Enforcement Association (KLEA), and Kern County Detentions Officer Association (KCDOA) bargaining unit employees. Service Employees International Union (SEIU) bargaining unit employees will continue to adhere to DPPM C-0500 Employee Drug Testing.

POLICY

Employees of law enforcement agencies are highly visible representatives of government and are entrusted with the responsibility of ensuring the safety and wellbeing of the community they serve, as well as delivery of effective police services. The Kern County Sheriff's Office has a duty and responsibility to the residents and visitors of Kern County to ensure its officers and employees perform their duties without impairment due to abuse of controlled substances and/or alcohol. The Kern County Sheriff's Office also has a duty to provide all its employees with a healthy, safe, and drug free work environment.

Employment in the field of law enforcement imposes upon persons attracted to it, responsibilities and limitations on freedom of action which do not exist in other callings. Sworn members may be armed, required to drive county vehicles, required to drive with due regard under emergency and high stress conditions in the performance of their duties, carry out law enforcement functions in both public settings or detention facilities, and make decisions under high stress conditions. Therefore, it is necessary to hold sworn members of the Sheriff's Office to the highest standard of conduct possible.

The Kern County Sheriff's Office has determined that pre-employment, reasonable suspicion, and random drug testing is necessary to accomplish its compelling governmental interests of maintaining public safety and law and order in the community and maintaining security within courts and detention facilities under its control. Therefore, the Kern County Sheriff's Office shall conduct pre-employment, reasonable suspicion, and random drug and alcohol testing of applicants and employees.

Employees who have a positive result from a drug or alcohol analysis may be subject to appropriate disciplinary action up to and including termination of employment.

All aspects of this drug testing program that may be applied to employees shall be on County time and paid consistent with any applicable Memorandum of Understanding.

DIRECTIVE A:

No employee of the Kern County Sheriff's Office shall be under the influence of, or otherwise engage in the use, possession, transport, purchase, sale, or other distribution, of a controlled substance, or alcohol at any time, while on duty:

- No employee shall report for duty within (8) eight hours after the consumption of any alcoholic beverage, or report for duty with a blood alcohol concentration of .04 BAC, or higher, unless one of the following conditions exists:
- The possession occurs lawfully because of an on-duty seizure in the performance of official duties, or processing of evidence as part of a criminal investigation, or in the performance of any other official duties;
- The employee came under the influence of a controlled substance because of an accidental contamination;
- The employee is an undercover peace officer who was performing essential on-duty activities during the performance of assigned duties.

DIRECTIVE B:

No employee shall report for duty under the influence of a medication prescribed to the employee and, due to the medication, the employee is unable to safely or effectively perform assigned duties.

Use of medically prescribed medications and drugs is not by itself a violation of this policy. However, an employee who is taking medication, which could foreseeably interfere with the safe and effective performance of duties or the operation of County equipment, must inform his/her supervisor before beginning work. It is the employee's responsibility to know the impairing effects of a prescribed medication. Failure to inform one's supervisor of a potential impairment relating to the employee's use of prescription medication can result in discipline, up to and including dismissal. If there is a question about an employee's ability to safely and effectively perform duties while using medications, the clearance from a qualified physician may be required.

DIRECTIVE C:

Any employee witnessing a possible violation of this policy shall immediately report the suspected violation to their immediate supervisor. If the possible violation is by the immediate supervisor the witnessing employee shall immediately report the violation to the next superior officer in their chain of command, or any other ranking officer within the Sheriff's Office.

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PRE-EMPLOYMENT DRUG TESTING:

The Kern County Sheriff’s Office has a duty to provide professional law enforcement services and operate its courts and detention facilities in a safe and secure manner including the prevention of contraband (including drugs) from entering the jails.

The Kern County Sheriff’s Office has a duty to safeguard the confidentiality of criminal justice information contained in the California Law Enforcement Telecommunications System (“CLETS”) and the Criminal Offender Records Information (“CORI”) system, the breach of which could hamper the Sheriff’s ability to maintain law and order.

The Kern County Sheriff’s Office has compelling governmental interests in these areas and has determined that pre-employment drug testing is necessary in accomplishing these objectives. Therefore, the Kern County Sheriff’s Office shall conduct pre-employment drug testing of applicants for positions involving the following activities:

- All positions involving the use of firearms and all positions directly engaged in drug interdiction.
- All positions with access to prisoners or unsupervised access to contraband (including drugs).
- All positions with access to the California Law Enforcement Telecommunications System (“CLETS”) or the Criminal Offender Records Information (“CORI”).

Pre-employment drug testing will be conducted as part of the background process for all newly hired employees, and county employees who transfer in or promote to specified positions in the Sheriff’s Office from other county departments. Notwithstanding the foregoing, pre-promotional drug testing will not be conducted on Sheriff’s employees who have previously passed a county pre-employment drug test and seek promotion within the Sheriff’s Office.

DEFINITIONS

Controlled Substances: Any drug or other substance, defined as a “controlled substance” by California Health and Safety Code Sections 11053 – 11057, which is either: (1) not legally obtainable by the applicant, or (2) which has not been legally obtained by the applicant for prescribed medical purposes, or (3) which has been legally obtained by the applicant, but which has been (a) abused for non-medical purposes, or (b) which may impair the applicant’s ability to safely or effectively perform assigned duties.

DIRECTIVE A

Pursuant to Civil Service Rule 307.10.02, applicants shall be disqualified from employment if reliable evidence is discovered, during the application process or background investigation, that the applicant is currently using illegal drugs. In addition, pursuant to Civil Service Rule 307.10.03, applicants shall be disqualified for failing the pre-employment drug test described in this policy.

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PROCEDURE

The background investigator will:

- Cause the applicant to respond to National Toxicology Laboratories or a County approved vendor for a drug test for the following positions:
 - Sheriff
 - Undersheriff
 - Chief Deputy Sheriff
 - Sheriff’s Commander
 - Sheriff’s Lieutenant
 - Sheriff’s Sergeant
 - Senior Deputy Sheriff
 - Deputy Sheriff
 - Detentions Deputy Lieutenant
 - Detentions Deputy Sergeant
 - Detentions Senior Deputy
 - Detentions Deputy
 - Detentions Officer
 - Detention Officer Food Specialist
 - Coroner Division Chief
 - Administrative Coordinator
 - Crime Prevention Coordinator
 - Crime Prevention Specialist
 - Confidential Administrative Assistant
 - Sheriff’s Records Administrator
 - Sheriff’s Senior Support Specialist
 - Sheriff’s Support Specialist
 - Sheriff’s Support Technician
 - Human Resources Manager
 - Office Services Assistant
 - Sheriff’s Civil Litigation Coordinator
 - Sheriff’s Property Control Officer
 - Technology Services Manager

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- Technology Services Supervisor
- Computer Programmer
- Senior Information Systems Specialist
- Senior Administrative and Fiscal Officer
- Sheriff's Aide
- Warehouse Supervisor
- Structural Maintenance Superintendent
- Detention Officer Maintenance Worker
- Maintenance Worker I/II/III/IV
- Maintenance Supervisor
- Maintenance Plumber
- Air Conditioner Mechanic
- Maintenance Electrician
- Fleet Manager
- Auto Mechanic I/II
- Aircraft Pilot
- Aircraft Mechanic
- Sheriff's Dispatch Supervisor
- Sheriff's Senior Dispatcher
- Sheriff's Dispatcher
- Sheriff's Dispatch Assistant
- Sheriff's Program Specialist
- Sheriff's Program Technician
- Supervising Sheriff's Report Technician
- Sheriff's Report Technician
- Evidence Technician
- Identification Technician
- Light Vehicle Driver
- Deputy Public Administrator
- Autopsy Assistant
- Medical Transcriptionist

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- Property Control Officer
- Coroner Manager
- Supervising Deputy Coroner
- Deputy Coroner
- Network Systems Administrator
- Public Information Officer
- 911 Coordinator
- Groundskeeper
- Volunteer/Intern

- The background investigator will obtain the results of the drug test from National Toxicology Laboratories or a County approved vendor.
- The background investigator will notify the applicant of any positive drug testing results.
- The background investigator will cause the results of the drug test to be filed in the applicant’s background file.

REASONABLE SUSPICION DRUG TESTING:

Managers and supervisors may request that an employee submit to a drug or alcohol test when a manager or supervisor has a reasonable suspicion, based on articulable facts, that an employee is under the influence of drugs or alcohol while on the job or on stand-by.

DEFINITIONS:

“Reasonable suspicion” is a belief based on objective facts sufficient to lead a supervisor or manager to suspect that an employee is under the influence of drugs or alcohol such that the employee’s ability to perform the functions of the job is impaired or the employee’s ability to perform his/her job safely is reduced.

FOR EXAMPLE, any of the following, alone or in combination, **MAY** create reasonable suspicion:

1. Slurred or incoherent speech;
2. The odor of an alcoholic beverage on the breath;
3. Unsteady walking and movement;
4. An accident involving County property (including motor vehicle accidents) where the influence of drugs or alcohol cannot immediately be ruled out as a contributing factor;
5. Unusual appearance (e.g. glassy or bloodshot eyes);
6. Unusual or irrational behavior;

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- 7. Possession of alcohol or drugs in the workplace;
- 8. Information received from a reliable person with personal knowledge.

DIRECTIVE A:

Any manager or supervisor requesting an employee to submit to a drug or alcohol test **SHALL** document in writing, the facts which caused their reasonable suspicion that the employee in question was intoxicated or under the influence of drugs. Said documentation shall be maintained by the manager/supervisor’s department for use if disciplinary or legal action becomes necessary.

DIRECTIVE B:

Testing may be done on an employee only when there is reasonable suspicion, based on articulable facts that:

- The employee is under the influence, or otherwise engaging in the use, possession, transport, purchase, sale, or other distribution of alcohol, or any controlled substance while on duty;
- The employee has violated Sheriff’s Office policies governing reporting to work under the influence of a prescribed medication;
- The employee has violated Sheriff’s Office policies governing being under the influence of, or otherwise engaging in the use, possession, purchase, or sale of alcohol or controlled substances, while on duty.

An employee may request testing if he has been exposed to a controlled substance capable of being involuntarily absorbed into the body, including those situations in which an employee believes he or she has been contaminated. An employee’s failure to request such testing shall not create a presumption or implication that a positive test for a controlled substance is not attributable to such an exposure.

PROCEDURE

Reasonable Suspicion Testing

Any supervisor or command officer who becomes aware of any of the above will:

- In all cases where the employee is under the influence, or possibly under the influence of prescribed medication, alcohol, or controlled substances:
- Keep employee in location away from public and other officers;
- Maintain intermittent observation of the employee;
- If accidental exposure, take steps necessary to protect the employee’s health and safety;
- For possible prescribed medication, or controlled substances violations, obtain a blood or

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urine sample in accordance with accepted drug influence evaluation techniques. Any sample obtained will be processed and submitted in accordance with the Kern County District Attorney's Crime Lab procedures and Sheriff's Office procedures for booking evidence.

- If the employee is suspected of being under the influence of alcohol, the employee shall submit to a Preliminary Alcohol Screening Test. A trained operator at the direction of a supervisor will conduct the test. This test will be for administrative purposes only;
- If the employees on duty conduct violates Sheriff's Office policy and/or law:
 - o Notify appropriate Lieutenant, Commander, or Chief Deputy immediately;
 - o Take steps necessary to protect public and employee's health and safety.

For the purpose of determining whether an employee is under the influence the Sheriff has adopted the quantitative drug levels listed in the County of Kern Alcohol and Drug Policy, Exhibit C (Refer to page 10 of this policy). These quantitative drug levels are for administrative purposes only.

If the employee's off-duty conduct violates Sheriff's Office policy and/or law:

- Prepare written report in memo form;
- Forward through the chain of command to the appropriate Chief Deputy;
- If immediate action is necessary to protect the public, or employee's health and safety, follow steps as if on duty;

If the employee's actions are suspected to be criminal in nature, a Lieutenant, Commander, or Chief Deputy upon receiving such information will:

- Contact the Special Investigations Division (SID) Commander, or in his/her absence the SID O.I.C., and assign the investigation to a narcotics investigator. If the possible criminal activity involves the use of alcohol, the Watch Commander will assign an appropriate investigator from this agency or any other law enforcement agency in the State of California.

The assigned narcotics investigator will:

- Investigate the matter following accepted narcotics investigation techniques;
- If probable cause does not exist and no criminal case can be pursued, send the investigative package through the chain of command to the Sheriff-Coroner.

The assigned investigator for possible alcohol related criminal activity will:

- Investigate the matter following accepted investigation techniques.

In all cases alleging violations of this section:

- An Internal Affairs Investigation will be initiated.

In all such cases, the assigned Internal Affairs investigator will:

- Conduct a thorough investigation following accepted and lawful Internal Affairs

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investigation practices.

DIRECTIVE A:

If a drug screen is positive, the employee must provide, within 24 hours of request, proof of a current prescription for the drug identified in the drug screen. The prescription must be in the employee's name. If the employee does not provide acceptable proof of a prescription, or if the prescription is not in the employee's name, or if the employee has not previously told his or her supervisor of potential impairment due to use of medication, the employee will be subject to disciplinary action, up to and including termination of employment.

DIRECTIVE B:

All testing will be conducted in accordance with this policy (including the option for blood test rather than urine) and Schedule D, section 10.0 (Drug Testing Procedures) of the County of Kern Alcohol and Drug Abuse Policy.

<https://www.kerncounty.com/CAO/policy/default.aspx?tab=0>

DIRECTIVE C:

Laboratory analysis of samples shall be restricted to those tests authorized by this policy to detect drug abuse. They shall not be used for other purposes such as genetic testing, analysis of psychological states, medical conditions, and detection of diseases (e.g., pregnancy, AIDS or cancer therapy). The test will be for administrative purposes only.

TESTING FOLLOWING MOTOR VEHICLE ACCIDENT:

Employees shall submit to blood alcohol content testing (by breath, blood or urine test) and controlled substance testing (by blood or urine test) following any motor vehicle accident in a county vehicle or in the course and scope of Kern County Sheriff's Office business if:

1. The investigating law enforcement agency requests testing during their investigation.
2. The supervisor has reasonable suspicion, based on articulable facts listed under the Reasonable Suspicion Drug Testing section of this policy.

COUNTY of KERN ALCOHOL and DRUG POLICY, EXHIBIT C

All drug testing conducted by the Sheriff's Office will be capable of detecting the following drugs or drug groups at the listed screening and confirmation levels (in NG/ML by each method):

	CONFIRMATION	SCREENING
• AMPHETAMINES	300	260
• Amphetamine/Methamphetamine		
• MDMA/MDA (Ecstasy)	1000	260

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•	BARBITURATES	300	100
	Amobarbital		
	Boutalbarbital		
	Butalbital		
	Pentobarbital		
	Phenobarbital		
	Secobarbital		
•	BENZODIAZEPINES	300	100
•	CANNABINOIDS	20	10
	Marijuana (THC)		
•	COCAINE	300	150
	Benzoylacognine		
•	OPIATES	300	150
	Codeine/Morphine		
	Heroin		
	Hydrocodone/Hydromorphone		
•	METHADONE	300	100
•	METHAQUALONE	300	300
•	PHENCYCLIDINE	25	25
•	PROPOXYPHENE	300	300
	Norpropoxyphene		
•	OXYCODONE	100	100

CONFIRMATORY TEST:

- All specimens identified as positive on the initial test shall be confirmed using gas chromatography/mass spectrometry techniques. All confirmations shall be by quantitative analysis.
- Concentrations, which exceed the linear region of the standard curve, shall be documented in the laboratory record as “greater than highest standard curve value.”

RETEST PROCESS:

Employees who test positive for one or more drugs will be given the opportunity to have a portion of the sample (urine or blood) retested by another laboratory as specified in Schedule D, section 10.0 (Drug Testing Procedures) of the County of Kern Alcohol and Drug Abuse Policy.

RANDOM DRUG TESTING:

The Sheriff, Undersheriff, Chief Deputy Sheriffs, Sheriff’s Commanders, Sheriff’s Lieutenants, Sheriff’s Sergeants, Senior Deputy Sheriffs, Deputy Sheriffs, Detentions Deputy Lieutenants, Detentions Deputy Sergeants, Detentions Senior Deputies, and Detention Deputies are subject to random drug testing.

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There will be (2) two random selection processes conducted per calendar year at the discretion of the Sheriff. The selection will include three percent (3%) of staff covered in each law enforcement bargaining unit, Kern County Sheriff's Command Association (KCSCA), Kern Law Enforcement Association (KLEA), and Kern County Detentions Officer Association (KCDOA). The Sheriff and Undersheriff will be placed into the selection process with the members of KCSCA. Members subject to testing may be ordered to submit to a drug test whenever randomly selected, up to two (2) times in a twelve (12) month period.

Employees will be subject to random, unannounced drug and alcohol testing. The selection of employees for random drug and alcohol testing shall be made by a scientifically valid method of randomly generating an employee identifier from the appropriate pool of safety employees. Under the selection process used, each covered employee shall have an equal chance of being tested each time selections are made. (The County approved random selection process company will be utilized for this purpose).

Random drug/alcohol tests conducted under this policy are unannounced and unpredictable, and the dates for administering random tests are spread reasonably throughout the calendar year. Random testing will be conducted at all times of the day when safety-sensitive functions are performed. A covered employee shall only be randomly tested for drug/alcohol misuse while the employee is performing their duties. A covered employee may be randomly tested for prohibited drug and alcohol use anytime while on duty. A selected employee will be notified of the test at the beginning of their work shift and depending on the employee's work schedule, a selected employee will have four (4) hours to respond to National Toxicology Laboratories or a County approved vendor upon being notified of the test. An employee that is currently on approved leave and in a verifiable treatment program shall not be subject to the random testing portion of this policy.

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Kern County Sheriff's Office
Policies and Procedures

TITLE: CHAIN OF COMMAND		NO: C-600	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: May 10, 1991	REVIEWED: 07/10/2020	REVISED: 4/1/1996	UPDATED: 8/17/2017

POLICY

In the interest of conducting business in an orderly and efficient manner, members of the Sheriff's Office shall adhere to the chain of command in the normal day to day performance of the duties. Nothing in this policy shall preclude the following:

- Reporting incidents of discrimination involving superior officers of employees of this department.
- Reporting incidents of violations of laws or policies involving superior officers or employees of this department.
- Reporting incidents or circumstances of such a personal nature that adherence to the chain of command would cause undue embarrassment or ridicule to the reporting employee.
- Informal conversations with superior officers or employees relative to the department in general.
- When following the orders of a superior officer or employee.
- Superior officers or employees contacting subordinate officers or employees for the purpose of fact-finding or investigation.

Nothing in this policy shall preclude the employee from filing a bonafide employee grievance in accordance with the policies of the County and in compliance with agreements and memorandums of understanding.

Employees may request to go outside the chain of command to resolve issues in accordance with the procedure set forth in this section.

PROCEDURE

Employees who desire to jump the chain of command to air a complaint or resolve an issue may make a request verbally or in writing to their superior officer or employee next in the chain of command.

The request shall be approved or denied by the superior officer or employee, however, any denial must be in writing stating the reasons for denial and a copy will be provided to the next higher level in the chain of command for review.