



Kern County Sheriff's Office

Policies and Procedures

TITLE: EMPLOYEE DISCIPLINE-DEFINITIONS			NO: D-0100
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: August 1, 1990	REVIEWED: 01/07/2026	REVISED: 01/07/2026	UPDATED: 01/07/2026

POLICY

The following definitions will govern terminology appropriate for use in reports, memorandums, and any other documentation that occurs during the disciplinary process.

DEFINITIONS

ADMINISTRATIVE INVESTIGATION: An investigation conducted within the Sheriff's Office to examine potential violations of policies and procedures by employees. These investigations are to determine if there has been any misconduct, negligence, or failure to adhere to rules and regulations. The primary objective of the investigations is to ensure accountability and uphold the integrity and professionalism of the Sheriff's Office.

ALLEGATION: A claim of wrongdoing made against a member of the Sheriff's Office. A complaint may have multiple allegations. This includes allegations of misconduct that arise during an investigation, even if such allegations are not specifically articulated by a complainant.

COMPLAINT: An allegation that the Sheriff's Office, or some member thereof (sworn or non-sworn) committed an act or omitted a duty that, if true, would be illegal or a violation of Sheriff's Office policy. Complaints can be made by members of the public or Sheriff's Office personnel. Complaints can be made in writing, verbally, or through other non-traditional sources, including but not limited to online videos depicting apparent misconduct toward a member of the public and social media postings. Complaints can be made by anyone, including being made anonymously.

COMPLAINANT: The person who files a complaint with the Sheriff's Office.

- Third party and anonymous complaints will be accepted.
- Crime victims identified during employee related criminal investigations will be considered complainants.

D-0500 FILE (SUPERVISORY FILE): A file kept by a supervisor to aid in the employee performance review (EPR) process. (Note: Negative comments may not be entered into this file without the employee first having an opportunity to review and sign the entry.)

DISCIPLINE: For purposes of this section, discipline is defined as termination, demotion, suspension, reduction in salary, written reprimand, or a disciplinary transfer.

DISPOSITION: The status assigned to each complaint allegation, for each subject employee within a complaint by the Sheriff, Undersheriff, or Chief Deputy at the conclusion of the investigation (based on a preponderance of the evidence):

- **Exonerated:** The allegation occurred; however, the investigation revealed that it was justified, lawful, and proper.
- **Not Sustained:** Investigation failed to disclose sufficient evidence to clearly prove or disprove the allegation.
- **Sustained:** The investigation disclosed sufficient evidence to conclude the allegation occurred.
- **Unfounded:** Clearly establishes that the allegations are not true. This finding also applies when the individual members(s) named were not involved in the act or acts which may have occurred.
- **Unfounded-Frivolous:** Totally and completely without merit or for the sole purpose of harassment.

DOCUMENTED ORAL COUNSELING (DOC): An action (non-punitive) taken by a supervisor that orally informs an employee of unacceptable behavior. The oral counseling is recorded on an Oral Transaction Note Sheet. The official DOC shall be retained in an electronic platform by the Human Resources Section for the retention period (see Attachment “B” for proper form). Refer to KCSOPPM D-0200 and D-0500 for DOC procedures and storage guidelines.

EXHIBIT: Documentation or physical evidence relative to the case.

LAUDATORY REMARKS: An action taken by a supervisor or ranking member of the Sheriff’s Office, in recognition of above standard or noteworthy acts, performance, or behavior. Laudatory remarks are documented on an Oral Transaction Note Sheet. The signed form shall be retained in the employee’s personnel file for the retention period of the personnel file (see Attachment “C” for proper form). See KCSOPPM D-0500 for laudatory remarks procedures and storage guidelines.

PRE-DISPOSITION SETTLEMENT AGREEMENT (PDSA): A pre-disposition settlement agreement (PDSA) is an alternative to a full disciplinary investigation to be employed only under specific, limited circumstances as described in policy D-0700. A PDSA is a mutually agreed upon and equitable resolution to specific, non-serious disciplinary matters.

PREPONDERANCE: The weight of the evidence (greater than 50%) supports the disposition for the particular allegation (e.g., sustained, not sustained, exonerated, unfounded, unfounded-frivolous).

SERIOUS MISCONDUCT¹: Allegations of excessive force, violations of law, dishonesty, insubordination, repeated findings of similar allegations, and behaviors that may lead to

¹ Refer to D-0200 under the “Peace Officer Decertification” heading and D-0300 under the “Allegations of Serious Misconduct Review” heading for further details.

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decertification or revocation by the California Commission on Peace Officer Standards and Training (POST). These behaviors are considered serious due to their potential impact on public trust, safety, and the integrity of the Sheriff's Office.

SUBJECT: Employee or employees who are the focus of an administrative investigation.

WITNESS: A person who has knowledge of an event.

WRITTEN REPRIMAND: A formal (punitive) action taken that notifies the employee of unacceptable behavior and the corrective action expected from the employee. Written reprimands are entered into the employee's personnel file (see Attachment "A" for proper format). Refer to KCSOPPM D-0200 and D-0500 for written reprimand procedures and storage guidelines.

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