

KERN COUNTY SHERIFF'S OFFICE

1350 Norris Road, Bakersfield, CA 93308
661.391.7500 - www.kernsheriff.org

DONNY YOUNGBLOOD
Sheriff - Coroner - Public Administrator



PERSONNEL COMPLAINT PROCEDURE

HOW TO SUBMIT A COMPLAINT

A complaint of misconduct by Sheriff's Office personnel can be made in a multitude of ways, as described below. You may file a complaint by submitting the Kern County Sheriff's Office Personnel Complaint Form either in person, over the phone, by mail, by electronic mail, or by fax. Complaints can also be submitted through the Kern County Sheriff's Office website (<https://www.kernsheriff.org/complaints>). Complaints may be made by anyone, including anonymous complaints. Complaints can be made in any format the complainant chooses, including written, oral, or electronic. The complainant does not have to use a KCSO form.

You may contact the Internal Affairs Unit at the Kern County Sheriff's Office – Support Services Building, 34970 McMurtrey Ave, Second Floor, Bakersfield, California 93308, or by calling (661) 392-6791 between 8:00 a.m. and 5:00 p.m. on weekdays (Holidays excepted). You may also contact the Sheriff's Office Communications Center at (661) 861-3110 or any Sheriff's Office substation and request to speak to a supervisor.

Complaint forms are available to the public at every Sheriff's station, Kern County court houses, Kern County libraries, and KCSO social media sites. The completed complaint form can be sealed in an envelope marked "Internal Affairs" and delivered to any office or substation of the Kern County Sheriff's Office. Personnel complaint forms may also be obtained and returned through the mail or by calling (661) 392-6791. Additionally, you can file a complaint by phone, by calling (661) 392-6791 and speaking with an Internal Affairs investigator, or by email at INTERNALAFFAIRS@KERNSHERIFF.ORG. The Sheriff's Office will accept and investigate any complaints sent through social media outlets or any other non-traditional means of communication.

The following information is requested, but not required, to process your complaint:

1. Unless the complaint is being submitted anonymously, your name, address, and telephone number.
2. The location, date, and time of the alleged incident.
3. If available, the name, address, and telephone number of any witnesses to the alleged incident.
4. If known, the names, description, or other identifying information of Sheriff's Office personnel involved.
5. All details of the incident which prompted your complaint.
6. Unless the complaint is being submitted anonymously, your signature in the allotted spaces on the complaint form.

INVESTIGATIVE PROCEDURE

Your complaint will be investigated, and you will be advised of the disposition once the investigation is complete. The investigation process may take up to a year to complete. After completion, all investigative reports are maintained for a period of at least five years. The Kern County Sheriff's Office is committed to a prompt, fair, and thorough investigation of all complaints, regardless of how the complaints are

submitted. After a formal review of the allegations and investigatory findings, you will receive a close-out letter with one of the following resolutions:

Sustained: The investigation disclosed sufficient evidence to conclude the allegation occurred. The standard of proof is the preponderance of the evidence.

Not Sustained: The investigation failed to disclose sufficient evidence to clearly prove or disprove the allegation.

Exonerated: The allegation occurred; however, the investigation revealed that it was justified, lawful, and proper.

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.

Under California law, in many cases, the disciplinary action taken will be confidential, so the complainant will not be informed.

During the investigation into the complaint, the investigator may find the employee had committed other acts that violated department policy and procedures and/or State or Federal law. Those violations will be investigated, and a disposition will be rendered for those violations.

The Kern County Sheriff's Office expressly prohibits racial and identity profiling. The Kern County Sheriff's Office is committed to providing services and enforcing laws in a professional, nondiscriminatory, fair, and equitable manner that keeps both the community and deputies safe and protected. Racial or identity profiling is defined as the consideration of, or reliance on, to any degree, actual or perceived race, color, ethnicity, national origin, age, religion, gender identity or expression, sexual orientation, or mental or physical disability in deciding which persons to subject to a stop or in deciding upon the scope or substance of law enforcement activities following a stop, except that a deputy may consider or rely on characteristics listed in a specific suspect description. Such activities include, but are not limited to, traffic or pedestrian stops, or actions taken during a stop, such as asking questions, frisks, consensual and nonconsensual searches of a person or any property, seizing any property, removing vehicle occupants during a traffic stop, issuing a citation, and making an arrest.

Retaliation for making a personnel complaint will not be tolerated and is contrary to the mission of the Sheriff's Office. It is encouraged that any retaliatory actions be reported to the Sheriff's Office as soon as practical.

The complainant's personal information will remain confidential except as necessary to resolve the complaint, subject to the State's public disclosure laws.

Kern County Sheriff's Office policies and procedures related to the employee complaint process can be found in "Section D" at the following web link:

<https://www.kernsheriff.org/Policies>

If you require physical copies of the Sheriff's Office policies and procedures, copies may be obtained from the Sheriff's Office Headquarters or any Sheriff's Office Substation.

KERN COUNTY SHERIFF'S OFFICE PERSONNEL COMPLAINT FORM

Office Use Only:

File #: _____

COMPLAINANT					
Check one which applies to you:					
☐ Involved (Contacted by deputies) ☐ Witness (Present during incident) ☐ Non-witness (Not present during incident)					
Submitted on behalf of a minor: ☐ Yes ☐ No			Date/Time of Complaint:		
Name, Age, Gender, Race/Ethnicity, Sexual Orientation, and Primary Language of the involved and/or reporting person are requested pursuant to KCSO/Kern County/CADOJ Stipulated Judgment Paragraph 134. These items are optional and any/all can be left blank.					
Name (Last, First, Middle) (leave blank to remain anonymous)		Date of Birth	Age	Gender	Sexual Orientation
Race / Ethnicity	Is English primary language?	Translator Requested?			Inmate During Incident?
	☐ Yes ☐ No	☐ No ☐ English ☐ Spanish ☐ Other: _____			(Provide Booking Number)
Residence Address		Your email		Telephone Number(s)	Best time to call?
Attorney or Representative (If Applicable)		Atty. Telephone		Atty. Email	
INCIDENT					
Incident Type (e.g., Traffic Stop, Pedestrian Stop, etc.)		Date and Time of Incident	If Involved, Arrested During Incident?		Was this a Use of Force Incident?
			☐ Yes ☐ No ☐ N/A		☐ Yes ☐ No
Location of Incident				Crime Report No. (if any)	
Describe Any Injuries Suffered:					
KCSO EMPLOYEE(S) (if known) *Additional information or description can be placed on the narrative page					
Name	Division/Unit	Rank	Badge No.	Vehicle No.	Did the incident involve any of the following factors?
1.					<i>(check all that apply)</i> ☐ Actual or Perceived Bias ☐ Inappropriate Use of Force ☐ Substandard Performance ☐ Improper Search, Detention, or Arrest
2.					
3.					
4.					
WITNESS(ES) *Additional witness(es) can be placed on the narrative page					
Name	Address				Telephone
1.					
2.					
3.					
4.					

RACIAL OR IDENTITY PROFILING

During this contact with Sheriff's Office personnel, do you believe you were stopped, arrested, searched, or detained by law enforcement based, at least in part, on your race or ethnicity (including color), nationality/national origin, gender, age, religion, gender expression, sexual orientation, mental disability, or physical disability?

☐ Yes ☐ No

If yes, select the type(s) of profiling that you believe occurred (select all that apply):

- | | | |
|--|--|--|
| ☐ Race or ethnicity (including color) | ☐ Religion | ☐ Sexual orientation |
| ☐ Nationality | ☐ Gender | ☐ Mental disability |
| ☐ Age | ☐ Gender expression | ☐ Physical disability |

KCSO Personnel Receiving Complaint

Signature of KCSO Personnel Receiving Complaint

Printed Name of KCSO Personnel Receiving Complaint

Date and Time Received by KCSO

Copy Given To:

(Check one)

Name:

Were photos and/or videos of injuries submitted with the complaint?

☐ **Photos** ☐ **Video** ☐ **None**

- ☐ Mail
☐ E-Mail
☐ Fax
☐ Hand Delivered
☐ Other:

DESCRIPTION OF THE INCIDENT

It is important to include as many factual details as possible so the incident can be fully investigated.

(Continue on additional narrative form as needed)

KERN COUNTY SHERIFF'S OFFICE
PERSONNEL COMPLAINT ADDITIONAL NARRATIVE FORM

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