

**CALIFORNIA DEPARTMENT OF JUSTICE
AND THE KERN COUNTY SHERIFF'S OFFICE
FIVE YEAR STIPULATED JUDGMENT**



Image of Kern County Sheriff's Office badge
From www.kcsojobs.org

SUMMARY:

In December of 2016, California's Attorney General opened a civil investigation into the Kern County Sheriff's Office (KCSO), due to receiving complaints from individuals, community organizations and media reports alleging use of force violations and other serious misconduct. This investigation conducted by the California Department of Justice (CADOJ), Civil Rights Enforcement Section, lasted four years.

The CADOJ accused the KCSO of a pattern and practice of unconstitutional policing. Preferring to resolve their dispute without going to trial, the two parties reached an agreement called a Stipulated Judgment (SJ).¹ The KCSO did not agree to all of the allegations made by the CADOJ, but did agree that there were areas where improvements could be made. After negotiating the terms, the agreement was sent to a judge; once signed, it became legally binding. The KCSO committed to addressing these issues for a period of five years from the signing of the Stipulated Judgment.

¹ [Final Proposed Stipulated Judgment](#)

The Stipulated Judgment was signed on December 22, 2020 and was to end December 22, 2025. Since the signing, the KCSO has worked to generate and revise policies in order to comply with the eight main areas of the Stipulated Judgment.

PURPOSE OF INQUIRY:

The Grand Jury is authorized to investigate all aspects of Kern County government pursuant to California Penal Code § 925(a). In mid-December 2025, the California Department of Justice petitioned the Court to extend the Stipulated Judgment for another two years past the original intent of a five-year Judgment. On January 27, 2026, the Court ruled to extend the Court's jurisdiction to December 22, 2027. The Grand Jury inquiry was to determine whether this extension was merited.

The 2025-2026 Kern County Grand Jury (Grand Jury) reviewed the Stipulated Judgment, investigated the monitoring of the Stipulated Judgment, the associated costs, and the KCSO's efforts to comply.

METHODOLOGY:

The Grand Jury conducted the following research for this report:

Interviews:

Interviews with personnel from the KCSO, Kern County Auditor-Controller Office, Kern County Administrative Offices, and a member of the Monitoring Team (MT).

Site visits:

- The KCSO Headquarters including the Professional Standards Unit, the Body-Worn-Camera Unit, and the K-9 Unit
- Lerdo County Jail
- Bakersfield Police Department Use-of-Force Policy Public Presentation
- Participation in "ride-alongs" with the KCSO deputies of the East Bakersfield substation
- Community Advisory Council public meeting in Taft
- Community Advisory Council quarterly meetings

Documents:

- Stipulated Judgment, People of the State of California v. County of Kern and The Kern County Sheriff's Office (BCV-20-102971)
- The Grand Jury Final Report 2021/2022 California Attorney General v. Kern County Sheriff's Office
- Reports both public and internal to the KCSO
- All reports under Transparency at www.kernsheriff.org
- Policy development reports by the KCSO
- Policy Meet and Confer submissions to involved union representatives
- Annual Monitoring Reports by the Monitoring Team

- Monitoring Plans by the Monitoring Team
- Implementation Plans by the KCSO
- Community Advisory Council meeting minutes
- The KCSO Training Bulletins and Power Point presentations related to De-escalation Directive
- Community Policing Engagement Plans
- Analysis of the Racial and Identity Profiling Act (RIPA) conducted through California State University, Bakersfield staff
- The Kern County Sheriff-Coroner Summary of Revenue and Expenditures Kern County Budgets
- The Kern County Budget
- The Kern County Budget - Measure K
- Monitoring Team Invoices
- The Kern County California Department of Justice Settlements
- October 2025 letter from Kern County Counsel to the California Department of Justice
- *The Guardian* newspaper articles²
- Online Research

DISCUSSION OF FACTS:

There are 229 numbered paragraphs in the Stipulated Judgment. In this report, each paragraph referred to will be denoted by the initials SJ and then the number of the paragraph. These paragraphs detail how compliance with the Stipulated Judgment was to be achieved.

- SJ 221 states that jurisdiction is retained by the Court to enforce the Judgment for a period of five years
- SJ 223 states that the Judgment may be extended by mutual agreement of the California Department of Justice, the KCSO, and Kern County

In this Discussion of Facts, the Grand Jury has separated the main areas of this report into:

- How the KCSO and the Monitoring Team worked to achieve compliance and carried out their Stipulated Judgment obligations
- Costs associated with the Stipulated Judgment

How the KCSO and the Monitoring Team worked to achieve compliance and carried out their Stipulated Judgment obligations:

One of the key provisions of the Stipulated Judgment was the creation of a Monitoring Team to oversee the KCSO compliance. The Monitoring Team, supervised by the California Department of Justice, is headed by two court-appointed monitors agreed upon by the KCSO and CADOJ February 2, 2021. This

² *The Guardian* Series [America's deadliest police' title hangs over Kern County as protests continue against law enforcement brutality](#)

report looks into how the Monitoring Team carried out its obligations mandated by the Stipulated Judgment as they worked with the KCSO to achieve compliance.

There are a number of stipulations in the Stipulated Judgment that the Monitoring Team is required to meet. After a careful review of the sections of the Stipulated Judgment that specifically apply to the Monitoring Team, there were noticeable failures of the Monitoring Team to fully meet their obligations. A key responsibility of the Monitoring Team is to “articulate what results are necessary to establish compliance.”³

SJ 172 requires the Monitoring Team to develop a detailed Monitoring Plan for each year to be submitted to the KCSO and the California Department of Justice. SJ 169-173 outline Monitoring Plans and review methodology. The Monitoring Plans detail the work of the Parties, their objectives, and timelines. SJ 171 gives the Monitoring Team final approval when unresolved differences arise. These Monitoring Plans provide a key framework for working with the Monitoring Team.

The Monitoring Team provided Monitoring Plans to the KCSO for 2021/2022 and 2022/2023. The Monitoring Team did not submit Monitoring Plans for the years 2023/2024 and 2024/2025; receiving no updated Monitoring Plans, the KCSO developed an Implementation Plan based upon prior Monitoring Plans. The Monitoring Team did submit a Monitoring Plan to the KCSO for 2025/2026.

One of the key components of the Monitoring Plan was the creation of compliance metrics. Compliance metrics provide a framework to assess how compliance is being determined. In SJ 173, compliance metrics are defined as “a proposed methodology for the assessment or review.” SJ 162-166 classifies compliance reviews and audits as a means to measure compliance. SJ 173 also establishes a methodology to assess outcome assessments and compliance reviews. In 2023/2024, there was no methodology submitted to KCSO for review. SJ 163 states there is no requirement for a specific numerical test to show compliance.

The Monitoring Plan 2021/2022 listed Tasks/Objectives. The Monitoring Team works with both parties to “...establish clear, measurable compliance indicators for any items that require metrics, with a timeline for the Q4 2021.” However, no metrics were established in this time period. SJ 169 states that the Monitoring Plan will include “...specific deadlines and timelines for the first year of implementation of the Agreement.” The planning and initiation of draft compliance metrics is mentioned in all of the Monitoring Plans. These drafts were never finalized.

The 2022/2023 Monitoring Plan included as a Task/Objective the creation of draft compliance metrics in Use Of Force (UOF), with completion by May 31, 2023. These compliance metrics were not completed by the Monitoring Team. The Monitoring Plan 2025/2026 for UOF under Work Product states the Monitoring Team is to “...work with Parties to determine which Stipulated Judgment provisions require formal compliance metrics.”⁴ As of this report, these compliance metrics have not been completed by the Monitoring Team.

³ New York University School of Law, [Review of the Use of Monitors in Civil Settlement Agreements and Consent Decrees Involving State and Local Government](#)

⁴ Appendix A

In June 2023, draft compliance metrics for Stops, Searches, and Seizures were submitted. The Monitoring Team member who drafted the Stops, Searches, and Seizures metrics was subsequently reassigned to a different area of the Stipulated Judgment, consequently no additional drafts were submitted. The Monitoring Plan 2025/2026 lists as a Task/Objective for Stops, Searches, and Seizures, “draft compliance metrics” and “MT [Monitoring Team] will work with Parties to establish clear, measurable compliance indicators” with a Timeline/Status completion by the end of the third quarter 2025. This was not completed by the Monitoring Team.

Addressing the area of Behavioral Health within the Stipulated Judgment, the Monitoring Team and the KCSO discussed drafts in April 2024. One set of draft compliance metrics was submitted in February 2025. The Monitoring Plan 2025/2026 lists as a Task/Objective: “...draft compliance metrics regarding this section...” with a Timeline/Status, “Revise drafts as needed third quarter 2025.” There are no finalized compliance metrics.

The 2025/2026 Monitoring Plan is continuing to set deadlines for providing “draft compliance measures.” The time for draft compliance metrics has ended. After five years of monitoring, the Monitoring Team has not delivered these vital metrics.

The Monitoring Team made a Bakersfield site visit August 7-9, 2023. In a follow up email, “KCSO was assigned to create an Implementation Plan prioritizing goals and timelines for the next year.” This was to be followed up by a Monitoring Team Monitoring Plan “...based on KCSO’s Implementation Plan and goals....”

The KCSO established a Compliance Bureau in September 2023 to improve efforts toward achieving Stipulated Judgment compliance. Members of the Compliance Bureau created an Implementation Plan, dated October 31, 2023. The KCSO was working on goals and deadlines set forth in their own Implementation Plan without input of a formal Monitoring Plan from the Monitoring Team.

The Grand Jury compared the results of the monitoring teams for the KCSO and the Bakersfield Police Department (BPD) in their respective stipulated Judgments. The Grand Jury sought to confirm or refute perceived shortcomings by the KCSO Monitoring Team. The BPD Stipulated Judgment became effective August 2021. The BPD Monitoring Team, Year Three Annual Report dated April 4, 2025, shows clear Compliance Measures “...intended to provide guidance to the department.” Each paragraph of the Judgment shows Requirements and Compliance Measures. This is not the case with the KCSO Monitoring Team, which, after five years, has not delivered promised draft compliance measures in all areas. A summary of an email from the Monitoring Team to the KCSO Compliance Bureau, dated September 15, 2025, states the Monitoring Team is working on tables to assess mid-year compliance for each provision of the Stipulated Judgment and what should be done to achieve sustained compliance. The email also states these tables are drafts for discussion and are not meant to be final.

The Monitoring Team operated as both facilitator and adviser to CADOJ and the KCSO. SJ 182 states, “...the Monitor may also, at the request of either Party, provide technical assistance consistent with the Agreement.” The CADOJ relied heavily upon the Monitoring Team for expert advice. Expert advisors were hired by the Monitoring Team and paid for by the County of Kern.

In order to prioritize how time would best be spent, the KCSO classified policy priorities as Very High, High, Medium and Low. The K-9 policies were classified as “Very High Priority”. The KCSO identified issues in the Department’s K-9 policies, and immediately started drafting proposals to bring them into alignment with the Stipulated Judgment. The updated K-9 policies were implemented on March 1, 2021, and posted online as Section Q of Department Policies at www.kernsheriff.org. K-9 policies were published online at this time before CADOJ approval.

In 2021, the first year of the Stipulated Judgment, KCSO staff met with the Monitoring Team during two site visits. In December 2021, the Monitoring Team sent a “K-9 Operations Rough Draft”. The draft stated the “Monitoring Team will provide KCSO with exemplars from other agencies for clarification on what goes into the monthly summaries to comply with SJ 11.” Also mentioned in the draft “...the Monitoring Team will send the KCSO exemplars of these reports and offer to assist in creating the workplan.” This was in reference to SJ 28 audits performed by the KCSO Professional Standards Units for K-9 use. The KCSO did not receive a final draft of any templates, exemplars, or direction for K-9 policies.

In an email dated March 21, 2023, the KCSO requested technical assistance for templates/exemplars to use to meet auditing requirements for K-9s. The request mentioned a Los Angeles County Sheriff’s Department format that the Monitoring Team liked and which KCSO then requested. KCSO received no response, and then went ahead with K-9 Audits in March, May and August 2023, so that they would not be found out of compliance by not taking any action. The Monitoring Team replied by email on August 10, 2023, when they realized, they had not responded to the request for technical assistance or templates. The Monitoring Team apologized for the lack of input and lack of timely feedback. This was 20 months after the first rough draft, and 32 months after the start of the Stipulated Judgment.

Policy approval for K-9s was further delayed by Monitoring Team staffing issues in 2024, due to the loss of the Monitoring Team member who dealt with K-9 policies. The 4th Monitoring Annual Report January 2025 addressed this issue. In the 3rd Annual Report 2023, the Monitoring Team acknowledged the KCSO had shared a significant number of K-9 policies and audits but “...the Monitoring Team did not have the resources to respond to all of the submissions in a timely manner, resulting in delay”. K-9 policy approvals were impacted for the period of time from May 2021 to January 2025.

By 2025, the KCSO had consolidated the previous 16 K-9 policies under the Q Section of the Department Policies into four. A Review Status chronology as of August 19, 2025, was created by the KCSO. The Grand Jury reviewed this chronology as relating to Use of Force K-9 policies. The Review Status chronology showed in October 2024, the KCSO sent K-9 policies to the Monitoring Team. In January 2025, the Monitoring Team sent back comments to the KCSO. The Monitoring Team and the California Department of Justice then met to discuss the draft changes. On March 6, 2025, the Monitoring Team sent the proposed changes to the KCSO. The KCSO returned to the Monitoring Team with approval on the same day. It was June before the Monitoring Team advised the KCSO that the California Department of Justice had some questions. This eight-month span from October 24, 2024 to June 23, 2025, after almost five years of monitoring, shows the laborious and slow pace of policy approvals as related to K-9 policies.

After the Monitoring Team and the California Department of Justice approval on June 23, 2025, K-9 policies were sent for Union approval to all four Kern County Sheriff’s Office Employee Unions. The

KCSO advised the Monitoring Team on September 18, 2025, of union approval with no changes. The result is that all K-9 policies have been fully approved. Policy approval, followed by training and implementation, would then result in full and effective compliance.

The K-9 policies fall under Use of Force, and the KCSO must wait until all policies under UOF are approved before they are published. Although fully approved, these policies have not been published online at www.kernsheriff.org, or internally for the KCSO staff. The policy numbers between the new policies and old policies overlap, causing confusion. Once all UOF policies have been approved, the KCSO can publish them internally/externally and start with training bulletins and in-person training.

After five years of the KCSO involvement with the Monitoring Team and the CADOJ, as of this report, no complete UOF policies have been approved and implemented. The issue of delayed response by the Monitoring Team has been critical because, until all policies have been approved, training and implementation cannot move forward.

The KCSO has revised policies in order to comply with the Stipulated Judgment. Legislative updates must also be implemented into policies as well as mandates of the Stipulated Judgment. These policy revisions contain various legislative updates⁵ that the KCSO has been unable to implement, due to the approval requirements outlined in the Stipulated Judgment.

On September 13, 2021, the office of the U.S. Attorney General, issued a “Memorandum for Heads of Civil Litigation Component United States Attorneys” to *...provide direction to all civil litigating components and United States Attorneys' Offices concerning several important issues arising when a civil action against a state or local governmental entity is resolved by consent decree or settlement agreement.*⁶

The California Department of Justice responded to a Grand Jury query on guidelines provided to the Stipulated Judgment Monitors, “The California Department of Justice does not have such guidelines.” The Monitoring Team is working without specific State guidelines.

Open-ended monitoring beyond the five years intended by the Stipulated Judgment gives the California Department of Justice, at the behest of the Monitor, power to ask for extensions to the Judgment, theoretically forever.

Costs associated with the Stipulated Judgment:

The Grand Jury examined the transfer of funds to the California Department of Justice to find out what the cost of the Monitoring Team was to Kern County.

⁵ Appendix B

⁶ [Review of the Use of Monitors in Civil Settlement Agreements and Consent Decrees Involving State and Local Government](#)

An Invoice Summary dated December 2025 listed a breakdown of monitoring costs from March 2021 to December 2025 as follows:

Court appointed Monitor Staff Services	\$1,206,309.38
Travel Costs	10,489.68
Consultant Fees	2,443,474.38
Consultant Travel Costs	<u>20,013.34</u>
Total	\$3,680,376.78

The Proposed Budget submitted for the Monitoring Team 2025-2026 has a total of \$1,318,913.

There have been many costs associated with the Stipulated Judgment, other than direct payments to the Monitoring Team through the California Department of Justice.

Compliance Bureau

The KCSO established a Compliance Bureau in September 2023, to further improve efforts toward achieving Stipulated Judgment compliance. There was no Stipulated Judgment requirement to create and maintain this Compliance Bureau. With the creation of this bureau, the KCSO demonstrated their commitment to achieving compliance with the Stipulated Judgment and the high priority given to it.

In the 2025-2026 Kern County Recommended Budget, the Compliance Bureau shows 52 requested positions. The positions working directly with Stipulated Judgment-related work are a Commander, who oversees the Standards Division, Professional Standards Section, Professional Standards Unit, Body Worn Camera Unit (BWC), Correctional Standards Section, Correctional Standards Unit, and the Department Analysts.

Key positions outside of the Compliance Bureau essential to Stipulated Judgment compliance have been added. The Watch Lieutenant Section increased to five Lieutenants, 16 new Watch Sergeants, along with four Administrative Sergeants added to Metro Patrol.

The number of Community Service Technicians (CST) was increased. Civilian Community Service Technicians alleviate some of the duties Deputies handle, thereby freeing them up to focus more on crime reduction and community policing. The CST budget in 2024/2025 was increased by \$119,601 to an estimated \$1 million. There was no Stipulated Judgment requirement for increasing Community Service Technicians.

New office space was added in 2021 to accommodate the Body Worn Camera Unit. The BWC Unit had one Sheriff's Aide and was under Metro Patrol at the start of the Stipulated Judgment; there are now eight Sheriff's Aides and one Sheriff's Sergeant in the unit. As of 2023, the BWC Unit operates under the Compliance Bureau. New software was purchased for the BWC. The software needed for monitoring BWC footage costs \$12,700 annually. There was not a Stipulated Judgment requirement for a BWC Unit.

All of these changes have had benefits for the citizens of Kern County. The KCSO has committed to continuing their efforts in areas such as audits, criminal investigations of employees to hold them accountable, audits of BWC footage, and updating policies to ensure they comply with the Stipulated

Judgment provisions and legislative mandates. However, there has been a substantial cost to all of these efforts.

A Grand Jury review of the KCSO budgets and internal documents showed Compliance Bureau staff costs from Fiscal Years (FY) 2020-2021 to 2024-2025. An increase in excess of \$18,000,000 reflects the staffing costs of the Stipulated Judgment to the taxpayers. Additionally, costs for BWC Unit's capital assets, Information Technology Services (ITS), and the Monitoring Team have to be considered as costs of the Stipulated Judgment.

Although many of these expenses will continue, the KCSO efforts in public safety are not restricted to compliance issues. Other key areas, such as auditing traffic collisions, detention operations, etc., are left with less focus.

Data Analysis as required by the Stipulated Judgment

In order to make the many reports that the Stipulated Judgment required to be made available to the public, the KCSO set up a Transparency page on www.kernsheriff.org. The Transparency page is prominently shown on the Home page of the website. The Stipulated Judgment required reports are published here, as well as other reports made necessary by State legislation.

Each report made mandatory by the Stipulated Judgment is included on the Transparency page. Two reports, however, need clarification.

1. As per SJ 122, "KCSO will issue annual public reports, and post them on its website, on its community engagement efforts, identifying successes, obstacles and recommendations for future improvement."

The KCSO has published Annual Reports for 2021, 2022, 2023, and 2024.

As of this report, the KCSO Annual Report 2025 has not been posted.

2. As per SJ 100, "KCSO will consult with the Monitor, DOJ and the language access coordinator to develop an audit protocol and will annually audit its plan, and report to the public, on its website, the results of the audit."

The KCSO has recognized that language access is an area of concern and plans to make improvements. Currently, of 229 employees who speak a language other than English, only 51 are Certified Bilingual Personnel. Many deputies are bilingual and able to converse with community members but are not Certified. While there is a small pay incentive to become certified, it is usually not enough to encourage deputies to pursue formal certification. Certification costs are not paid by the KCSO.

Steps have been taken to improve language access. Since December 2023, the online complaint form has been bilingual in Spanish/English. In order to have full compliance with the Stipulated JUDGMENT, the KCSO is working towards a language access policy, with training in the policy,

and a language access audit protocol. There is full compliance with the requirement to designate a language access coordinator.

These reports, most of which are mandated by the Stipulated Judgment, add significant costs to the County. The KCSO staff time to compile data, the software that is needed, and the many administrative tasks involved in the reports are some of the costs associated with this endeavor. All data analysis and reports required not only the KCSO staff time, but there was also significant ITS staff time spent to set up the Transparency Page. The KCSO has dedicated the funds to ensure the reports can be prepared and keep the public informed.

Additional staffing costs

There are hidden costs within the Stipulated Judgment. Other than the Monitoring Team staff hours, there are staff hours within the KCSO that are spent on Stipulated Judgment-related duties. For example, Public Information and the Community Relations staff both work closely with the Compliance Bureau to coordinate community policing initiatives. They attend Community Advisory Council meetings, Bridge the Gap meetings, as well as other community events and meetings. These hours are difficult to separate from their regular duties. For the five-year period of 2021-2025, it is beyond the scope of this report to document how much additional time and money was spent on Stipulated Judgment-related duties.

Monitoring Team Invoices

The Grand Jury reviewed Monitoring Team invoices for the five-year period of the Stipulated Judgment. Invoices require time and expense by the KCSO to scrutinize. There were instances of billing that had to be corrected which the Grand Jury was able to document had been done. However, in September 2025, there was an instance of work done on an outdated, and no longer relevant, policy which was billed for but not corrected. The Monitors have portrayed themselves as using County funds efficiently and that they are responsive to the KCSO concerns. This was not always the case. This outdated policy, erroneously sent to the California Department of Justice, was worked on by the Monitoring Team and the CADOJ. When feedback came to the KCSO, they discovered that the wrong policy had been used. The KCSO pointed this out and requested in an email dated September 25, 2025, not to be billed for the work done by the Monitoring Team along with their feedback; the invoice was approximately \$8,400. The invoice was not corrected with the result that the Monitoring Team received payment for the work they had done on the wrong policy.

Reviewing the October, November, and December 2025 Monitoring Team Invoices, the Grand Jury discovered the County is being charged for research and “review, edit/writing” used by the CADOJ in arguments against the County. The Grand Jury has been able to find invoices totaling \$23,742.50 for work done by the Monitoring Team to assist the CADOJ with their arguments for an extension of the Stipulated Judgment. These are Supplemental Declarations against the KCSO’s arguments for ending the Stipulated Judgment, for which the Monitoring Team finds that the County should pay. Some of the work done on the Supplemental Declaration supporting the extension was included in other charges, but was not specifically separated out. The total is likely more than the \$23,742.50.

SJ 203 states that the County should bear reasonable costs. It is not a reasonable cost for the County to pay for any part of CADOJ’s opposition to the County seeking to end the Stipulated Judgment. This is

not a cost associated with a specific paragraph of the Stipulated Judgment. The Monitoring Team is required to provide information to any of the Parties of the Stipulated Judgment when requested and then to charge for providing that information.

Due to the many instances of work not done by the Monitors even when required by the Stipulated Judgment, and for work done on Supplemental Declarations submitted by the CADOJ supporting an extension, it would be in the interest of taxpayers to ask for a partial refund of fees paid to the Monitoring Team. Only the court can settle disputes between the Parties to the Stipulated Judgment.

Memorandum from the US Attorney General

A Memorandum⁷ from the US Attorney General in 2021, and the NYU School of Law report both highlight the need for fiscal responsibility in monitorships such as stipulated Judgments and consent decrees.

The US Attorney General's Memorandum stated:

Monitorships should be designed to minimize cost to jurisdictions and avoid any appearance of a conflict of interest.

The steps the department will take going forward in all monitor agreements to ensure that these principles are met include:

Budget Caps: Future consent decrees will include an annual cap on monitors' fees to increase transparency and help contain costs.

No Double Dipping: To dispel any perception that monitoring is a cottage industry, lead monitors in future consent decrees will no longer be able to serve on more than one monitoring team at a time.

These two financial principles have not been met.

Consultants hired by the court-appointed Monitors work on multiple contracts simultaneously. Court appointed monitors often serve on multiple Judgments and with other agencies.

The Los Angeles County Sheriff's Department (LASD) - Antelope Valley Judgment has been in place since 2015. Los Angeles County taxpayers are now paying about \$1.459 million per year to court monitors. Some of the same monitors who are overseeing the KCSO Stipulated Judgment also oversee the LASD Judgment.

Two Year Extension:

In the introduction to the Stipulated Judgment, there is a specific mention that the agreement is to be followed in a way that is "...fiscally responsible and responsive to community priorities." All Parties

⁷ [Review of the Use of Monitors in Civil Settlement Agreements and Consent Decrees Involving State and Local Government](#)

anticipated that full and effective compliance would be reached by December 22, 2025. SJ 221 states, “Jurisdiction is retained by the Court to enforce the Judgment for a period of five years....”

In early December 2025, the CADOJ petitioned for an extension of the Stipulated Judgment for another two years. No justification has been given for this arbitrary time period.

Kern County disputed the extension and responded to the Court stating, the CADOJ “...lacks good cause...” to extend the term of the Stipulated Judgment.

The factors that have affected “full and effective” compliance by the KCSO with the Stipulated Judgment have been investigated and detailed in this report. Multiple situations have slowed the KCSO’s ability to show compliance. Overall delays by the Monitoring Team and the CADOJ in approving policies, missed deadlines, and the lack of compliance metrics have had considerable effect on the KCSO’s “good faith” efforts to achieve compliance.

On January 27, 2026, the Court ruled to extend the Court’s jurisdiction to December 22, 2027. The two-year extension sought by the California Department of Justice was granted.

In news media reports on March 10, 2026, the KCSO was quoted it, “...hopes to comply with the Judgment as soon as possible” and “We’re going to work diligently in the next two years to get there.”

FINDINGS:

- F1. The Monitoring Team has failed to meet obligations as set forth in the Stipulated Judgment resulting in significant delays in the KCSO meeting full and effective compliance.
- F2. The Monitoring Team did not create Compliance Metrics for the KCSO to follow in determining the question of “compliance” or “non-compliance” with the Stipulated Judgment. This left the KCSO with no clear way to determine what needs to be done to reach compliance.
- F3. There was no provision to establish measurable guidelines or goalposts (compliance metrics), making it impossible for either the KCSO or the general public to assess compliance with the Stipulated Judgment.
- F4. The Monitoring Team should have issued a Monitoring Plan for each year. There was no Monitoring Plan for 2023/24 and 2024/25, resulting in the KCSO being without a key framework for working with the Monitoring Team.
- F5. The Monitoring Team could have sped up compliance by acting as expert advisors and should not have acted to block compliance without issuing compliance metrics.
- F6. SJ 171 gives the Monitor final approval of a Monitoring Plan when unresolved differences arise, so there should have been no reason for Monitoring Plans not being created.
- F7. Monitoring team staffing issues have affected Stipulated Judgment compliance and led to multiple delays in the KCSO’s compliance.

- F8. There were multiple situations that slowed the KCSO's ability to reach compliance, such as failure by the Monitoring Team to meet their obligations, Monitoring Team staffing issues, response delays by the Monitoring Team, and jurisdictional issues. These were issues out of the control of the KCSO, resulting in significant compliance delays.
- F9. The KCSO is not using the ineffectiveness of the Monitoring Team as an excuse for their inability to reach compliance. This is in recognition of the fact that issues with the Monitoring Team have had considerable effect on the KCSO's compliance.
- F10. Delays in posting updated and approved policies online have resulted in the public not being well informed about the KCSO policies, e.g., Use of Force and K-9.
- F11. K-9 policies have been updated and will be incorporated into the Use of Force policies under Section F Department Policies. The K-9 policies have not been posted online as of this report. The community will be better informed once these policies are posted.
- F12. Department Policies posted online at www.kernsheriff.org do not have identifying information about what each section contains, making it difficult to find specific policies.
- F13. The KCSO Annual Report for 2025 has not been posted online as of the issuing of this report, which has resulted in less transparency for the community about the KCSO activities.
- F14. The pay incentive to pursue becoming a Certified Bilingual Translator is insufficient to encourage certification.
- F15. The cost of bilingual certification is not paid for by the County of Kern resulting in fewer staff seeking certification.
- F16. With the creation of the Compliance Bureau, the KCSO has shown their commitment to achieving compliance with the Stipulated Judgment and the high priority given to that end.
- F17. The KCSO Compliance Bureau has worked diligently toward Stipulated Judgment compliance, which has resulted in many positive changes for Kern County citizens.
- F18. The KCSO's expansion of the Body Worn Camera Unit has resulted in increased public accountability.
- F19. The Court appointed monitors serve on multiple Judgments and with other agencies. This is in opposition to guidelines in the 2021 Memorandum from the U.S. Attorney General, which states "...monitors in future consent decrees will no longer be able to serve on more than one monitoring team at a time."
- F20. Had the guidelines in the 2021 Memorandum from the U.S. Attorney General been followed, the Stipulated Judgment requirements could have been met in a more timely and cost-effective manner.

- F21. Although the California Department of Justice has ultimate authority to determine compliance or non-compliance, it relies on input/advice from the Monitoring Team. This gives the monitoring team a monetary incentive to continue the Stipulated Judgment.
- F22. There is a substantial financial burden on the taxpayers of Kern County as a result of the Stipulated Judgment, over and above monitoring costs.
- F23. Monitoring Team invoices are paid prior to review by the KCSO, resulting in their inability to conduct a timely review of the fees charged. Only the courts can settle financial disputes between the Parties of the Stipulated Judgment.
- F24. The County has paid for work done by the Monitoring Team to assist the California Department of Justice in their arguments for an extension of the Stipulated Judgment, which the County has petitioned against. This is a conflict of interest for the Monitoring Team.
- F25. The two-year extension sought by the California Department of Justice was granted, resulting in increased costs to the taxpayers of Kern County, and leaving other community priorities with less emphasis.

RECOMMENDATIONS

The 2025-2026 Grand Jury recommends:

- R1. The KCSO pursue an end to the Stipulated Judgment. (Findings F22, and F25)
- R2. The County of Kern appeal the ruling for a two-year extension of the Stipulated Judgment. (Findings F1 to F9, F21, F22, and F25)
- R3. Unless there is a change in the Court's ruling, the KCSO work towards achieving compliance with the Stipulated Judgment until December 22, 2027. (Findings F10 to F13)
- R4. The KCSO maintain the Compliance Bureau. (Findings F16 and F17)
- R5. The KCSO give priority to updating Department Policies regarding Use of Force, Section F, and posting them online with a deadline of December 31, 2026. (Findings F10 and F11)
- R6. The KCSO incorporate K-9 policies into Section F Department Policies once the Use of Force policies are updated with a deadline of December 31, 2026. (Findings F10 and F11)
- R7. The KCSO create a descriptive heading for each section of Department Policies making it easier for the public to find the appropriate policy with a deadline of December 31, 2026. (Finding F12)
- R8. The KCSO publish their 2025 Annual Report with a deadline of July 31, 2026. (Finding F13)
- R9. The County of Kern increase the pay incentive to become Bilingual Certified with a deadline of December 31, 2027. (Finding F14)

- R10. The County of Kern include bilingual Certification costs for the KCSO in the FY 2026-2027 budget. (Finding F15)
- R11. The County of Kern review and dispute unwarranted fees paid to the court-appointed monitors, especially in FY 2023-2024, and 2024-2025, and for work done by the Monitoring Team on assisting the California Department of Justice in their appeal, with a deadline of December 31, 2026. (Finding F1 to F9, F22 to F24)
- R12. The KCSO require they be given detailed compliance metrics by July 1, 2026. (Finding F1 to F9)

COMMENTS:

The Grand Jury would like to thank the many staff members of the Kern County Sheriff’s Office for their time spent answering our questions, the Detention Deputies at the Lerdo County Jail for the tour, the Patrol Officers who gave us the opportunity for ride-alongs, and the Monitoring Team for meeting with us. The Grand Jury would also like to thank the Auditor-Controller’s office, and the Kern County Administrative Office. The Grand Jury appreciates the cooperation and information provided to us to make this report possible.

NOTES:

- The Kern County Board of Supervisors and the Kern County Sheriff’s Office should post a copy of this report where it will be available for public review.
- Persons wishing to receive an email notification of newly released reports may sign up at: www.kerncounty.com/grandjury
- Present and past Grand Jury Final Reports and Responses can be accessed on the Grand Jury website: www.kerncounty.com/grandjury

RESPONSE DEADLINE:

- **REQUIRED WITHIN 90 DAYS FROM:**

Kern County Board of Supervisors
Findings F1 to F25
Recommendations R1 to R12

- **REQUIRED WITHIN 60 DAYS FROM:**

Kern County Sheriff’s Office
Findings F9 to F13, F22 to F25
Recommendations R1 to R8, R12

- **REQUESTED WITHIN 60 DAYS FROM:**

Kern County Auditor-Controller-County Clerk
Findings F14, F15, F22, F23, and F25
Recommendations R9 to R11

RESPONSES ARE REQUIRED PURSUANT TO PENAL CODE §§933(c) AND 933.05:

- **PRESIDING JUDGE
SUPERIOR COURT OF CALIFORNIA
COUNTY OF KERN
1415 TRUXTUN AVENUE, SUITE 212
BAKERSFIELD, CA 93301**
- **FOREMAN
KERN COUNTY GRAND JURY
1415 TRUXTUN AVENUE, SUITE 600
BAKERSFIELD, CA 93301**

Reports issued by the Grand Jury do not identify individuals interviewed. Cal. Penal Code §929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.

APPENDICES:

Appendix A

II. USE OF FORCE <i>(also see separate canine plan below)</i>				
#	Task/Objective	Responsible Party	Work Product	Timeline/Status
8	Draft compliance metrics related to UOF	MT KCSO DOJ	<ul style="list-style-type: none"> • MT will work with Parties to determine which SJ provisions require formal compliance metrics • MT will work with Parties to establish clear, measurable compliance indicators for those items • Discussions will include plans and timelines for related MT UOF audits (see below), compliance reviews, and outcome assessments (paragraphs 167-168) 	<ul style="list-style-type: none"> • Drafts third quarter 2025
9	Framework for policy development with input from community (Paragraphs 58, 59, 117)	KCSO CAC MT DOJ	<ul style="list-style-type: none"> • The Parties and MT establish a framework for engagement with the community in policy development <ul style="list-style-type: none"> ○ Policies incorporate input from CAC (e.g., from the CAC Policy Committee) and other community members ○ MT assesses whether the framework is properly implemented ○ Note: Policies submitted to MT/DOJ for compliance assessment have already undergone this process ○ Note: Formal process may change based on the CAC policy review process discussion (not retroactive) 	<ul style="list-style-type: none"> • Completed

Appendix B

Senate Bill No. 230, Assembly Bill No. 392, Assembly Bill No. 26, Assembly Bill No. 490, Assembly Bill No. 1196, Assembly Bill No. 360