



MARIN COUNTY SHERIFF'S OFFICE

1600 Los Gamos Drive, Suite 200, San Rafael, CA 94903

JAMIE SCARDINA
Sheriff - Coroner
SYLVIA MOIR
Undersheriff

July 5, 2023

Supervisor Stephanie Moulton-Peters, Board President
Marin County Board of Supervisors
3501 Civic Center Blvd, Room 329
San Rafael, CA 94903

Reference: Report of Citizens Complaints Received by the Sheriff's
Office – April 1, 2023 through June 30, 2023

Dear Supervisor Moulton-Peters,

Because of the interest expressed by the Board with respect to the procedure my office follows when receiving and investigating citizens' complaints of officer misconduct, I've instructed my staff to provide you and the other members of the Board with a regular quarterly report detailing the number, type, and outcome of all the formal citizen's complaints we've received during that timeframe.

The following terms seen below are defined in Sheriff's Office policy 1009 as follows:

Unfounded - When the investigation discloses that the alleged acts did not occur or did not involve department members. Complaints that are determined to be frivolous will fall within the classification of unfounded (Penal Code § 832.8). A frivolous complaint is one that is totally and completely without merit and for the sole purpose of harassing department personnel (Code of Civil Procedures § 128.6(b)(2)).

Exonerated - When the investigation discloses that the alleged act occurred, but that the act was justified, lawful, and/or proper.

Not sustained - When the investigation discloses that there is insufficient evidence to sustain the complaint or fully exonerate the member.

Sustained - A final determination by an investigating agency, commission, board, hearing officer, or arbitrator, as applicable, following an investigation and opportunity for an administrative

AREA CODE 415

24-HOUR NUMBER
479-2311

FAX
473-4126

ADMINISTRATION
473-7250

CIVIL
473-7282

COMMUNICATION
SERVICES
479-5324

CORONER
473-6043

COURTS
473-7393

EMERGENCY
SERVICES
473-6584

INVESTIGATIONS
473-7265

JAIL
473-6655

SPECIAL INVESTIGATIONS
UNIT
884-4878

PATROL
473-7233

RECORDS
473-7284

WARRANTS
473-7297

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appeal pursuant to Government Code § 3304 and Government Code § 3304.5 that the actions of a sworn member were found to violate law or department policy (Penal Code § 832.8).

Referred Disposition – The complaint was appropriately investigated and resolved through other procedures and/or processes (i.e., the complaint was addressed through inmate grievance procedure).

Below is the statistical report listing complaints received from April 1, 2023 through June 30, 2023. I've asked my staff to include a brief synopsis of each complaint received to provide you and your colleagues some additional detail and insight.

<u>Number of complaints alleging rudeness or department:</u>	0
Unfounded:	0
Exonerated:	0
Not Sustained:	0
Sustained:	0
Referred Disposition:	0
Still Pending Investigation:	0

<u>Number of complaints alleging excessive force:</u>	2
Unfounded:	1
Exonerated:	0
Not Sustained:	0
Sustained:	0
Referred Disposition:	0
Still Pending Investigation:	1
1. An excessive force complaint regarding an incident in the Jail was investigated and determined to have not occurred as described by the incarcerated person.	

<u>Number of complaints alleging general policy violations:</u>	6
Unfounded:	1
Exonerated:	1
Not Sustained:	0
Sustained:	0
Referred Disposition:	3
Still Pending Investigation:	1
1. Three complaints from incarcerated persons at the Marin County Jail were received and handled through the inmate grievance process.	
2. A complaint regarding the detention of an individual experiencing a mental health crisis was determined to have occurred at a different department outside of Marin.	
3. A citizen submitted a complaint regarding being questioned by a Deputy in a park; a review of the body worn camera	

showed the Deputy acted properly. A conversation with the citizen explaining the circumstances from the Deputy's point of view resolved the complaint.

<u>Number of Total Complaints from Previous Quarter:</u>	5
Unfounded:	1
Exonerated:	2
Not Sustained:	0
Sustained:	0
Referred Disposition:	2
Still Pending Investigation:	0

Please be assured that regardless of the nature or outcome of the complaints received, my staff and I continue to use the information we gather as a result of these citizens' complaints to help identify any developing trends and to provide on-going training opportunities for our deputies.

I'm hopeful this data continues to prove useful to you and your colleagues. Should you have any other questions or require additional information, please don't hesitate to call me.

Yours truly,



JAMIE SCARDINA
SHERIFF – CORONER

cc Supervisor Eric Lucan
Supervisor Katie Rice
Supervisor Mary Sackett
Supervisor Dennis Rodoni
CAO Matthew Hymel