



# MARIN COUNTY SHERIFF'S OFFICE

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

JAMIE SCARDINA  
Sheriff - Coroner  
SYLVIA MOIR  
Undersheriff

October 10, 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 – July 1, 2023 through September 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 July 1, 2023 through September 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.

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

<b><u>Number of complaints alleging excessive force:</u></b>	<b>0</b>
Unfounded:	0
Exonerated:	0
Not Sustained:	0
Sustained:	0
Referred Disposition:	0
Still Pending Investigation:	0

<b><u>Number of complaints alleging general policy violations:</u></b>	<b>5</b>
Unfounded:	0
Exonerated:	0
Not Sustained:	0
Sustained:	0
Referred Disposition:	5
Still Pending Investigation:	0

1. Five complaints from two incarcerated persons at the Marin County Jail were received and handled through the inmate grievance process.

<b><u>Number of Total Complaints from Previous Quarter:</u></b>	<b>8</b>
Unfounded:	3
Exonerated:	0
Not Sustained:	0
Sustained:	0
Referred Disposition:	3
Still Pending Investigation:	2

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