



MARIN COUNTY SHERIFF'S OFFICE

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

JAMIE SCARDINA

Sheriff - Coroner

SYLVIA MOIR

Undersheriff

January 17, 2023

AREA CODE 415

24-HOUR NUMBER
479-2311

FAX
473-4126

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

ADMINISTRATION
473-7250

Reference: Report of Citizens Complaints Received by the Sheriff's
Office – October 1, 2022 through December 31, 2022

CIVIL
473-7282

Dear Supervisor Moulton-Peters,

COMMUNICATION
SERVICES
479-5324

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.

CORONER
473-6043

COURTS
473-7393

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

EMERGENCY
SERVICES
473-6584

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)).

INVESTIGATIONS
473-7265

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

JAIL
473-6655

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

SPECIAL INVESTIGATIONS
UNIT
884-4878

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

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 October 1, 2022 through December 31, 2022. 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 deportment:</u>	1
Unfounded:	0
Exonerated:	0
Not Sustained:	0
Sustained:	0
Referred Disposition:	0
Still Pending Investigation:	1

1. An incident at the Marin Civic Center that was recorded and posted to the internet generated a number of anonymous complaints alleging rudeness by Deputies that were submitted via email to the department.

<u>Number of complaints alleging excessive force:</u>	2
Unfounded:	0
Exonerated:	1
Not Sustained:	0
Sustained:	0
Referred Disposition:	0
Still Pending Investigation:	1

1. Complainant arrested for violating a court order alleged an improper arrest and excessive force. An investigation that included review of Body Worn Camera Footage exonerated the actions of the Deputies.
2. Complainant arrested alleged that Deputies used excessive force during the arrest. This complaint is still under investigation.

<u>Number of complaints alleging general policy violations:</u>	0
Unfounded:	0
Exonerated:	0
Not Sustained:	0
Sustained:	0

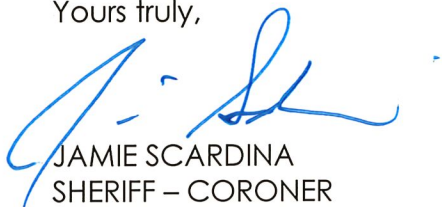
Referred Disposition: 0
Still Pending Investigation: 0

Number of Total Complaints from Previous Quarter: 0
Unfounded: 0
Exonerated: 0
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 on me.

Yours truly,



JAMIE SCARDINA
SHERIFF – CORONER

cc Supervisor Eric Lucan
Supervisor Stephanie Moulton-Peters
Supervisor Mary Sackett
Supervisor Dennis Rodoni
CAO Matthew Hymel