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August 23, 2022

Marin County Board of Supervisors
3501 Civic Center Drive
San Rafael, California 94903



SUBJECT: Response to 2021-22 Grand Jury Report "Sheriff Oversight: The Time Is Now" (June 15, 2022)

Dear Board Members:

RECOMMENDATION: Concur in and adopt the attached proposed response to the FY 2021-22 Marin County Civil Grand Jury Report regarding oversight of the Marin County Sheriff's Office and authorize the Board President to forward the response to the Presiding Judge of the Marin County Superior Court.

SUMMARY: The 2021-22 Civil Grand Jury Report published a report entitled "Sheriff Oversight: The Time Is Now" (June 15, 2022). The report included a request for response from your Board. Attached for your consideration, in accordance with §933 of the California Penal Code, is a proposed response. A copy of the Grand Jury report is also attached for your information.

FISCAL IMPACT: None.

ALTERNATIVE: The Board may amend any suggested response.

REVIEWED BY:

☒	County Counsel	☐	N/A
☐	Human Resources	☒	N/A
☐	Dept. of Finance	☒	N/A

Respectfully Submitted,

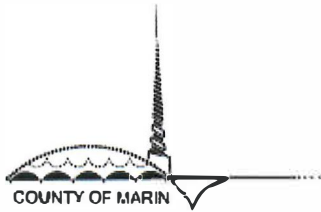
Daniel Eilerman
Assistant County Administrator

Reviewed By,

Matthew Hymel
County Administrator

Attachments: Report

CC: Jamie Scardina, Marin County Sheriff



RESPONSE TO GRAND JURY REPORT FINDINGS AND RECOMMENDATIONS

REPORT TITLE: "Sheriff Oversight: The Time Is Now"
REPORT DATE: June 15, 2022
RESPONSE BY: County of Marin Board of Supervisors

GRAND JURY FINDINGS

- We agree with the finding(s) numbered: **F4, F7-9**
- We disagree wholly or partially with the finding(s) numbered: **F1-3, F5-6**

GRAND JURY RECOMMENDATIONS

- Recommendation numbered **R1** has not yet been implemented, but will be implemented this fiscal year FY 2022-23.

Date:

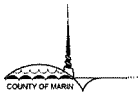
August 23, 2022

Signed:



President, Board of Supervisors

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8/23/22



County of Marin Response to Grand Jury Report Findings and Recommendations
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June 15, 2022

RESPONSE TO GRAND JURY FINDINGS

F1. The Marin County Sheriff is an elected official and is not subject to necessary and effective county government and community oversight.

Response: Partially Disagree.

While state law provides for the Board of Supervisors to supervise the conduct of county officers, the California Government Code also provides for the Sheriff to have exclusive authority in certain areas. The Board of Supervisors agrees that establishing a community oversight commission consistent with AB 1185 would provide a greater opportunity for community input on Sheriff programs.

F2. There is a long history of distrust between many residents of Marin City and the Marin County Sheriff's Office.

Response: Partially Disagree.

Although we are aware that there is distrust in the community, it is difficult to objectively state the length and the extent of distrust.

F3. The Marin County Sheriff's Office has not adequately acknowledged community issues or concerns even when they are voiced directly to the Sheriff's Office.

Response: Partially Disagree.

We cannot speak to issues voiced directly to the Marin County Sheriff's Office by individuals; however, the Board is supportive of establishing a commission consistent with AB 1185. There is a wide range of opinions regarding whether the Sheriff's Office has adequately acknowledged community concerns.

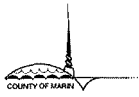
F4. Marin County residents do not currently have an effective forum to express concerns about the Marin County Sheriff's Office.

Response: Agree.

F5. Due to the Marin County Sheriff's Office field training program and short assignments, there is limited opportunity to build good community relationships between Marin City residents and Marin County sheriff's deputies.

Response: Partially Disagree.

Without a more thorough analysis, it is difficult to conclude whether the field training program results in limited opportunities to build good community relationships between Marin City residents and the Marin County Sheriff's deputies. There are likely a number of strategies that could provide opportunities to build better community relationships with Marin City.



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F6. The Marin County Sheriff's Office has failed to provide adequate community outreach after significant events that affect Marin City.

Response: Partially Disagree.

Without additional information, it is difficult to make a conclusive statement; however, the Board of Supervisors supports the creation of a community oversight commission consistent with AB 1185 to ensure there are opportunities for community outreach and dialogue when significant events occur in the future.

F7. Implementing a community policing model for Marin City would improve relations between its residents and the Marin County Sheriff's Office.

Response: Agree.

The Board supports the goals of community policing and will work with the Sheriff's Office to understand the extent of their current efforts in Marin City and the opportunities to enhance these efforts in the future.

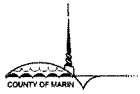
F8. The Sheriff's proposed working group presented to the Marin County Board of Supervisors on February 1, 2022 would not provide effective oversight of the Marin County Sheriff's Office.

Response: Agree.

Although the goals of the proposed working group were positive, the Board supports the creation of a community oversight commission consistent with AB1185.

F9. A citizens' sheriff oversight board, enacted pursuant to Assembly Bill 1185, could provide effective oversight of the Marin County Sheriff's Office.

Response: Agree.



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RESPONSE TO GRAND JURY RECOMMENDATIONS

The Marin County Civil Grand Jury recommends the following:

R1. By December 31, 2022, the Marin County Board of Supervisors should enact a county ordinance, pursuant to Assembly Bill 1185, creating a sheriff oversight board. The oversight board should be provided with subpoena power and subject to the Brown Act.

This recommendation has not been implemented but will be in the future.

The FY 2022-23 budget includes \$150,000 in ongoing funding to support a community oversight commission, pursuant to AB1185. Over the next few months, staff will be working with community stakeholders to provide facilitated community sessions to help inform the establishment of the commission. We anticipate it will be established this fiscal year.