



2021–2022 MARIN COUNTY CIVIL GRAND JURY

Sheriff Oversight: The Time Is Now

June 15, 2022

SUMMARY

New legislation, commonly referred to as Assembly Bill 1185 (AB 1185) and effective January 2021, authorizes each county to create a sheriff oversight board. It grants subpoena power enforceable by superior court action.¹ The bill was created to provide oversight and increased accountability for sheriffs across the state.

This legislation, in conjunction with an impending leadership change at the Marin County Sheriff's Office (Sheriff's Office), presents a rare opportunity to reset relations between the Sheriff's Office and the communities it serves. These changes would be especially beneficial in communities such as Marin City, where the relationship with the Sheriff's Office continues to be strained.

Many communities in the county may benefit from an oversight board. However, the Grand Jury focused specifically on Marin City's Black community for two reasons: first, the history of concerns and injustices they have experienced; and second, two recent incidents involving the Sheriff's Office which have brought community concerns to the forefront.

For much of its history, Marin City's Black residents have experienced racial discrimination in housing and education. Some residents have also long complained of discrimination by law enforcement. These experiences have had adverse economic impacts and left many in the community distrustful of authority.

The members of the Marin County Sheriff's Office are hardworking and dedicated public servants who could benefit from civilian oversight and accountability. Oversight can improve the quality of internal investigations of alleged misconduct by confirming complaints or exonerating law enforcement officers who are wrongfully accused.

To significantly improve accountability of the Sheriff's Office, the Marin County Board of Supervisors should, pursuant to AB 1185, create a citizens oversight board which would:

- Establish county oversight of the Sheriff's Office
- Provide a forum for voicing all county residents' concerns about the Sheriff's Office
- Build trust between the Sheriff's Office and the communities it serves.

APPROACH

In conducting its investigation, the Grand Jury interviewed personnel from many county and municipal agencies, community based organizations, and community members. The jury reviewed documents provided by the Sheriff's Office and other sources, reviewed media reports and videos, as well as documents from the United States Department of Justice. The jury also

¹ AB-1185 County Board of Supervisors: Sheriff Oversight. 2020.
https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1185

reviewed video recordings of Marin County Board of Supervisors meetings and studied prior Marin County Grand Jury reports, including the 2006 report entitled *Marin County Sheriff's Office: The Public's Business*.²

BACKGROUND

In recent years, incidents involving police use of force have brought national attention to law enforcement and the manner in which police interact with their communities. In May 2020, widespread outrage grew after video footage surfaced of a Minneapolis police officer kneeling on the neck of George Floyd as he struggled to breathe. The tragic killing of George Floyd galvanized public concern over police treatment of minorities. Public pressure has motivated many agencies to reconsider the practices they use to achieve their operational goals.

Communities that have faced injustice and mistreatment are questioning the nature of policing and how it can undermine racial equality. According to the United States Department of Justice Community Relations Service, “community members’ willingness to trust the police depends on whether they believe that police actions reflect community values and incorporate the principles of procedural justice and legitimacy.”³ Marin County is also grappling with the issues of race, police practices, and community trust.

Marin City's History

The land north of Sausalito and south of Mill Valley was a dairy farm before the community of Marin City was established in 1942 in response to the urgent need to house emergency shipyard workers. During the early stages of World War II, the United States government began building Liberty supply ships and tankers at the Marinship Shipyard in Sausalito. The federal government purchased land and built wartime housing units for an estimated 6,000 workers, many of whom were African Americans who had migrated from the South. When the war ended, many Black families were unable to find housing outside of Marin City due in part to racial restrictions common in Marin County at the time.

Marin City is a community with a population of 3,126 as of 2019. Over 35 percent of the residents are either African American or multiracial. Despite its name, Marin City is not an incorporated municipality but is a part of unincorporated Marin County. As such, it has no elective government other than a single member of the county board of supervisors who represents all of District 3, in which Marin City is located. Significantly, it does not have its own police department. Consequently, law enforcement in Marin City is the responsibility of the Marin County Sheriff's Office.

Trouble in Marin City

Distrust of law enforcement has plagued Marin City for decades. Newspaper articles dating back to the late 1940's report alleged racial discrimination by the Marin County Sheriff's Office against Black residents of Marin City. A local newspaper article described an October 1948 meeting in Marin City called by the National Association for the Advancement of Colored

² Marin County Civil Grand Jury, *2005-2006 Marin County Sheriff's Office: The Public's Business*, June 22nd 2006, <https://www.marincounty.org/-/media/files/departments/gj/reports-responses/2005/mcso.pdf>

³ Community Relations Services Toolkit for Policing. n.d. “Importance of Police-Community Relationships and Resources for Further Reading.” Department of Justice. <https://www.justice.gov/file/1437336/download>

People regarding civil liberty violations by the Marin County Sheriff's Office.⁴ In 1992, a traffic stop in Marin City prompted a racial harassment lawsuit involving residents of, and visitors to, Marin City against the Sheriff's Office. In 1997, Marin County settled the case with a monetary payment, including plaintiff's legal fees. A portion of these fees was intended to support the creation of a police accountability program for Marin City.⁵ For reasons that are unclear, this accountability program was never created. In March of 2005, community members considered the formation of a citizen review board to review complaints of law enforcement abuse in Marin City.⁶ The citizens' review board did not materialize.

Other Marin residents also believe they have been adversely affected by the policing practices of the Sheriff's Office. For example, immigrant rights activists filed a lawsuit in October 2021 alleging that the Sheriff's Office shared license plate information with Immigration and Customs Enforcement and other agencies in violation of the state's sanctuary law.⁷ Such lawsuits may be avoidable if there is a forum available for residents to publicly voice their concerns and trigger prompt remedial action by the Sheriff's Office.

In a 2006 report, the Grand Jury recommended to the Marin County Board of Supervisors that a sheriff review board be established.⁸ It was rejected by both the board of supervisors and the sheriff. The community's concerns and the Grand Jury's belief in the need for sheriff oversight have not changed.

DISCUSSION

Trust Matters

"The greatest tool in a law enforcement officer's toolbox is trust," said Sheriff Doyle in 2020.⁹ However, two notable incidents within the past few years in Marin City have undermined the community's trust in the Sheriff's Office.

The November 14, 2019 Raid

On Halloween night 2019, a party at an Orinda residence in Contra Costa County was interrupted by gunfire. The shooting resulted in five deaths and four injuries. Two weeks later, in the early morning of November 14th, approximately 60 Contra Costa law enforcement officers and Marin County Sheriff's deputies conducted a coordinated raid on three residences in central Marin City, arresting two suspects in the Halloween shooting. The raid started around 7:45 a.m. as families

⁴ Stanley T. Wilson, "Mass Meeting Tonight Over Racial Discrimination Charges." *Mill Valley Record*, October 8, 1948. <https://cdnc.ucr.edu/?a=d&d=MVR19481008.2.113>

⁵ Peter Fimrite, "Marin County Settles Race Discrimination Suit" *sfgate.com* (January 15, 1997) <https://www.sfgate.com/news/article/Marin-County-Settles-Race-Discrimination-Suit-2859431.php>

⁶ Jason B. Johnson, "MARIN COUNTY/Police abuse alleged by blacks/Some minorities believe authorities target them unfairly." *SFGATE*, March 27, 2005. <https://www.sfgate.com/bayarea/article/MARIN-COUNTY-Police-abuse-alleged-by-blacks-2720055.php>

⁷ Bob Egelko, "Marin County sheriff sued for sharing license plate photos with ICE, other federal agencies." *San Francisco Chronicle*, October 15, 2021. <https://www.sfchronicle.com/bayarea/article/Marin-County-Sheriff-sued-for-sharing-license-16534268.php#:~:text=Immigrant%20advocates%20have%20sued%20Marin,California%20privacy%20and%20sanctuary%20laws.>

⁸ Marin County Civil Grand Jury, *2005-2006 Marin County Sheriff's Office: The Public's Business*, June 22nd 2006, <https://www.marincounty.org/-/media/files/departments/gj/reports-responses/2005/mcso.pdf>

⁹ Doyle, Robert T. n.d. "Sheriff Doyle's response to the death of George Floyd." Marin County Sheriff's Office. <https://www.marinsheriff.org/community/news-press-releases/sheriff-doyles-response-to-the-death-of-george-floyd>

left their homes to go to school and work. Community members were met with armored vehicles and dozens of heavily armed law enforcement officers, many in tactical gear.¹⁰

School officials in Sausalito and Mill Valley reported that students arrived at school traumatized by the incident. The Wellness Center at Tamalpais High School counseled many students impacted by the raid. School officials invited sheriff's representatives to talk to the students, but the talk was postponed by the Sheriff's Office and never rescheduled.

Over the next two years, Marin City residents continued to raise concerns about the impact of the raid on their community. The sheriff consistently stated that the raid was led by the Contra Costa Sheriff's Department and that the Marin sheriff's role was merely to assist with the operation. While this is true, this explanation did not adequately address the community's concerns. Even though the raid was necessary, the Marin County Sheriff's Office could have mitigated the trauma resulting from the raid by acknowledging its impact, holding community meetings, and sending a school resource officer to local schools. A broad based citizens oversight board such as that enabled by AB 1185 would provide an excellent forum for residents to voice their concerns about how the event and its aftermath were handled. It would also provide a platform for the Sheriff's Office to give its perspective and, perhaps most importantly, to learn from the experience.

Trump Caravan Rolls into Marin City

In the run-up to the 2020 presidential election, Trump campaign organizations and supporters held a series of demonstrations across the country. On Sunday, November 1, 2020, two days before the election, Trump supporters staged an event in the North Bay.¹¹ A vehicle convoy originated in Santa Rosa and drove south on U.S 101, arriving at the Vintage Oaks Shopping Center in Novato at approximately 11:00 a.m. Hundreds of vehicles then proceeded to Marin City, arriving at the Marin Gateway Shopping Center around 11:30 a.m.

Beginning at 7:13 a.m., the Sheriff's Office received numerous calls about the caravan. When the vehicles began arriving at the Gateway Shopping Center, Marin City residents gathered in the parking lot, racial epithets were hurled from the caravan, eggs were thrown in response, and traffic congestion blocked exits.

Some voters attempting to use a voters' drop box located in the shopping center felt intimidated. The Marin County Registrar of Voters subsequently acknowledged receiving calls following the caravan incident and reported possible voter intimidation to the Marin County Sheriff's Office and the California Secretary of State.¹² After the event, the Marin County Board of Supervisors Racial Equity Subcommittee, along with numerous cities, agencies, and organizations, issued a statement that Marin City residents had been subjected to "race-based hate speech and acts of blatant intimidation."¹³ They stated that such actions will not be tolerated in Marin County.

¹⁰ Joe Vazquez. KPIX CBS 5 San Francisco. November 14, 2019. www.youtube.com/watch?v=h0wDXNfluEA

¹¹ Schulberg, Jessica, Nick Robins-Early, and Jesselyn Cook. 2020. "QAnon Backers Behind Pro-Trump Caravans Blocking Roads And Disrupting The Election." HuffPost, November 2, 2020. https://www.huffpost.com/entry/pro-trump-qanon-facebook-maga-drag-the-interstate_n_5fa099b8c5b6128c6b5b9952

¹² Brewster, Freddy, and Katie Licari. "Pro-Trump caravans draw crowds and concerns." UC Berkeley Graduate School of Journalism, 2 November 2020, <https://journalism.berkeley.edu/projects/pro-trump-caravans-draw-crowds-and-concerns/>

¹³ Sears, Kate, and Rodoni, Dennis. "Marin Against Hate Statement", 3 November 2020, <https://www.marincounty.org/depts/ad/divisions/equity/marin-against-hate-english>

In order to better understand the events of November 1, 2020, the Grand Jury reviewed the sheriff's records, including Computer-Aided Dispatch system data, focusing on the calls for service and other communications related to the caravan.¹⁴ This research uncovered apparent inconsistencies between the timeline of reports in the sheriff's dispatch data and public statements made by Sheriff's Office personnel.

According to its records, the Sheriff's Office received calls at 7:13 a.m. and 8:00 a.m. advising that a Trump rally would take place in Marin City starting between 11:00 a.m. and 11:30 a.m. These calls were followed by at least seven additional calls between 9:34 a.m. and 11:18 a.m. from residents and law enforcement agencies updating the progress of the caravan and the increasing number of vehicles participating. Yet, in numerous discussions with the news media and at community meetings, the Sheriff's Office senior leadership repeatedly stated that they had received notice of the rally only a few minutes before the vehicles arrived at the shopping center.¹⁵

The Trump caravan provides a good example of how a citizens oversight board could conduct a full investigation, examine the sheriff's responses, and provide a public forum where community concerns could be addressed. An investigation could determine why the Sheriff's Office has continued to state that it had no knowledge of the caravan until minutes before it arrived and why the Sheriff's Office did not more effectively manage the incident. Unfortunately, Marin County currently has no mechanism for conducting such an investigation or airing these community concerns.

Training and Assignment Practices Raise Concerns

One of the principal complaints of the Black community is that the Sheriff's Office uses Marin City as a training ground for deputy recruits. Some residents feel the sheriff's training practices result in excessive stops, arrests, citations, and warnings. A related complaint is that sheriff's personnel are not sufficiently familiar with the community and its residents. They cite frequent turnover of Sheriff's Office personnel and assert that deputies are not in the community long enough to get to know the residents well. Many community members have stated that they are being racially profiled and targeted because they are Black. These perceptions have led to distrust of law enforcement in general and the Sheriff's Office in particular.

Marin City as a Training Ground

Residents of Marin City have complained that they are subjected to excessive law enforcement activity for the purpose of deputy training, characterizing their community as a "training ground."¹⁶ This contributes to Marin City residents' belief that they are over-policed.

The Sheriff's Office divides the county into four patrol areas (Main Station, Point Reyes Substation, Kentfield Substation, and Southern Substation). The southern area includes Marin City and other unincorporated areas of southern Marin County. The Sheriff's Office denies it uses Marin City as a training ground, but asserts that because there are more calls for service from the Southern Substation than others, there are more training opportunities for new deputies.

¹⁴ Marin County Sheriff's Office. Computer Assisted Dispatch System Data, Incident Reports, Police Reports.

¹⁵ See Appendix A for a summary of Sheriff's documentation of calls received beginning at 7:13 a.m. related to the Trump Caravan on November 1, 2020.

¹⁶ Johnson, "MARIN COUNTY/Police abuse alleged by blacks/Some minorities believe authorities target them unfairly.," <https://www.sfgate.com/bayarea/article/MARIN-COUNTY-Police-abuse-alleged-by-blacks-2720055.php>

That being said, other large law enforcement agencies in Marin train their officers throughout their jurisdictions.

Although there have been significant changes in law enforcement policies in many areas of the country, the Marin County Sheriff’s Office has changed little, despite residents’ repeated attempts to communicate their concerns.

Short-term Patrol Assignments

The Sheriff’s Office practice is to rotate personnel throughout its four patrol areas for less than two years. This makes it difficult for deputies and residents to establish relationships. It is particularly problematic for residents of Marin City, whose relationships with the Sheriff’s Office are strained and could improve with more stable assignments of sheriff’s deputies. Many other law enforcement agencies typically keep their officers in the same station for a minimum of three to four years. In community policing models, assignments are often much longer.

Staff assignment practices in Southern Marin are not conducive to community engagement with Marin City residents. Deputies and Field Training Officers who are most likely to interact with residents have an average length of patrol assignments after training of less than two years. This reduces opportunities to develop rapport with residents. Table 2 shows the length of service of Marin sheriff personnel assigned to the Southern Marin substation.

Table 2: Southern Substation Assignments by Length of Service 2018-2021

Position	Number in Position	Average LOS in South Marin (Months)
Recruit/ Deputy	47	3.2
Deputy	7	23.7
Deputy/ Field Training Officer	6	22.6
Field Training Officer	21	18.5

Community Policing

Community policing is a philosophy that encourages law enforcement officers to work with the people they serve to establish relationships, create stronger bonds, and work collaboratively to solve problems. Community policing has been used in areas throughout the country to improve relations between law enforcement agencies and communities. Community policing differs from traditional policing in the following ways:

- Focuses on crime prevention
- Works to create a safe environment for residents
- Engages residents to prioritize policing issues in the community and works with law enforcement to find solutions.

In its basic form, community policing creates a partnership between law enforcement and residents, a stated goal of the Sheriff's Office. The more involved law enforcement is with the residents they are sworn to protect, the more residents can and want to help law enforcement achieve its goals. The benefits of an effective community policing structure include:

- More favorable view of local law enforcement
- Increased trust between law enforcement and residents
- Better information from residents regarding criminal activity in their community
- Fuller understanding of the needs of citizens and their expectations of law enforcement.¹⁷

While the Marin Sheriff has community policing programs, a new policing model specifically tailored to Marin City could significantly reduce distrust and re-set its fraught relationship with the Sheriff's Office. A citizens oversight board, with resident input, could make recommendations on the desired elements of a community policing model.

Marin City Reaches Out

The Marin City community has reached out to the Sheriff's Office in an effort to improve relations several times over the years. Recently, in 2021, local community based organizations hosted a series of well attended public forums which provided residents and community leaders an opportunity to discuss their concerns with law enforcement. These interactions resulted in a perception by members of the community that the Sheriff's Office was failing to acknowledge or understand local issues, which in turn left them feeling unheard and frustrated. By holding the Sheriff's Office to a greater level of accountability, a citizen's oversight board could mitigate these concerns and promote more productive public exchanges between the Sheriff's Office and the public.

Sheriff's Citizen Oversight Board

California's Constitution mandates that county sheriffs are elected.¹⁸ Sheriffs do not report to any county official. This distinguishes sheriffs from municipal police chiefs who are appointed and typically serve at the pleasure of the governing city council or mayor. Consequently, police chiefs are subject to direct oversight including discipline and removal by the mayor, city council, or other local officials. In contrast, sheriffs are not subject to such direct oversight, and may be replaced only by the electorate. While boards of supervisors have a general responsibility to supervise sheriffs, their ability to do so is limited and they lack subpoena power over the office of sheriff. The office of sheriff thus combines enormous power with little accountability.¹⁹

A New Sheriff In Town

The current sheriff in Marin County has been in office for the last twenty-six years. He was appointed in 1996 and re-elected six times, facing only one contested election in 2010. Echoing

¹⁷ Everbridge. n.d. "What is Community Policing?" Community Crime Prevention. www.everbridge.com/blog/what-is-community-policing/

¹⁸ Cal. Const., art 11, § 1(b) https://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=CONS§ionNum=SEC.%201.&article=XI

¹⁹ "Confronting the Demographics of Power." n.d. Reflective Democracy Campaign. <https://wholeads.us/wp-content/uploads/2020/06/reflectivedemocracy-america sheriffs-06.04.2020.pdf>; Martin, Michel. 2020. "Do Elected Sheriffs Have Outsized Power In The U.S.?" NPR. <https://www.npr.org/2020/07/25/895423249/do-elected-sheriffs-have-outsized-power-in-the-u-s>

state law, Sheriff Doyle responded to a 2005 Grand Jury Report by stating: “As an elected official, I do not answer to the County Administrator and only answer to the Board of Supervisors during the development of my budget. Neither entity has any supervisory authority over operational issues in the Marin County Sheriff’s Office.”²⁰

The impending change in leadership at the Sheriff’s Office presents a rare opportunity to influence its culture and practices. In 1996, Sheriff Doyle, who was serving as undersheriff, was appointed by the Board of Supervisors when the then incumbent sheriff resigned after 14 years of service. The two men served a total of 40 years in the lead position with only one contested election during that entire period. With Sheriff Doyle’s retirement, his undersheriff is uncontested in his 2022 bid for the position. The legacy of appointments and uncontested elections continues. While it is true that voters can exercise their authority over the sheriff in elections, the ballot box is not always an effective means of achieving accountability when the elections are uncontested.

The potential for change afforded by new leadership should be seized. AB 1185 provides a new means for establishing oversight of the Sheriff’s Office. It could also help the new sheriff set a fresh tone for his administration. In this regard, at the board of supervisors meeting on February 1, 2022, Undersheriff Jamie Scardina publicly stated, in his comments about the proposed working group, that whether “we move into the future with this community work group or another group... we are committed to...working with the community.”²¹

California Law Now Permits Citizen Oversight

The passage of AB 1185 provides counties with a new and potentially powerful method for oversight of California sheriffs.²² It enables counties to create an oversight board with subpoena powers and appoint civilian members. It provides a tool to assist county boards of supervisors in their statutorily mandated duty to supervise sheriffs.²³ Prior to enactment of AB 1185, only a small minority of counties, known as “charter counties,” had the ability to create oversight boards with subpoena powers.²⁴ Following adoption of AB 1185, all counties, including Marin, now have the authority to create an oversight board with subpoena powers.

Other jurisdictions in Marin are moving forward with police oversight. The Town of Tiburon answered the call for police citizen oversight in their community in April 2022.²⁵ After a racially

²⁰ Doyle, Robert T. 2005. “Response to Grand Jury Report Form,” Response Title: Looking Between the Lines. In A Review of the County’s Budgeting Processes. Marin County Sheriff’s Office. <https://www.marincounty.org/-/media/files/departments/gj/reports-responses/2004/responses/budget/sheriffbudgetreport.pdf>

²¹ Marin County Board of Supervisors meeting. February 1, 2021, (Item 11-Request from the County Administrator and Sheriff on the proposed Sheriff Community Working Group) Start Time 2:54:28.

https://marin.granicus.com/player/clip/11157?view_id=33&redirect=true

²² Cal. Gov. C. § 25303.7,

https://leginfo.legislature.ca.gov/faces/billCompareClient.xhtml?bill_id=201920200AB1185&showamends=false

²³ Cal. Gov. C. § 25303,

https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV§ionNum=25303.

²⁴ At least 25 California cities and counties have some form of police oversight, in the form of an auditor, inspector general, independent review office or some similar type of agency. See, National Association for Civilian Oversight of Law Enforcement, https://www.nacole.org/police_oversight_by_jurisdiction_usa; Jonathan Vankin, “Civilian Sheriff’s Oversight Is Now Law in California. Will It Make a Difference?” *California Local*, (July 25, 2021), <https://californialocal.com/localnews/statewide/ca/article/show/571-sheriffs-oversight-law-ab-1185/>

²⁵ Ricapito, Giuseppe. “Black merchants settle for \$150K, police reform.” *Marin Independent Journal*, April 20, 2022

<https://www.marinij.com/2022/04/19/black-owners-of-tiburons-yema-shop-settle-for-150000-police-reforms/>

charged incident involving police and a Black retailer that took place not long after George Floyd's murder, a legal claim was made by the retailer. A settlement was reached that included the formation of a police advisory council and changes to the Tiburon Police Department's community policing model. It is also worth noting that 11 other California municipalities have created citizen oversight bodies for their local police departments, including the City of Novato which established its Police Advisory Review Board in 1992.^{26 27}

Although AB 1185 has been available for over a year, the Marin County Board of Supervisors has yet to take advantage of it. Rather, in February 2022, a subcommittee of the board, in conjunction with the sheriff and the county administrator, proposed a sheriff's community working group. The Sheriff's Office originally suggested and supported this proposal, which was crafted without public input, and which would have given the sheriff considerable influence over the membership and staffing of the working group. Significantly, subpoena powers for the working group were absent from the proposal and its proceedings would not be subject to public disclosure or other provisions of the Brown Act.²⁸ Despite the recommendation of the board subcommittee to approve the proposal, it was vigorously opposed in public commentary and was not adopted.²⁹ However, the board did not respond to the public comments seeking greater oversight and the proposal was tabled.

Unlike the sheriff's proposed working group, the board of supervisors would be solely responsible for appointing resident members to an AB 1185 oversight board and the county would be responsible for staffing and supporting it. Thus, it would be completely independent of the Sheriff's Office and could be composed of a broad, representative cross section of Marin residents. It would have subpoena power over both persons and documents, an essential element if the public is to have trust and confidence in the oversight board. It would have the power to investigate, produce reports, and make findings and recommendations. Its proceedings would be subject to the Brown Act, making them both public and transparent.

In sum, a statutory oversight board would:

- Establish timely, effective, and public oversight of the Sheriff's Office
- Provide a public, transparent forum for voicing community concerns about the Sheriff's Office
- Provide the Sheriff's Office a platform to respond to allegations of misconduct
- Facilitate trust building between Marin County communities and the Sheriff's Office.

Public oversight board meetings would be an excellent forum for the community to express concerns such as those resulting from the Trump caravan and the November 14, 2019 raid, while providing a public platform for the Sheriff's Office to respond to community concerns. It would also be an appropriate vehicle to review, report on, and make recommendations to the Sheriff's Office for modifying training practices or implementing community policing models. The sheriff

²⁶ City of Novato. Police and Advisory Review Board. <https://www.novato.org/government/commissions-committees-boards/police-advisory-and-review-board>

²⁷ Griffin, Noah. "Marin Voice: Civilian law-enforcement oversight must be binding to make real change." Marin Independent Journal, June 26, 2021. <https://www.marinij.com/2021/06/26/marin-voice-civilian-law-enforcement-oversight-must-be-binding-to-make-real-change/>

²⁸ Cal. Govt. C. §§54950 - 54963 (1961), https://leginfo.ca.gov/faces/codes_displayText.xhtml?lawCode=GOV&division=2.&title=5.&part=1.&chapter=9.&article=

²⁹ Nikki Silverstein, "Marin Activists Call for Sheriff's Oversight Committee with Subpoena power." *Pacific Sun*. February 2, 2022. <https://pacificsun.com/marin-sheriff-oversight/>

or undersheriff should be required to attend all oversight board meetings in order to hear and respond to public concerns. The board should be given broad authority to recommend and review policies and practices.

The board of supervisors now has the opportunity to create an AB 1185 citizens oversight board and appoint members who are diverse and represent the community. The board should seize that opportunity now.

FINDINGS

- F1. The Marin County Sheriff is an elected official and is not subject to necessary and effective county government and community oversight.
- F2. There is a long history of distrust between many residents of Marin City and the Marin County Sheriff's Office.
- 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.
- F4. Marin County residents do not currently have an effective forum to express concerns about the Marin County Sheriff's Office.
- 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.
- F6. The Marin County Sheriff's Office has failed to provide adequate community outreach after significant events that affect Marin City.
- F7. Implementing a community policing model for Marin City would improve relations between its residents and the Marin County Sheriff's Office.
- 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.
- F9. A citizens' sheriff oversight board, enacted pursuant to Assembly Bill 1185, could provide effective oversight of the Marin County Sheriff's Office.

RECOMMENDATIONS

- 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.

REQUEST FOR RESPONSES

Pursuant to Penal Code section 933.05, the grand jury requests responses as follows:

From the following governing body:

- Marin County Board of Supervisors (F1–F9; R1)

The governing body indicated above should be aware that the comment or response of the governing body must be conducted in accordance with Penal Code section 933 (c) and subject to the notice, agenda, and open meeting requirements of the Brown Act.

Note: At the time this report was prepared information was available at the websites listed.

Reports issued by the Civil Grand Jury do not identify individuals interviewed. Penal Code Section 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 Civil Grand Jury. The California State Legislature has stated that it intends the provisions of Penal Code Section 929 prohibiting disclosure of witness identities to encourage full candor in testimony in Grand Jury investigations by protecting the privacy and confidentiality of those who participate in any Civil Grand Jury investigation.

**APPENDIX A: INFORMATION PROVIDED BY
MARIN COUNTY SHERIFF’S OFFICE RE: NOVEMBER 1, 2020**

TIME	CALLS RECEIVED
7:13 a.m.	An anonymous (Event Number L20127510) caller stated that a Trump rally was planned at Target in Marin City from 11-11:30 a.m.
8:00 a.m.	An identified caller (not in charge of the rally) advised of a Trump rally which would be at Target today between 11-11:30. Caller wanted to be sure the Sheriff’s Office knew of the event.
9:34 a.m.	California Highway Patrol (CHP Event Number 201101GG00833) reported that approximately 80-90 vehicles were slowing traffic Southbound U.S. 101 at San Antonio Road.
9:55 a.m.	California Highway Patrol (CHP Event Number 201101GG00833) notified the Novato Police Department of a Trump rally of vehicles gathering at Rowland Blvd and heading to Vintage Oaks shopping center.
10:29 a.m.	California Highway Patrol (CHP Event Number 201101GG00833) notified Marin Sheriff’s Office that approximately 100-200 vehicles will be going to Target in Marin City.
10:32 a.m.	California Highway Patrol (MCSO Event Number L20127578) reported to the sheriff that 200 vehicles in a peaceful Trump Rally were currently at Vintage Oaks shopping center in Novato and were heading to Target in Marin City.
11:00 a.m.	Marin Sheriff’s Office (Event Number L20127598) reported viewing multiple vehicles with pro-Trump flags and signs on Southbound U.S. 101 at Seminary Drive. Marin Sheriff units respond to the Gateway Mall in Marin City.
11:17 a.m.	Marin Sheriff (Event Number L20127578) units at the location began reporting the arrival of the Trump rally vehicles entering the Gateway Mall in Marin City.
11:18 a.m.	Calls (Event Numbers L20127591 and L20127578) began coming in from Marin City and other citizens, and there was further communication among Marin Sheriff units.
11:29 a.m.	Caller (Event Number L20127598) stated 30 people were in a verbal fight at Starbucks in Marin City. Sheriff requested multiple outside units for assistance from Sausalito Police and California Highway Patrol.
12:09 p.m.	Reports of vehicles being hit by paintballs
12:57 p.m.	Paintballs and eggs reported being thrown at vehicles
1:12 p.m.	Marin Sheriff (Event Number L20127598) closes event record with assigned Case Number #SO20002862.