

September 19, 2006

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

**SUBJECT:** Response to 2005-2006 Grand Jury Report "*Marin County Sheriff's Office: The Public's Business*" (June 22, 2006)

Dear Board Members:

**RECOMMENDATION:** Concur in and adopt the attached proposed response to the 2005-2006 Civil Grand Jury report regarding 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 2005-2006 Civil Grand Jury published a report on June 22, 2006 entitled "*Marin County Sheriff's Office: The Public's Business.*" 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:**

<input type="checkbox"/>	County Counsel	<input checked="" type="checkbox"/>	N/A
<input type="checkbox"/>	Human Resources	<input checked="" type="checkbox"/>	N/A
<input type="checkbox"/>	Auditor-Controller	<input checked="" type="checkbox"/>	N/A

Respectfully submitted,

Matthew H. Hymel  
County Administrator

cc: County Counsel

September 19, 2006

Honorable M. Lynn Duryee  
Presiding Judge  
Marin County Superior Court  
3501 Civic Center Drive  
San Rafael, CA 94903

Dear Judge Duryee:

Forwarded herewith is the Marin County Board of Supervisors' response to the 2005-2006 Civil Grand Jury Report "*Marin County Sheriff's Office: The Public's Business*." The Board of Supervisors' response addresses all Findings and Recommendations for which a response was requested from the Board of Supervisors.

Respectfully submitted,

Susan Adams  
President, Board of Supervisors

cc: Civil Grand Jury

## RESPONSE TO GRAND JURY REPORT FORM

**Report Title:** Marin County Sheriff's Office: The Public's Business

**Report Date:** June 22, 2006

**Response by:** Marin County Board of Supervisors

### FINDINGS

- We agree with the findings numbered: F14

### RECOMMENDATIONS

- Recommendations numbered R6, R7 will not be implemented because they are not warranted or are not reasonable.

Date: September 19 2006 Signed: \_\_\_\_\_

Number of pages attached 2

**Marin County Board of Supervisors**  
Response to Findings and Recommendations from Grand Jury Report  
*Marin County Sheriff's Office: The Public's Business, June 22, 2006*

**FINDINGS**

**F14. The Board of Supervisors has statutory authority to establish a citizen panel to review problems of interest to them.**

Response:      Agree

Section 31000.1 of the California Government Code allows the Marin County Board of Supervisors to establish a citizen panel to review problems of interest to them. Specifically, the code reads:

The board of supervisors may appoint commissions or committees of citizens to study problems of general or special interest to the board and to make reports and recommendations to the board...

**RECOMMENDATIONS**

**The 2005-2006 Marin County Civil Grand Jury recommends that the County take the following action:**

**R6. That MCSO create a Policy Review Report to identify and analyze the policies of most concern as identified by citizens in the:**

- Sheriff's survey responses
- Citizen complaints against officers
- Citizen complaints about policies
- Citizen concerns

**This report should be sent annually to the Blue Ribbon Policy Panel, the Board of Supervisors, and the Grand Jury.**

Response:      Disagree

There has not been sufficient evidence presented to support the need to establish a Blue Ribbon Policy Panel. For example, according to the Grand Jury report, there were, on average, 12 registered complaints per year between 2003 and 2006. This, contrasted with the 30,000 service calls averaged per year by the MCSO does not present a critical threshold for the creation of a new Board-appointed committee.

This certainly is not meant to diminish the validity of those individual complaints or to under-appreciate the resident's intent. In Marin, concerned residents always have the option of raising any concerns or complaints about the Sheriff's office

directly with the members of the Board of Supervisors at its weekly meetings or in private.

Furthermore, the County Board of Supervisors recently modified its policies regarding the formation of new committees and commissions and finds that the Grand Jury findings do not reach the threshold of significance to establish such an advisory group. Also, the Sheriff's office has established a 20-member Citizen Advisory Council that provides feedback to the Sheriff on his office and operations.

**R7. That the Board of Supervisors establish an independent Blue Ribbon Policy Panel to study MCSO policy that is identified by the Panel, the Sheriff or the Board of Supervisors, or that may arise from lawsuits or from the Policy Review Report.**

**The Panel would make recommendations to the Board of Supervisors, would distribute their report to the MCSO leadership, the citizens and the Grand Jury, and would meet annually with the Board of Supervisors.**

**The Sheriff and the Board of Supervisors would select the members of the Panel from citizens recognized for their impartiality, integrity, community leadership, and commitment to service.**

Response: Disagree

Given that there is little evidence to support the formation of a Blue Ribbon Policy Panel, it logically follows then that such a report would not be necessary.

However, it is important to note that the Sheriff's office reports quarterly through the President of the Board of Supervisors on citizen complaints filed with the MCSO. In the future, when the Sheriff's report is released, the Sheriff has agreed to meet with the County Administrator's office to review the report and reconcile any trends or problems that are identified. If issues develop, the County Administrator can raise the matter with the Board of Supervisors for their consideration.