



# MARIN COUNTY SHERIFF'S OFFICE

3501 Civic Center Drive, Room 145, San Rafael, CA 94903

ROBERT T. DOYLE

Sheriff

TIMOTHY J. LITTLE

Undersheriff

July 28, 2008

The Honorable Verna Adams  
Marin County Superior Court  
P.O. Box 4988  
San Rafael, Ca 94913-4988

Reference: Response by Sheriff Robert T. Doyle to the 2007-2008 Civil Grand Jury Report Entitled "Probation Officers- Arming for Safety"

## Findings:

***F1: In Marin County, probation officers are peace officers, trained and certified to make arrests and searches, but prohibited by the Marin County Probation Department (the Department) from carrying firearms on duty. Field arrests must be done in consultation with a Department superior even when immediate response is necessary. On all such occasions, police must be present.***

Response: I can not agree nor disagree with this finding as I have no direct or independent knowledge of the Probation Department's stated policy.

***F2: The position of the Department is that probation officers are safe while unarmed regardless of caseload.***

Response: I can not agree nor disagree with this finding as I have no direct or independent knowledge of the Probation Department's position as stated.

AREA CODE 415

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499-7233

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***F3: Outside of Marin County, probation departments that prohibit arming tend to restrict field work for reasons of safety.***

Response: I can not agree nor disagree with this finding as I do not have any direct or independent knowledge of outside Probation Department's policies.

***F4: The Department has recently updated its procedures manual to increase officer field presence, but its firearm policy remains the same. A field risk assessment has not been conducted to gauge potential harm to probation officers, nor has input from field officers been sought.***

Response: I can not agree nor disagree with this finding as I have no authority concerning procedural matters within the Marin County Probation Department.

***F5: Probation officers are requested to assist law enforcement in search and seizure operations and identification of probationers during field operations. However, the Department will not allow probation officer participation where carrying a firearm would be necessary for safety.***

Response: I can not agree nor disagree with this finding as I do not have direct or independent knowledge of policies and procedures within the Probation Department.

***F6: Conducting field visits of high-risk offenders presents a risk of harm to the probation officer.***

Response: I agree with this finding.

***F7: Marin County's policy of prohibiting arming of probation officers is out of the mainstream in California. Safety is becoming a more significant issue because increasing numbers of felons are being placed on supervised probation due to prison overcrowding. Eighty-six percent of all probation departments in California have adopted arming or are in the process of arming their officers, and the vast majority, 63 percent of those reporting data, has done so in the last 10 to 15 years.***

Response: I can not agree nor disagree. Officer safety is always paramount when law enforcement makes contact with subjects/suspects in a public setting. I strongly support continual officer safety training in preparing our officers/deputies to be successful and safe in our communities. However, the Sheriff's Office does not have governing authority within the Marin County Probation Department in adopting policy and/or procedures in terms of arming probation officers in any capacity.

**Recommendations:**

The recommendation to immediately develop and implement a limited arming policy for the Marin County Probation Officers requires further analysis. To merely approve a limited arming policy is no small task. Allowing firearms to be carried by untrained employees can cause the type of harm that this report is attempting to address, that is serious injury and/or death confronting dangerous individuals in public. As stated previously, I have no governing authority in the daily operation of the Marin County Probation Department, but I encourage further discussion on this topic by those who do and will offer any assistance in protecting our employees and the community.

Sincerely,



Handwritten signature of Robert T. Doyle in black ink, consisting of a series of loops and a long horizontal stroke.

**ROBERT T. DOYLE, SHERIFF**