



Santa Cruz County Office of
Inspector General

Interim Report of Activities and Updates

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OIR

GROUP



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Introduction

This report is intended to provide the community with an update on our activities as the Inspector General for Santa Cruz County since the time we presented our last report – a “Quarterly Report of Activities and Updates” – in February 2025.¹

Our activities over the past five months have been consistent with prior reporting periods: listening and responding to complaints or inquiries from the public, including individuals incarcerated in the County’s jails; reviewing Internal Affairs investigations into allegations of deputy misconduct; reviewing use of force incidents; and connecting with community stakeholders on issues of importance.

Part of our ongoing work is to regularly field questions and hear the concerns of community members, stakeholders, and justice-related organizations. In particular during this reporting period, we have heard from the Justice and Gender Commission about the impact of administrative segregation on inmates, concerns about the availability of in-person visits, and questions about reporting requirements and data trends around complaints that trigger legal obligations under the federal

¹ That report can be accessed here:

<https://www.santacruzcountyca.gov/Portals/0/County/OIG/Santa%20Cruz%20County%20OIG%20Quarterly%20Report%20-%20Feb%2027%202025.pdf>

In our First Annual Report

(https://www.santacruzcountyca.gov/Portals/0/County/OIG/Santa%20Cruz%20County%20OIG%20Annual%20Report%202024_10-29-24.pdf), we committed to providing quarterly reports of ongoing activities. As our work has progressed this year, however, we recognize the inefficiency of drafting quarterly reports and instead will present two regular reports per year – an Annual Report and an interim report roughly mid-way through the year – as well as any special reports responsive to requests from the Board of Supervisors or as circumstances require.

Prison Rape Elimination Act (PREA).² We look forward to following up on these issues in coming months.

We also have reviewed the Sheriff's Office public memorandum to the recommendations we made in our Annual Report and discuss our response to the Sheriff's Office report below.

One notable development in our regular interactions with the Sheriff's Office has been around Internal Affairs investigations. Following critiques made in our prior reports, the Sheriff's Office decided proactively to begin discussing investigations with us prior to their completion. This has provided us the opportunity to suggest any additional investigative work that would make reports more thorough and address any unanswered questions before the case is closed and the disposition finalized. We had previously requested – and the Sheriff's Office agreed – to review any IA investigation that was initiated as a complaint to the OIG prior to its completion. This level of interaction prior to conclusion is critical to us fulfilling our mission of ensuring complaints from the public are handled fairly and with integrity. We have appreciated this opportunity to weigh in on investigations and the Sheriff's Office responsiveness to our input.

² Concerns about the effectiveness of PREA has been amplified as a result of the closing of the PREA Resource Center after its federal funding was cut by the current Administration. Since its launch in 2010, the Center had served as a one-stop shop for essential training and information for advocates and corrections officials dedicated to ensuring the dignity of incarcerated people. The PREA Resource Center also oversaw the PREA audits, the nation's only federal oversight tool monitoring compliance with federal rules to end sexual abuse behind bars.

Sheriff's Office Response to OIG Recommendations

Our October 2024 Annual Report made 21 recommendations related to Sheriff's Office operations. The Sheriff's Office responded in a thoughtful and constructive way, quickly creating five workgroups to address the various categories of recommendations. Those workgroups reached out to us at times for clarification or review of draft policy revisions – interaction we welcomed and appreciated. Ultimately, the Sheriff's Office produced a comprehensive written response to the 21 recommendations in April 2025.³

We were gratified by the overall rigor with which the Sheriff's Office responded to and implemented our recommendations and were impressed by the level of detail included in the written response. This is particularly true because the Sheriff's Office undertook to respond voluntarily, with no formal requirement that it do so. This level of acceptance of our work and acknowledgment of the community's interest in its response sets the Sheriff's Office apart from other agencies we have worked with over prior years.

With one exception, the Sheriff's Office generally agreed with the objectives of our recommendations. The one outlier was recommendation number 21 in our report:

The Sheriff's Office should provide a fully transparent accounting of the three in-custody deaths and one sexual assault that occurred between 2018 and 2022, following the completion of litigation of each case, including factual details

³ The Sheriff's Office response can be found here:
<https://www.santacruzcountycalifornia.gov/Portals/0/County/OIG/OIR%20Response%20Final%202024.pdf>

and comprehensive corrective action plan to address the performance or systems deficiencies identified.

The Sheriff's Office declined to adopt this recommendation, noting that it evaluates all critical incidents and lawsuits to identify needed improvements to policies, practices, and procedures, but also stating that for risk liability reasons, it would not relitigate these particular incidents in a public forum.

Other than this outlier, the Sheriff's Office generally agreed to implement our recommendations. Where there were areas of disagreement, those often related to misunderstandings, either with respect to our awareness of existing policies and practices or to the Sheriff's Office perception of the intent of our recommendation. These disagreements or misunderstandings were resolved or clarified through ongoing discussions. The Sheriff's Office's written response provides a detailed and fair description of these interactions.

With respect to the recommendations relating to policy surrounding the use of Tasers (recommendations 12-14), the Sheriff's Office response notes its intent to work with us to make the needed revisions. Since the time the written response was published, the Sheriff's Office has finalized its new policy. Consistent with our recommendations, the policy now limits the use of Tasers to subjects who are displaying physical resistance in an assaultive manner. It now provides guidance in a custody setting where a Taser may be appropriate when the individual poses no threat to the officers or others but is self-harming. The updated policy includes individuals with known medical frailties among the list of vulnerable individuals for whom Taser deployment should be limited.

Throughout our discussion of proposed revisions, two areas of minor disagreement remained. The Sheriff's Office declined our recommendation to limit use the Taser's drive-stun function to situations where it was needed to supplement the probe-mode and complete the electrical circuit, but did agree to provide more of an explanation about the limited circumstances for drive-stun use. The Sheriff's Office also declined to make mandatory a verbal warning before Taser use as we recommended, but the revised policy requires deputies to document that they provided a warning or explain the reason why they provided no warning before deploying a Taser. While we maintain that our recommendations were sound and consistent with best practices, we also

recognize the Sheriff's Office resolution is consistent with protocols adopted by other law enforcement agencies. We will continue to monitor Taser deployments to determine whether those protocols sufficiently ensure that the weapon is not used solely as a pain compliance mechanism and whether subjects are sufficiently advised of Taser deployment with an opportunity to comply.

Overall, we appreciated the collaborative approach the Sheriff's Office had with our team and the thoughtful revisions they incorporated to address the concerns we raised in our Annual Report. And we are satisfied that the Sheriff's Office has meaningfully addressed 20 of our 21 recommendations.

Complaints Received by OIG

Operations Bureau Complaints

Since our February 2025 Quarterly report, we responded to 17 complaints or inquiries from members of the public.⁴ We communicated with the Sheriff's Office to reach some resolution on each. They included:

- An individual alleged that neighbors and the Sheriff's Office conspired to violate his rights by trespassing on his property and interfering with his religious freedom. Our team reviewed preliminary evidence that the Sheriff's Office provided us that indicated that a neighbor had requested the Sheriff's Office to investigate construction on a vacant lot by an individual who did not appear to own the property. A deputy consulted property records, visited the property and met with an individual who was not the recorded owner of the property but who claimed to be the lawful owner. A formal administrative investigation is pending.
- In separate but related complaints, two individuals alleged they have been repeatedly stopped, detained, and searched by Sheriff's deputies based only on their prior involvement with the criminal justice system. Full investigations are pending in both.
- An individual complained that deputies had improperly issued parking tickets, harassed him and his girlfriend, detained him, and demanded he move his parked trailer. A formal investigation is pending.

⁴ For 10 of these contacts, our response was unfortunately delayed as the result of a glitch in our email notification system. These delays ranged from three months to several weeks. We apologized to those who reached out to us and had to wait too long for our response and acknowledge the error here in the interests of full transparency.

- An individual alleged that while working in another individual's home, he observed an archive of child sexual abuse materials. He reported this conduct to the Sheriff's Office and did not believe the Sheriff's Office had taken any action on this information. We confirmed with the Sheriff's Office that they were aware of this report and had taken all appropriate investigative actions. We communicated this information to the complainant.
- An individual alleged that the Sheriff's Office had unlawfully contacted her at her home and threatened her with an arrest. We spoke with the Sheriff's Office about this incident and learned this individual is in frequent contact with the Sheriff's Office regarding various complaints. In this instance, we learned that the Sheriff's Office had contacted the individual in response to a well-being check concerning the individual's daughter. We informed the individual about the basis for the Sheriff's contact and remain in contact with this individual on various matters.
- An individual alleged that a deputy who searched her property pursuant to conditions of her release inappropriately seized private photographs and then lied about the location of the photos in a document submitted to the court. Internal Affairs did a full and complete investigation of these allegations and concluded the allegations were unfounded. With respect to the allegations of false reporting in particular, the investigator found that the discrepancy between the officer's report and the submission to the court was the result of a discrepancy in the District Attorney's brief not related to the deputy's report, as confirmed by body-worn camera footage. The OIG reviewed the entire investigation, including the video evidence, and concurred with the outcome.
- One individual contacted us repeatedly with a range of complaints about various Sheriff's Office personnel, initially stemming from an incident in 2010 and then related to incidents that occurred in a separate county with a different law enforcement agency. Among the complaints was an allegation that a deputy had failed to properly investigate criminal threats made against the complainant. Internal Affairs completed a thorough investigation into these allegations and concluded Sheriff's Office personnel had handled the threat reports appropriately. We concurred. The individual

continued to contact our office, sending more than 70 emails. We communicated with the Sheriff's Office and, ultimately, the County Administrative Office regarding how best to respond to this individual.

- An individual requested help in getting a police report after she alleged her property had been stolen by her landlord. Deputies initially had told her it was a civil matter that she would need to pursue outside of the criminal justice system. We reached out to Sheriff's Office personnel, who contacted her and connected her with services.
- One individual contacted us to complain that Sheriff's Office personnel had not been sufficiently responsive to her requests for help with her tenant who she believed was engaged in unlawful activity. She did not want to register a formal complaint about the conduct of any particular Sheriff's Office personnel, but did want some additional level of response to her concerns. We learned that she had made an astonishing number of calls for service, all of which had been handled individually. Sheriff's Office management was grateful for our inquiry because it brought to their attention the need for a more coordinated response to address the root of the individual's problems. In the end, appropriate referrals were made for both the individual who contacted us as well as her tenant.
- Five individuals wrote with varying complaints about Sheriff's Office activities near their property or the property of others. When we contacted them for additional follow-up information, they did not desire any further action be taken.

Corrections Bureau Complaints

We have had numerous contacts with incarcerated individuals since our last report in February 2025.⁵ Many of these are repeated contacts with the same few individuals who reach out to us regularly to complain about plumbing or temperature issues, inconsistencies in the grievance process, issues with classification or housing decisions, or to make general allegations regarding unfair treatment or register complaints about inadequate medical care. We reached out to the Sheriff's Office to gain additional information on each of these and, where appropriate, request follow up investigation or responses. The other contacts we've had include the following:

- A mother whose son was incarcerated made a number of complaints about his care and treatment while in custody, including the fact he'd been assaulted by other incarcerated persons, concerns about mental health interventions, and a sergeant's rudeness in responding to the complainant's requests for assistance and more information. We requested and received information from the Sheriff's Office – including details of the assault and subsequent efforts to protect him – and were able to effectively communicate with the complainant about the jail processes and policies that impacted her son's time in custody. We also were able to view the body-worn camera footage of the sergeant's interaction with the complainant and found the sergeant's conduct and demeanor to be helpful and professional. The Sheriff's Office closed its inquiry into this interaction, and we communicated with the complainant about these findings.
- An individual contacted us with concerns about the quality of medical care provided to an incarcerated individual, including delays in seeing medical providers and errors and irregularities in provision of medications. We followed up with jail administrators

⁵ As noted in the prior footnote, our response to some contacts was unfortunately delayed as the result of a glitch in our email notification system. Three of these were custody-related complaints.

and reached out again to the individual who contacted us to provide updated information about the incarcerated person.

- A formerly incarcerated person reached out for assistance with obtaining copies of grievances she'd submitted while in custody but did not respond to our requests for additional information we needed in order to follow up on her request.

Administrative Investigations

When a Sheriff's Office deputy or other employee has potentially violated department or County policy, the Sheriff's Office initiates an administrative investigation into the alleged conduct.⁶ We reviewed completed investigations into a number of cases involving serious allegations of misconduct by Sheriff's Office employees. In each, the Sheriff's Office reached out to discuss the case, often before the investigation was complete, shared the complete case file with us, and welcomed our input into whether the cases had been fully and fairly investigated and resolved.

We commend this level of openness and transparency, particularly because California law mandates the confidentiality of peace officers' personnel records, including any investigations into alleged misconduct in most circumstances.⁷ Because the public is largely precluded from access to administrative investigative reports completed by law enforcement agencies, questions are often raised about the objectivity of systems and the legitimacy of outcomes. We appreciate the Sheriff's

⁶ If that alleged conduct also potentially violates State law, a separate criminal investigation may be conducted concurrently with the administrative investigation. The two investigations move on parallel paths and the outcome of one is not necessarily determinative of the other.

⁷ Relatively recent changes to state law created exceptions to the general confidentiality provision to grant public access through public records requests related to officer-involved shootings, use of force incidents resulting in death or serious injuries, or when there are sustained findings of dishonesty or sexual assault. In 2024, the law was further amended to allow law enforcement agencies to disclose information about terminations for cause of peace officers or custodial officers for any incident that is disclosable under the prior legislation.

Office's effort to shift this dynamic and answer these concerns by sharing these records with us. The cases we reviewed included:

- A case involving an off-duty encounter between two employees. Due to the nature of the allegations and the potential involvement of supervisory employees, the case was referred to an independent investigator. Because the main subject had resigned from the Sheriff's Office before the investigation was concluded, no disciplinary decision regarding that employee's conduct was necessary. The Sheriff's Office appropriately reported the allegations to the State's Commission on Peace Officer Standards and Training, however. The Sheriff's Office elected to address the supervisory issues – which involved questions about appropriate timing of reporting allegations of misconduct – through informal counseling. We concurred on these decisions.
- A Correctional Officer allegedly assaulted a co-worker, an incident that was witnessed by a third employee but initially was unreported by the co-worker. The witness employee encouraged the co-worker to report the incident but ultimately acceded to the co-worker's wishes that the incident not be reported. Later, the subject CO made sexually inappropriate comments to the co-worker, who then reported both incidents to supervisors. The case was referred for potential criminal charges. The Sheriff's Office commendably moved ahead with its administrative investigation.

The IA investigation was thorough and complete and resulted in sustained charges and an appropriate and fair disciplinary outcome. The Sheriff's Office also appropriately addressed concerns about the witness employee's failure to report the assault, with the proper sensitivity to the difficult position that employee was in, given the co-worker's entreaties balanced against the witness' recognized obligation to report.

- One Correctional Officer was the subject of four separate IA investigations. Two of these related to criminal investigations – for domestic violence and child abuse – conducted by an outside law enforcement agency. In both, the District Attorney declined to file any criminal charges. The Sheriff's Office nonetheless conducted its own administrative investigations into these two related

incidents. These investigations were thorough and complete, with appropriate outcomes.

Another allegation against this same Correctional Officer involved the failure to obtain the Sheriff's approval for outside employment. That, too, was appropriately investigated and resolved.

The final allegation is that the Correctional Officer made inappropriate comments of a sexual nature to an employee at the jail on several occasions. This investigation was objective, thorough, and very detailed, including an extensive review of video evidence and more than a dozen interviews of witnesses and potential witnesses. As with the other cases we reviewed, the Sheriff's Office reached an appropriate outcome, which involved a number of sustained policy violations.

- One investigation involved allegations of inappropriate use of force by a patrol deputy. This case came to the department's attention through its regular use of force review process, during which supervisors identified concerns with the deputy's performance.

The deputy responded to a call involving an individual who was possibly under the influence swinging a club in a threatening way. Two other law enforcement officers from outside agencies also responded. As they approached the area, an individual who matched the subject's description fled on foot, and the officers followed in their vehicles. One of the other officers arrived first and was addressing the subject (who no longer held the club) with his Taser drawn and pointed at him. The deputy got out of his patrol vehicle and began giving commands to the subject, then quickly approached and grabbed hold of the subject's clothing. The subject punched the deputy in the face, and all three officers then took the subject to the ground. The subject flailed and resisted officers' efforts to restrain him. The deputy forcefully dropped his knee onto the subject's back and, later in the struggle, deployed pepper spray at the subject's face from a very close distance. Officers ultimately were able to control and handcuff the subject. As the deputy stood up, he braced himself on the subject's head, pushing it into the ground.

The investigation was thorough and complete, with a detailed review of all available video and objective interviews of all witnesses. The Sheriff's Office determined there were sustained violations of policy around the failure to employ de-escalation tactics and uses of force that were unauthorized and unreasonable.

Conclusion

The work summarized in this report illustrates the Sheriff's Office's commitment to timely and thorough investigations and complaint review, as well as its responsiveness to input from outside oversight. We will continue to monitor and review the Sheriff's Office responses to and investigations of uses of force, complaints, and allegations of misconduct, and interact with the public in ways that keep us informed about the most pressing issues for the various communities served by the Sheriff's Office.

We appreciate the Sheriff's comprehensive and constructive response to the recommendations we made last October, and look forward to our ongoing collaborative work to support the Sheriff's Office's goal of continuous improvement.