



Marin County Deputy Sheriffs' Association
P.O. Box 4207
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Connect with us!



Sergeant
Sean McKrell
President, MCDSA

Marin County Deputy Sheriffs' Association
www.marincountydsa.com

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**"Our Finest, Proudly Serving
San Anselmo."**

2016 Annual Drive

Dear



As President of the Marin County Deputy Sheriffs' Association (MCDSA), I want to sincerely thank you for your past support of us and bring to your attention the effect of nationwide events which has cast a shadow in our community.

Today as I ask for your continued support of our community mission, we are mindful of the unprecedented wave of violence against our fellow officers in Ferguson, Baltimore, New York and especially the execution murder of a Texas Sheriff's deputy. Combined with the double punch of California's AB 109 (early release of some prisoners) and Prop 47 (making most property crimes, theft and non-violent drug crimes a misdemeanor) your future support is more critical than ever.

Knowing we are not alone and supported by you **makes all the difference to us and our families.** As the holidays are approaching, we are thankful for holding us up in your generosity. In deep appreciation and support, we hope you will display our MCDSA 2016 Proud Supporter decal, which are only available to our community supporters.

Your contributions to the MCDSA support our deputies and families of fallen deputies, and are invested back into the community through our sponsorship of local programs. Donations are solely used to support the MCDSA; this program is NOT political in nature. Your solidarity with the men and women dedicated to protecting our city send an encouraging message to our youth and shouts a louder message to those criminals who might think no one cares. We know you do! To learn more about our association please, visit us online at www.marincountydsa.com. We'd love to have you visit our Facebook page; give us a "like," and follow us on Twitter!

Sincerely yours,

Sean McKrell

Sergeant Sean McKrell, President
Marin County Deputy Sheriffs' Association



*Please visit the website
listed below to view all
specialty items!*

[www.marincountydsa.com/
donate](http://www.marincountydsa.com/donate)

P.S. Donors who pledge \$250 or more will receive a Toy K-9, Custom Plaque, and Lapel Pin. Donors who pledge \$500 or more will receive our new "Challenge Coin", Toy K-9, Custom Plaque, and Lapel Pin. Any questions or concerns, please call 415-259-4893.

Sergeant Sean McKrell
Marin County Deputy Sheriff's Association
PO Box 4207
San Rafael, CA 94913-4207

CC: Supervisor Katie Rice
Marin Independent Journal
Various local attorneys

Sir,

Thank you for showing your true colors in your request for a monetary contribution. You have picked the wrong person to ask for money by appealing to racism.

I am a 70 Year old lifelong Marin County resident. I am a US Army veteran (E-5, Honorable Discharge), whose patriotism is beyond dispute and whose respect for the Constitution is paramount. I am a law-abiding citizen who has never been charged with any infraction outside the Vehicle Code.

The phrase that got my attention in your letter to me was this: "...we are mindful of the unprecedented wave of violence against our fellow officers in Ferguson, Baltimore and New York City..." These are places where Black communities erupted in justified outrage when unarmed Black men died at the hands of police after allegations of minor infractions.

Recently the county paid a \$585,000 settlement to my friend Chaka Grayson, a Black man who was shot by a deputy in Marin City because he attempted to flee a citation for driving on a suspended license. Mr. Grayson was not armed when he was shot. The deputy emptied his service weapon, 16 shots according to newspaper articles, in Mr. Grayson's general direction, hitting him once. I inspected and photographed Mr. Grayson's vehicle. It appears that fewer than half of those 16 shots hit it, the others went who knows where in a residential neighborhood. The locations of the bullet holes in Mr. Grayson's vehicle show that the deputy lied when he claimed he was in fear of his life.

A suspended license citation does not carry the death penalty. The deputy's life was not threatened. Since the deputy knew the subject by name, an arrest could have been arranged later without the use of deadly force. In more affluent (and whiter) areas of Marin, police officers do not shoot at drivers in residential neighborhoods over Vehicle Code violations.

This egregious and dangerous action by a deputy against Mr. Grayson, and the lies about the reason for it, cost the taxpayers \$585,000 and left my friend with permanent injuries. In my opinion, the Deputy Sheriff's Association owes the county \$585,000, but instead you are asking

me for money. You have included examples of police brutality against unarmed Black men as part of your plea, which seems to be directed toward those with racist sympathies.

I am not one of those people.

As a Tamalpais High School graduate, Class of 1963, I have lifelong Black friends who live in Marin City, and I go there often. A few years ago my presence in Marin City drew the attention of deputies (De la O, Brovelli) for no reason other than the fact that a white man stands out in a crowd where everyone else is Black. A deputy executed a "Terry stop" for the sole purpose of identifying me and conducting a warrant check.

Before the stop took place a friend warned me in a cell-phone call that three Sheriff's Department vehicles were stalking me. With this warning, and observing the Sheriff's Department vehicles following me, I was careful to drive within the letter of the law. Despite of my lawful conduct, a deputy pulled me over. He did not cite a Vehicle Code infraction, required by law as grounds for a traffic stop. When I showed Deputy Brovelli my driver's license, instead of checking that it was valid and current and returning it, he took it to his vehicle, effectively detaining me until he returned five or six minutes later. No traffic citation was issued, and no infraction was identified. The traffic stop and detention in the absence of a Vehicle Code infraction violated my Fourth Amendment rights (*Terry v. Ohio*, 1968, Supreme Court of the United States).

I do not care to have my lawful conduct monitored by the Sheriff's Department. Since no citation was issued, there was no opportunity for judicial review. I filed a formal complaint with the Marin County Sheriff's Department about the obvious rights violation. It was initially investigated by a colleague and friend (Lt. Augustus) of the accused (Deputy Brovelli), a clear conflict of interest. Lieutenant (later Captain) Tim Little denied my complaint without comment in a written response. I asked for a meeting with Lt. Little to get an explanation for his denial of my complaint.

Lt. Little agreed that according to *Terry v. Ohio* and other case law which I presented, the traffic stop and my detention in the absence of a Vehicle Code infraction violated my Fourth Amendment rights. If Lt. Little had followed written Sheriff's Department standards, this should have resulted in disciplinary action. In order to protect Deputy Brovelli, Lt. Little overruled the Supreme Court, because he could and did get away with it. Lt. Little justified the dismissal of my complaint by telling me that in his opinion the Supreme Court was "wrong" about the Fourth Amendment!

There is no appeal process for this miscarriage other than a civil suit, a costly and lengthy process. The effect is that unless a complainant is willing to spend money on attorneys and initiate a process that could take years to complete, he is denied a review of a deputy's conducted by an uninterested party.

A friend who is a detective in the Central Marin Police Department warned me that I could expect retaliation for filing the complaint. His exact words were, "If you pissed off [Sgt.] De la O, watch your back." My friend was proven correct. My commercial vehicle made me easy to identify in public, and I was pulled over two more times in bogus traffic stops involving deputies.

A CHP officer pulled me over at the request of a deputy (Brown), who arrived moments later and stood by as "backup." Deputy Brown prevented me from leaving after I signed a citation for a seat belt violation. I signed the citation under protest. My seat belt was in place when the stop occurred, but I would not have been allowed to leave without signing the citation. While I wasn't happy about being cited for a seat belt violation when in fact it had been in place, on this occasion the citation arising out of the bogus stop provided me an opportunity for judicial review. The citation was dismissed in Traffic Court when the judge found that the CHP officer lied under oath about the grounds for the stop. The judge admonished the CHP officer in open court for giving false testimony. In my opinion he should have added a felony charge of perjury, but it wasn't my call.

Deputy Brown asked whether he could search my vehicle. I told him he could not. He told me that refusing a vehicle search was "evidence of the presence of contraband," and he searched it over my strident and continued objections, while the CHP Officer (Muhich) prevented me from observing the process.

Deputy Brown found nothing incriminating in my vehicle. During his search, he opened a sealed piece of First Class mail addressed to me, a violation of the Federal Postal Code,. When I returned to my vehicle I found the contents of the envelope scattered across the seat.

In addition to the search of my vehicle, Deputy Brown "frisked" a passenger in public view on the roadside. The passenger was a 25-year old Black man who had not been cited in the traffic stop, had never been arrested, and had no warrants. I have never heard of a police officer inflicting this form of public humiliation on someone who is no more than a bystander and witness to a minor traffic citation issued to someone else.

The search of my vehicle in the absence of consent, reasonable suspicion or probable cause was a Fourth Amendment violation. Since Deputy Brown did not find criminal contraband, I did not get a day in court where his conduct could be examined. My only recourse would have been another formal complaint, which would have been investigated by colleagues and associates of Deputy Brown who had more of an interest in protecting the Sheriff's Department than in protecting my rights. The process by which a citizen may respond to a violation of his rights by the MCSD is rigged to exonerate the department.

Summing up, my contacts with the Marin County Sheriff's Department have revealed that corruption, incompetence and racism are rife within the department, and that even law abiding citizens like me are not safe from the consequences. In the MCDSA appeal for a contribution,

the suggestion that the events in Ferguson, Baltimore and New York City et al are indicative of anything other than the killing of unarmed Black men by incompetent and brutal police officers is an insult in light of my own experience and the shooting of my unarmed Black friend over a traffic citation.

Do not ask me for money again until the Marin County Sheriff's Department addresses the deficiencies within its ranks and chain of command, and makes the results public. When these necessary steps are taken, when the problem deputies have been identified and removed from the county payroll, perhaps I would consider a contribution, but at this point you must understand that your colleagues have poisoned the well.



