Cee Cee,

Anytime we have a member of this department go through an administrative or criminal investigation, we follow penal code 832.7 and department policy regarding personnel complaints to release information. Throughout this investigation and even upon its conclusion, we continued to follow department policy.

When the department was made aware of the allegations of misconduct, we immediately launched an internal investigation to determine if any department policies were violated. A criminal investigation was also initiated within a short time period, and M. Nuno was placed on administrative leave. Both investigations were conducted concurrently.

Upon completion of the criminal investigation in May 2020, the reports were sent to the district attorney’s office for a review of possible criminal violations of two misdemeanor counts of 243.4 (e)(1) PC. The District Attorney’s office determined that there was not sufficient evidence to file criminal charges in this case. The standard to submit a criminal complaint is that the investigator must have probable cause to believe that a crime may have been committed. This does not mean that a crime had actually been committed or that the D.A. could prove that a crime had been committed. We simply felt that it met the threshold to at least be sent to them for a review of potential charges. There was no intent to hide this from the public. However, we did not know if the D.A. would file charges, and we were still completing our internal investigation.

The internal investigation was completed on June 11, 2020, and sent to the disciplinary review board. The disciplinary review board recommended termination as a result of the violation of department policy. M. Nuno was starting the process to appeal his termination while he was on administrative leave. On August 10, 2020, M. Nuno retired from the Stanislaus County Sheriff’s Office. Although the internal investigation complaints were sustained and discipline had been recommended, his retirement effectively closed the case, and any opportunity for him to appeal any disciplinary actions.

Generally, personnel issues and internal investigations are protected and not released to the public (832.7 PC). SB1421 requires departments to release information regarding sustained complaints against officers for various reasons. As per our policy, we require that a PRA be submitted before releasing this information.

The Stanislaus County Sheriff’s Office takes a strong stand against this type of behavior and immediately took steps to protect the involved parties and investigate these allegations.