SONOMA COUNTY SHERIFF'S OFFICE
INTERNAL AFFAIRS INVESTGATION
23-IA-0001

BACKGROUND SUMMARY

On January 17, 2023,[1] Lieutenant Sean Jones from the Professional Standards Unit requested I investigate this matter, to determine whether there were any policy violations related to Correctional Deputy Adam Marlowe's arrest by the Petaluma Police Department on January 14, 2023.

On January 13, 2023, the Petaluma Police Department agreed to conduct a criminal investigation into an allegation of a Domestic Related Incident, which occurred on January 7th in Windsor, involving Correctional Deputy Adam Marlowe and his live-in girlfriend. During the criminal investigation, Petaluma PD Detectives determined Marlowe manufactured and possessed an un-serialized, assault-style firearm. While there was insufficient evidence for the Sonoma County District Attorneys' Office to ultimately file criminal charges related to the domestic incident, they did file a felony complaint, which alleged Marlowe unlawfully manufactured and possessed an assault-pistol.

After reviewing Petaluma PD's report, I determined this Internal Affairs investigation needed to additionally examine whether Deputy Marlowe smoked marijuana off-duty, drove while under the influence of alcohol, and whether he negligently stored his firearms at his residence, which could have allowed a child to gain access without permission from a parent or guardian.

COMPLAINT AND AUTHORITIES

The purpose of this Internal Affairs investigation was to determine if Correctional Deputy Adam Marlowe violated Sheriff's Office Rules and Regulations or Office-Wide Policy, Division Policies, and/or state law, specifically:

RULES AND REGULATIONS REGARDING CONDUCT

5.0 PROCEDURE

B. DUTIES, CONDUCT AND RESPONSIBILITY

2. Local State and Federal Law: Members shall observe, obey and uphold all local, state and federal laws. Specifically:

PC 236, a felony – False Imprisonment. The unlawful restraining, detaining, or confining a person against his or her will.

[1] An underlined date indicates it was a part of my investigation – Sgt. Rick Stewart, Internal Affairs

PC 30600 (a) - Manufacturing of an assault weapon.

PC 306005 (a) - Possession of an assault weapon, assault pistol.

PC3231 (c) – Possession Large-Capacity Magazines

PC 25100 (c) - Except as provided in Section 25105, a person commits the crime of "criminal storage of a firearm in the third degree" if the person keeps any firearm within any premises that are under the person's custody or control and negligently stores or leaves a firearm in a location where the person knows, or reasonably should know, that a child is likely to gain access to the firearm without the permission of the child's parent or legal guardian, unless reasonable action is taken by the person to secure the firearm against access by the child.

CVC 23152 (a) - Illegal for any person to operate a vehicle under the influence of any alcoholic beverage**.**

3. Obey Policies and Procedures: Members shall obey and carry out all lawful Sheriff's Office policies, procedures, and other order whether written or oral. Specifically:

1006.3.2 USE OF MARIJUANA Possession of marijuana, including medical marijuana, or being under the influence of marijuana on- or off-duty is prohibited and may lead to disciplinary action.

OFFICE POLICY 320 – Standard of Conduct

320.5.9 CONDUCT

h. Criminal, dishonest, or disgraceful conduct, whether on- or off-duty, that adversely affects the member's relationship with this office.

4. Standard of Conduct: Members shall conduct their private and professional lives in such a manner so as to avoid bringing discredit upon the Sheriff's Office.

INVESTIGATION

On January 14, 2023, at 1615 hours, Correctional Deputy Adam Marlowe was placed on paid Administrative Leave after the Sheriff's Office learned from the Petaluma Police Department, they intended to arrest Deputy Marlowe for PC 236 (false imprisonment) involving a domestic related incident.

On January 24, 2023, I reviewed the Temporary Restraining Order which was filed in Sonoma County Superior Court on January 13, 2023. The TRO protected [redacted] and her 6-year-old daughter from Adam Marlowe. The TRO also included an order for Marlowe to move out of the residence at [redacted], Windsor. The TRO expired on February 7, 2023.

On February 8, 2023, I received and reviewed the Petaluma Police Department's report (Case# PE230000158**),** which I have included below.

Petaluma Detective Daniel Boyd's Report:

"On 01/13/2023, at 1846 hours, I was the on-call Detective assigned to the Petaluma Police Department Investigation's Unit. I received a phone call from Petaluma PD Lt. T. Lyons advising me of a suspected Domestic Violence incident involving an employee of the Sonoma County Sheriff's Department, specifically, a correctional deputy, C.O. Adam Marlowe. The Sonoma County Sheriff's Department was requesting an outside agency assist based on the sensitive nature of the investigation. I responded to the Petaluma Police Department where I discovered the following:

"I identified the victim as [redacted], who will be referred to as the victim for the remainder of the report per Penal Code 964. Lt. Lyons provided me with paperwork indicating that the victim had applied for a Domestic Violence Restraining Order (DV-110) which had been filed on 01/13/2023 under court case #SFL092775. The order listed Marlowe as the Person to be restrained. The order was granted in addition to the following:

"The order prohibited Marlowe from possessing, purchasing, or receiving any firearms, firearm parts, and ammunition. Additionally, Marlowe was to turn in all prohibited items within 24 hours of receiving the order. Marlowe was also ordered to not contact the victim and ordered to stay away from her residence, place of work, vehicles, and her child's school. The victim was granted the use of and control of all property at her residence. Lastly, Marlowe was issued an immediate move out order from the victim's residence of [redacted], in Windsor.

"The victim provided a written statement with her application which stated the following, in summary:

"On 01/07/2023, the victim stated Marlowe held her in her room against her will despite her asking to be let go. She stated that Marlowe was screaming and cursing at her and told her that he would keep her there until he was done with her. The victim's six year-old daughter was present during the altercation. The victim expressed feeling afraid of Marlowe and afraid for the safety of her daughter.

"Though the ordered had been granted, it was not yet served as of my notification of the investigation.

"Based on the above, I called the victim to set up an in-person interview. The victim agreed to meeting with me and requested we meet at her place of employment ([redacted]) in Santa Rosa. I contacted Detective Gutierrez to assist with the interview and ultimately met with him and the victim at the hospital at approximately 2130 hours. The victim brought us to an employee conference room where I conducted the interview.

"The interview was approximately 1 hour and 22 minutes long and was audio recorded. The following is a summary of the victim's interview.

"Interview with Victim:

[redacted]

"The victim recalled an incident that took place near the end of October/November 2022, in which she went to a work-related trip to a Warrior's basketball game with Marlowe and other co-workers. They took a bus to the game and while they were on their way down, Marlowe started taking shots of alcohol on the bus. After they arrived at the game, Marlowe started verbally berating her. That continued throughout the game and during the ride back to her residence. Once they arrived home, she went to bed. [redacted]

[redacted]

[redacted]

"On Saturday, 01/07/2023, she had left the residence to go to brunch because Marlowe was home sleeping after having worked all night. She returned home sometime around 1500 hours and had brought Marlowe lunch. Marlowe had woken up and ate what she brought him. He then told her that he wanted to speak with her upstairs. The victim suspected the conversation was going to be surrounding their relationship as she had been expressing to him that she was unhappy and that she could no longer take the verbal abuse. Once in the room, Marlowe began to verbally berate her, calling her names, and saying he wasn't attracted to her anymore. Marlowe was seated on a table that was a few feet from the main bedroom door and his legs were blocking the door itself. I later discovered that the door had been closed when they went into the bedroom to talk. She told him that she wanted to leave and that she was done talking. She went to the door to leave but Marlowe remained in front of the door and told her that she wasn't leaving until he was done with her. In order to get space away from him, the victim tried moving to a different part of the bedroom, walking into the bathroom area and then eventually into the closet. Each time, Marlowe followed her and "cornered" her at each location continuing to yell at her. The victim confirmed that Marlowe was physically preventing her from leaving the bedroom by standing in front of her. She described the situation as terrifying because she was not sure if he was armed at the time of the incident and that he frequently carried his firearm with him. Additionally, Marlowe's sheer size, being 6'06" and 230lbswas far larger than the victim who was 5'07" and 135lbs. I asked the victim if she was worried if Marlowe would physically act against her and she responded that she was very worried. She became visibly upset and stated that she had spoken to her parents about being afraid that Marlowe's actions would escalate and have escalated. The victim stated she felt stuck in the room and had no choice but to remain in the room because of Marlowe's actions. The victim stated that knowing how quick to anger Marlowe was, that she was very scared and scared of what could have happened.

"After approximately 10 minutes, she said that Marlowe had allowed her to leave the bedroom. She left the room and went to go downstairs. Marlowe followed her down the stairs and continued to yell and scream at her. The victim's six-year-old daughter was downstairs and could now see and hear what was happening. She stated that while she was on the stairs, Marlowe again got in front of her again and blocked her movement. She put her hands up to get him to move out of her way and he told her to not put her

hands on him. She never made physical contact with him. Marlowe ultimately remained upstairs, and she took her daughter and left the residence to stay with a friend.

"At her friend's house, the victim sent him a text message essentially confronting him about following her around and cornering her in the house even after she said she was done talking. In the message, the victim stated that she felt threatened by his actions. She told him that he should stay at his parent's residence why she worked on securing housing for herself. She stated that neither she or her daughter felt safe with him around and that she would get an officer involved if necessary. Marlowe's response was, "If that's how you feel, I can accommodate that", and that he would need to get things of his from the residence. On Sunday, January 8th, Marlowe came by to collect some of his belongings. The victim stated she was home sick with her daughter and stayed out of his way. Marlowe collected some items, his dog, and left the residence.

"The victim stated that Marlowe had never been physically abusive against her. She described their relationship as up and down with him screaming and yelling at her as a frequent occurrence. She did state that him keeping her in the bedroom like he did, had never happened before. She has confronted him about the yelling in the past, but he told her that he lived there and that it was his house too, that there was nothing she can do about it. The victim told me and that's how she felt, like she's felt since he's moved in that there was nothing she could do. Since the incident, the victim stated that she has boarded her dog at a facility and asked her daughter's father to watch her as she was afraid to have her at the residence.

"The victim had originally planned on finding housing for herself, but after realizing that a majority of the items in the residence were hers, she asked Marlowe to move out, to which he refused. The victim had consulted with an attorney regarding Marlowe's actions and came up with a contract for him to sign agreeing to no contact and to move out of the residence. Marlowe refused to sign the contract. At some point, Marlowe contacted the landlord for the residence, and signed a side lease which removed the victim from the lease.

"On 01/11/2023, the victim stated she had gone to her residence because Marlowe had texted her that he was going to the house to collect more of his things. The victim has ring cameras and saw Marlowe arrive approximately 15 minutes after his text to her; she was not initially present at the residence. Marlowe entered the residence and immediately disconnected the ring cameras. The victim went to the residence and discovered that Marlowe had requested a civil standby. She spoke with Sonoma County Sheriff Deputies and advised them she was only there because Marlowe had disconnected the cameras and was concerned about what he was doing. At the time she spoke with the deputies, she was in the process of completing the Domestic Violence Restraining Order application. The victim stated that Marlowe still had property of his at the residence in the garage. She also stated that he had a rifle in the garage the was unsecured.

"[redacted]

"The victim lastly stated that she was not sure whether or not she wanted Marlowe arrested, that it was a difficult decision to put on someone. She did state however, that she would be willing to testify in the case. At the conclusion of the interview, I asked the victim if we would be able to retrieve the rifle from the garage at her residence to which she stated I could.

"Detective Gutierrez and I ultimately responded to the victim's residence and located the rifle. The rifle was unsecured and lying out in the garage. The rifle itself was a black, white, and gray camo color, and there was no visible serial number. I ultimately collected the rifle and transported it back to PPD.

"On 01/14/2023, that next morning, Detective Gutierrez responded to the Petaluma Police Department to discuss the investigation. We were notified that Marlowe had gone to Windsor PD to request another civil standby. At some point, he was served the DVRO by the Sonoma County Sheriff's Department.

"Based on the information provided to us by the victim, Detective Gutierrez authored a Ramey warrant for the violation of 236 PC -False Imprisonment, which was signed and authorized by the Honorable Lawrence Ornell, Judge of the Sonoma County Superior Court. We arranged a meeting through Marlowe's supervisor at the Sonoma County Jail who contacted Marlowe and requested he respond to the jail.

"Detective Guiterrez, Detective Sgt. Garihan, and I responded to the Sonoma County Jail and met with the Jail Lt. Grenier, who brought us into the administrative area of the Jail. Lt. Grenier advised us that Marlowe was already there and waiting in a conference room. Detective Gutierrez and I entered the conference room and introduced ourselves to Marlowe.

"The interview was audio recorded. The following is a summary of the interview which was audio recorded:

"Interview with Adam Marlowe:

"I first read Marlowe his Miranda Rights by reading them from a PPD statement form. Marlowe stated he understood each of his rights and agreed to speak to us. Marlowe advised me that he had been served with the DVRO paperwork and was aware of the allegations against him. I asked him to take me through the incident and what led up to it. Marlowe stated that on the night of the7th, around 5:00 or 5:30 PM, he and the victim were in a discussion regarding them ending the relationship and who would take over the lease at the house. He said things got "personal" between them and they began insulting and yelling at each other. Marlowe stated he was trying to discuss the details of how she was going to move out of the residence. The victim ultimately left the bedroom and began walking down the stairs. Marlowe stated that he was at the top of the stairs and told

the victim that they needed to talk and figure out what they were going to do. He started to follow her down the stairs and the victim stopped on the landing of the stairs. She told him that she did not want to speak to him anymore. She put her hands up and told him to stop, that he was making her feel unsafe. At that point, Marlowe told her that was fine and went back upstairs to get ready for work. When he came back downstairs, the victim was still there and asked him when he was leaving for work. The victim and her daughter then left the house shortly after.

"Marlowe confirmed with me that the conversation took place in their upstairs bedroom. He further confirmed that he and the victim had been in an off and on relationship for approximately two and a half to three years. He and the victim both rented at the residence, and he had moved in with her in February of 2022. During their relationship, Marlowe expressed that they had issues and argued. He described the victim as a difficult person at times. [redacted]

"The morning of the incident on the 7th, after he had returned home from work, she asked him if he wanted anything to eat as she was headed out to have brunch at a pub. When she returned, Marlowe stated that she was not intoxicated but could tell she had been drinking by the way she was speaking, and he could smell the alcohol. In regard to the conversation they had in the bedroom, Marlowe stated that it started out peacefully and that they were working through it. At one point, the victim asked him why he didn't love her anymore. I saw that Marlowe became visibly emotional when he made that statement to me. [redacted] The victim became angry, and the argument started and they began insulting each other back and forth. The victim had been sitting on the bed in the bedroom and he was seated on the edge of a table that was near the door. He estimated that the victim was about eight feet away from him. Marlowe told me that she was able to walk out of the bedroom if she wanted to. He also recalled that the victim had been walking around the bedroom, going in and out of the bathroom several times. He stated he remained seated, and he wasn't agitated, just upset. Marlowe denied making any statements that would cause the victim to feel like she was not able to leave the room. He further denied ever moving in front of her or blocking her movement. Marlowe stated that he remained seated on the table the whole time during the argument in the bedroom. Subsequently at some point following the argument, the victim and her daughter left the residence.

[redacted] He stated that he did not support it, but that there was nothing he could do to stop her. I asked Marlowe if the victim had spoken to him following the incident. Marlowe told me the victim had texted him while he was at work, sending him insulting messages and was trying to fight with him. Marlowe stated he had

not responded to many of the texts. Marlowe returned to the residence the next day to gather some of his belongings. The victim was upstairs in the bedroom with her daughter, and she told Marlowe that she was not feeling well. Marlowe said he grabbed his backpack, some clothes, and left the residence. The victim had texted him telling her to get his dog as she was not going to look after it for him. Marlowe went back to the residence, called the dog from the front door, and left the residence with him. At some point, the victim told him he could sleep at the residence but couldn't guarantee it would be quiet because she had planned to move. Marlowe stated that due to the fact the victim had been telling him that she was afraid of him, he decided not to return to the residence and ultimately stayed at a friend's house.

"Marlowe stated he later received an email from the victim requesting he sign a no-contact, move out order which he declined to sign and agree to. Marlowe told me that the order she sent him also contained the allegations the victim had made against him. Marlowe stated that the allegations were false and that he never barricaded her in the bedroom or stopped her from leaving the bedroom. Marlowe then recalled a point in time during the argument in the bedroom where the victim went into the bathroom area. Marlowe remembered standing up and standing in the transition area of the bedroom which went into the bathroom. The victim told him to get out of her way and he did, subsequently sitting back down at the table. Marlowe confirmed that they did argue frequently, but never had any physical altercations.

"Detective Gutierrez asked Marlowe if the victim had ever personally accused him of holding her in the bedroom or of any of the things she alleged in the DVRO paperwork. Marlowe responded that he did not recall specifically if she had. He further stated that if she had accused him of those things in a message that he would have disagreed with it. Marlowe stated that the allegations about him barricading her came up after she decided that she no longer wanted to move out. Marlowe then read out loud messages from his cell phone between him and the victim. In the messages Marlowe read out loud, the victim mentioned him blocking her from leaving and attempting to get a restraining order due to the false imprisonment. She further stated that she wanted to avoid the restraining order because of the affects it could have on his career.

"I asked Marlowe if it was concerning to him about the allegations that the victim was bringing up in the text messages. Marlowe stated that it was very concerning but he refused to engage with the victim about any of it because it was untrue, and he didn't need to defend it. In regard to some details surrounding the incident in the bedroom, Marlowe confirmed with us that he was not armed with a firearm. Marlowe stated he was wearing pajamas as he had just woken up. He did state that there was a firearm located in the closet on a shelf. We asked Marlowe about the rifle style firearm that we located in the garage of the victim's residence. We asked if it belonged to him and he responded, "what was it?". I described the rifle to him, and he responded, "That's not mine, that doesn't belong to me, it could be hers (victim). It's not mine." Marlowe further stated that 90% of what was in the victim's garage was his. Detective Gutierrez showed Marlowe a photograph of the firearm and he again stated that it didn't belong to him. He then asked Marlowe if he had ever fired the firearm to which Marlowe responded that he had. I

asked him who the firearm belonged to. Marlowe stated that he believed it belonged to the victim. Marlowe told me that all the miscellaneous firearm parts, including the hand guards, uppers, and barrels were his and that he built firearms. Marlowe advised us that he had other firearms still outstanding at the victim's residence. He said they were up in the storage shelf above the back garage door, some of which in hard cases. Marlowe stated there was reloading equipment and a multitude of different parts which stated he was in the middle of trying to either get rid of or sell.

[redacted]

"I again brought up the rifle style firearm we collected. Marlowe was adamant that it wasn't his gun, that he has "a lot of guns" and that one didn't belong to him. Later in the interview, Detective Gutierrez asked Marlowe about the firearm and if it was illegal. Marlowe stated it was "An 80 Percenter and it's not 16 inches, So I (Marlowe) don't believe it's legal". Marlowe clarified that he thought the barrel had to be 16 inches which in the case of the rifle, it was not. I then asked Marlowe to be honest with me about the gun, asking him if it was his gun and he was just worried due to the fact it was illegal. Marlowe responded, "Yes, it's mine. I'm worried that it's illegal." He went on to say that the firearm wasn't California legal. Marlowe apologized because of it not being California Legal because the barrel was too short. Marlowe further stated that he did in fact build it and it was not serialized.

"At the conclusion of the interview, I provided Marlowe with a property receipt for the property we had taken from the victim's residence. I explained that we would have to collect the outstanding firearms and other firearm parts which were still at the victim's residence. I asked Marlowe if it would be okay if I provided him a receipt once we've collected those items via email. Marlowe stated that was fine and provided me with his email address which was [redacted]@gmail.com".

"Following our investigative interview with him, Marlowe was served with administrative paperwork from Internal Affairs. Detective Guiterrez and I re-contacted Marlowe and advised him that we had obtained a Ramey Warrant for his arrest. We subsequently placed Marlowe under arrest and escorted him to the Jail booking area where he was booked for the warrant.

"Collection of Outstanding Firearms at Victim's Residence:

"Following our interview and arrest of Marlowe, I contacted the victim and asked if we could respond to her residence to collect the remaining firearms in her residence. The victim stated we could and met us at the residence during which time we collected several more firearms, firearms parts, and ammunition. Refer to Detective Gutierrez's supplemental report for details surrounding what property we seized. While we were at the residence, the victim consented to allowing me to take photographs of the bedroom where the incident took place. I observed the table that Marlowe had been seated on. I estimated it was two or three feet from the corner of the doorway. [redacted]

[redacted].

"After all the above-mentioned items were collected, I transported them to the Petaluma Police Department where they were later booked into evidence.

"Text Messages:

"Upon my request, the victim submitted several screen shots of text conversations she had with Marlowe though an evidence link I provided her. I have included a summary of some of the messages she submitted.

"Saturday 01/07/2023 at 1917 hours

"Victim: The way you follow me around and corner me in the house when I repeatedly say I am done talking and need space feel threatening.

"Victim: You telling me that you will continue to follow me in front of [redacted] also feel threatening.

"Victim: I think you should stay at your parents for a time while I work on housing and get taken off the lease.

"Victim: I don't know what the laws are but several times I've stated to you I don't feel safe and my daughter doesn't either. We can get an officer involved if necessary.

"Marlowe: If that's how you feel I can accommodate that...obviously I'll need to get things of mine and the boys...Since you're leaving town for a few days that'll give me time to get some essentials of ours.

"Tuesday 01/10/202

"Victim: I would like to avoid a restraining order and the affects it would have on your career. I have a No Contact Agreement written up by my lawyer. If you would like to sign it, remove your belongings, and be removed from the lease we can avoid further action. I just want safety for my daughter and I, and to be left alone.

"Marlow: Just waking up to all this. A lot to process here but we can talk tomorrow, I got a Dr appointment but I'm gonna nap after work before that...I'll be available after 1500 or so.

"Victim: ...My lawyer wanted me to file today but I don't want to affect your career so I paid to have an agreement wrote up. I don't feel safe meeting with you. You can email the landlords with your agreement to move out and copy me on it.

"Marlowe: I need to have a lawyer look at this before I sign anything

"Victim: Ok, my lawyer is advising me to file a restraining order ASAP

"Victim: I'm trying to avoid this but I need that protection.

"Marlowe: Well if we need to talk or meet at all we can use a civil standby, no problem with that.

"Victim: There's nothing to talk about.

"Marlowe: Ok well I still can't sign that without a lawyer looking over it.
Victim: Ok, well I will be filling a restraining order. My child and I are both scared of you and I want the protection I can get from barring contact with you and ensuring a safe home.

"-Marlowe did not respond.

"Wednesday 01/11/202

"Victim: You are going to have to surrender all your firearms, I have no idea what will happen to your job. I just want safety and separation from you. Agree to move out and have a lawyer look at that No Contract Agreement and let's avoid the court system.

"Marlowe: I'm coming by with deputys on civil standby in about 20min or so.

"Follow-up Conducted:

"On 01/14/2023, I received a phone call from the victim stating that after having thought about the situation, she stated she wanted Marlowe arrested for the false imprisonment.

"On 01/19/2023, I spoke with the victim via telephone and asked if she would be willing to have her six-year-old daughter participate in a RCC Forensic Interview. The victim stated that her daughter would have only heard/seen the end of the argument once they had gone downstairs but would be open to having her interviewed. I advised the victim that I would follow-up with her at a later date in the event the interview is needed.

"Case Status: Cleared by arrest."

Excerpts of Petaluma Detective Jake Gutierrez' Report (Case # PE230000158), referencing firearms:

"The victim escorted us into her residence and took us into the garage, where she indicated Marlowe left the firearm. Once in the garage, she walked us over to a green colored rifle case lying on the ground. The rifle case was open, and I observed a gray, black and white colored camouflaged rifle. The rifle appeared to be an AR-15 type rifle. We collected the rifle along with several (7) high-capacity (45 round) rifle magazines located near the rifle. The victim also retrieved and gave to us a Smith & Wesson 16 round high-capacity magazine from the bedroom, which she told us Marlowe also left behind. Detective Boyd transported all of the items back to PPD and secured them in a temporary evidence locker.

"While at PPD I removed the rifle and magazines, which we had collected from the victim's residence, from the temporary evidence locker to inspect them. As I inspected the rifle, I determined that it was 9mm and did not have any make, model, or serial numbers anywhere on it. I took the weapon all the way apart to locate any type of identifying numbers and could not locate any. I determined the firearm was a ghost gun. I also inspected the magazines and determined they were in fact high-capacity magazines.

"After inspecting the firearm, Detective Sergeant Garihan, Detective Boyd, and I responded to the jail. Detective Boyd and I met with Marlowe and in the conference room and conducted an interview after he waved his Miranda Rights. Refer to Detective Boyd's report for further details regarding the interview.

"During the interview I asked Marlowe about the gray, black and white colored camouflaged rifle we collected from the victim's garage, to confirm it was his. He was adamant the rifle was not his. I asked him who the rifle belonged to, and he stated he thought it was the victims but wasn't completely sure. I asked him if he had ever fired the rifle, which he stated he had. I explained to him that I was confused about his lack of knowledge about the rifle even though he had shot it in the past. I asked him if the rifle was illegal. He stated it was. I asked him what about the rifle was illegal. He stated the barrel was under 16 inches in length. I then asked him if he builds firearms, which he stated he does. But again, stated that particular rifle was not his. At that point in time, we continued to interview him about the incident with the victim.

"At the end of the interview, I asked Marlowe about the rifle we located in the victims garage again. I explained to him that it was important that he be honest with us about the rifle, which Detective Boyd also emphasized. At that point in time, Marlowe hung his head down low and began apologizing. He stated the rifle was his and he didn't want to tell us because he knew it was illegal to possess because of the barrel length. I asked him why I could not locate any serial numbers on it. He told us he built the firearm and it was not serialized and not registered. He apologized several more time for being dishonest with us."

Detective Gutierrez went on to state:

"On 01/16/2023, I processed and booked evidence items 1-3188 through 20-3188 into PPD evidence. While processing the item's I closely inspected them. I again closely inspected the firearm which Marlowe initially would not claim ownership of. I determined the firearm was in fact not a rifle and was an assault pistol. I made this determination based off the stock of the weapon. The stock which I initially believed as a butt stock used to shoulder mount the weapon, was in fact an arm brace designated to "strap to the shooter forearm so the weapon could be fired as a pistol. Upon further inspection of the firearm, I determined it was an assault pistol pursuant to 30515(a)(4)(d) PC, based off the fact that it was a semiautomatic pistol that did not have a fixed magazine and was capable of accepting a detachable magazine at a location outside of the pistol grip.

"I determined possession of the assault pistol was a violation of 30605 (a) PC. I also again confirmed that the firearm was in fact an unserialized firearm, also known as a "ghost gun", which I was able to confirm.

"I examined the silencer/ suppressor kit which Marlowe had. The kit was still in the shipping box and bore his name and his parents' home address. I opened the box and examined all of the parts that came with the kit. All of the parts needed for a silencer/ suppressor were present in the kit. I determined that the kit did not meet the criteria as a silencer/ suppressor. I made this determination based on the fact that Marlowe had not yet drilled out the baffles and end of the tube. Had they been drilled; it would have met the criteria for being a functional silencer/ suppressor. Based off my training and experience, I know that it is common for these kits to be sold unfinished, which is how they are legally sold and or shipped to California. Had the baffles and tube been drilled, Marlowe would not have been able to purchase it in California or have it shipped here from out of state.

"I examined the high-capacity magazines and determined Marlowe was in violation of 32310 (c) PC, by possessing the magazines.

"Based off Marlowe's admission that he builds firearms and built the unserialized assault pistol, I determined that he is in violation of 30600(a) PC. Furthermore, I believe the large number of firearms parts and pieces, the unfinished and drilled AR-15 lowers, and the equipment/ tools associated with firearms manufacturing observed in the victim's garage, further supports that Marlowe is manufacturing and did in fact manufacture the assault pistol which is classified as an assault weapon pursuant to 30515(a)(4)(d) PC.

"I am requesting the Sonoma County District Attorney's Office review this case for charges of felony 30605(a) PC, felony 30600(a)PC and misdemeanor 32310(c) PC."

The following two photographs below are of the unregistered/un-serialized 9mm assault-firearm that Deputy Marlowe stated to Petaluma Detectives he manufactured. DOJ assigned L8FMBUS1J and Petaluma PD dispatch entered the assigned serial number and description into CLETS.[2]





[2] I have attached the CLETS return to this investigation under exhibits.

On February 15, 2023, I received an email from Deputy District Attorney Scott Uemura. Mr. Uemura did not anticipate filing any charges related to the domestic violence allegations and was only looking into firearms related charges.

On February 15, 2023, I received from Petaluma Detective Daniel Boyd eleven photographs of firearms and firearm parts collected from Marlowe's home during their investigation. Detective Boyd told me the photograph below represented all the firearms and related components collected by Petaluma PD from Marlowe's Windsor home.



Evidence item # 1-3188: (12) Firearm pistol grips.

Evidence item # 2-3188: (2) Rifle butt stocks.

Evidence item # 3-3188: (4) Large rifle springs.

Evidence item # 4-3188: (3) AR-15 lowers. (2) blank and (1) drilled**.**

Evidence item # 5-3188: (3) Rifle barrels. (1) with upper attached.

Evidence item # 6-3188: Bulk miscellaneous gun parts. (Trigger groups, small springs, etc.).

Evidence item # 7-3188: (14) Assault rifle rail systems.

Evidence item # 8-3188: (1) Rifle barrel.

Evidence item # 9-3188: Silencer/ suppressor kit.

Evidence item # 10-3188: (9) High-capacity magazines. (1) 10 round magazine

Evidence item # 11-3188: (1) Handgun slide.

Evidence item # 12-3188: 9mm Ghost gun (collected on 01/13/23).

Evidence item # 13-3188: Savage 243 cal. Rifle with scope.

Evidence item # 14-3188: Savage 260 rem. Rifle with scope.

Evidence item # 15-3188: Remington 7mm rifle with scope.

Evidence item # 16-3188: Remington 12-gauge shotgun.

Evidence item # 17-3188: Smith & Wesson 9mm handgun with light attached.

Evidence item # 18-3188: Sig Sauer 9mm handgun

Evidence item # 19-3188: 347.5 pounds of miscellaneous ammunition.

Evidence item # 20-3188: Several miscellaneous gun parts.

The photograph below, which I magnified from the photograph above depicts (3) AR-15 lowers. (2) blank and (1) drilled.



Petaluma Detectives collected several additional firearms, firearm parts and ammunition from the Sonoma County Sheriff's Office. The Sheriff's Office had received these items directly from Marlowe.

Evidence item # 21-3188: (SCSO Item JW11) Toy gun.

Evidence item # 22-3188: (SCSO Item JW12) Miscellaneous ammunition.

Evidence item # 23-3188: (SCSO Item JW16) Stag Arms AR-15 lower.

Evidence item # 24-3188: (SCSO Item JW10) Smith & Wesson MP9 Slide.

Evidence item # 25-3188: (SCSO Item JW4) Hi Standard 22 cal. handgun.

Evidence item # 26-3188: (SCSO Item JW3) Smith & Wesson 9mm handgun. With (17) round high-capacity magazine, mounted light and blue holster.

Evidence item # 27-3188: (SCSO Item JW2) Browning 22 cal. handgun.

Evidence item # 28-3188: (SCSO Item JW7) Kel Tec 22 cal. handgun. With (2) high-capacity magazines. SCSO listed as possible ghost gun.[3]

Evidence item # 29-3188: (SCSO Item JW5) Kaiser Defense AR-15 lower. With (2) 10 round magazines.

Evidence item # 30-3188: (SCSO Item JW8) Ares Armor AR-15 upper. With scope attached.

Evidence item # 31-3188: (SCSO Item JW1) Ruger 22 cal. rifle.

Evidence item # 32-3188: (SCSO Item JW9) Columbia Fuerzas 30-06 rifle.

On February 21, 2023, I served Marlowe with his IA notice through his personal email account [redacted] Marlowe responded through email acknowledging he had received and reviewed the notice[4].

On February 22, 2023, I called [redacted], sent her an email [redacted]@gmail.com) and a certified letter to her home address in Windsor for the purpose of arranging an interview concerning this matter.

On February 22, 2023, I received from Detective Boyd photographs of the firearms the Sheriff's Office had received from Marlowe.[5]

[3] Detective Boyd later told me he determined this was not a "ghost gun."
[4] I have attached his IA notice to this investigation under Exhibits.
[5] See exhibits for all the firearms collected by the Sheriff's Office.

On February 28, 2023, at 0915 hours, [redacted] called me and canceled her interview. [redacted] told me she thought her statement to Petaluma PD was sufficient and did not want to make an additional statement to me, which could further jeopardize Marlowe's employment with the Sheriff's Office. [redacted] said she has a court hearing concerning a restraining order on March 7th. [redacted] said if the Court granted a restraining order, she would consider giving me a statement.

On March 8th, 2023, at 1110 hours, I called [redacted] and asked if she was willing to provide me with a statement, to which she declined. She said the court hearing concerning the restraining order was continued until May. [redacted] told me she would contact me if she decided to provide me with a statement, but added she just wanted to move on with her life.

On March 21, 2023, I reviewed the felony complaint on the firearm charges. The Sonoma County District Attorney's Office filed two felony charges against Marlowe for possession of an assault-pistol in violation of PC30605(a) and manufacturing an assault weapon in violation of PC30600(a). Deputy District Attorney Uemura told me the DA's Office reviewed and declined to file charges related to the domestic violence case based on insufficient evidence.[6] DA Uemura also told me according to Petaluma PD Detectives, the only illegal firearm was the assault weapon.

On March 23, 2023, at 1445 hours, Deputy Sheriff Larry Matelli looked at a photograph of the AR-15 style firearm referenced above and offered an opinion the firearm was an assault pistol based on the weapon being outfitted with an assault pistol arm brace, pistol grip and a Raddlock AR style bullet button magazine release. Deputy Matelli told me current state law has banned the use of release buttons to exchange magazines.

Deputy Matelli also examined a photograph of (Evidence item # 4-3188: (3) AR-15 lowers. (2) blank and (1) drilled). He agreed with Petaluma PD's findings, which was the two silver metal lowers were 80% lower receivers (are not technically considered firearms) and therefore are legal to own. The remaining grey lower receiver had been drilled and milled to be ready to accept lower parts like a trigger and hammer, etc. Deputy Matelli told me if the lower receiver was modified by someone to accept lower parts then it is illegal to possess unless, it was serialized.

On March 27, 2023, I served Marlowe with his second IA notice through his personal email account (Bobo@gmail.com). Marlowe responded through email acknowledging he had received and reviewed the notice[7]. This notice gave notification to Marlowe this investigation would also focus on allegations he drove while under the influence of alcohol after attending a Warriors basketball game and had unsecured firearms in his home in the presence of children.

[6] I have attached the felony complaint to this investigation under exhibits.
[7] I have attached Marlowe's IA notice to this investigation under exhibits.

On March 28, 2023, I received from the Petaluma PD a supplemental report from Detective Boyd relating to the service of a search warrant of Marlowe's Goggle and Apple iPhone accounts.

PPD Detective Boyd's Supplemental Search Warrant Report:

"On 02/09/2023, I authored a search warrant for Marlowe's Google and Apple iPhone cloud services. The warrant was signed and authorized by the Honorable Julie Conger, Judge of the Sonoma County Superior Court that day. I ultimately served the warrant to Google and Apple, Inc.

"On 02/15/2023, I received a response from Google, Inc with a data production for Marlowe's Google account [redacted]@gmail.com).

"The data production included records from Marlowe's Gmail account's Mail message content, Google chat messages, Google Drive Files, and other Google content.

"The listed subscriber for the account was "[redacted]". The recovery email for the account was "[redacted] which verified that the account did in fact belong to Marlowe.

"I reviewed Marlowe's Gmail content which included deleted messages. Marlowe had received or was subscribed to the following firearms related websites:

"AR15discounts, Arken Optics USA, Big daddy unlimited, E2 Armory, 2A warehouse, Freedom Munitions, Midwest gun works, Omaha Outdoors, Palmetto state armory, Primary arms, Stag Arms, Apex Tactical, and Thunder Tactical.

"Email from New Frontier Armory on 12/11/22 of a purchase receipt of a M-16 drilling Jig. Email from Midwestgunworks indicating a AR15 forward assist kit, Wilson combat AR-15 Gas tube, Wilson Combat lo-profile gas block was left in the online shopping cart.

"Additional email requesting feedback on a recent order which includes M16 ejection port cover kit, AR15 forward assist kit, sig Sauer ambi safety selector, sigh sauer m400 ambi magazine catch which had been ordered on 12/23/2022.

"I then viewed Marlowe's Google search history.

"On 01/20/2023, Marlowe viewed a forum post on blog.cheaperthandirt.com which read, 'Throwback Thursday: how to legally build an AR pistol'

"On 01/20/2023, Marlowe google searched, "How to make ca legal ar pistol"

"On 01/17/2023, Marlowe conducted a search on "ghost guns in California" via giffords.com

"On 01/15/2023, Marlowe conducted the following google searches "possession of an un-serialized firearm, possession of an unregistered firearm, possession of an assault weapon"

"On 01/09/2023, Marlowe searched for "Upper components - parts" on Stagarms.com On 01/02/2023, google search for "ar15 barrel nut torque"

"On 12/30/2022, search for "premium custom rifle actions for premium gun makers" through stilleractions.com

"On 12/27/2022, visited Apexgunparts and looked up "chinese ak-47 parts kit

"On 12/11/2022, visited "AR-15 to M-16 class II gunsmith Drilling Fixture"

"On 12/11/2022, google search "m16 lower drill jig"

"On 02/20/2023, I received the data production for Marlowe's apple iCloud account.

"The account was registered to Adam Marlowe with two email addresses, [redacted]@gmail.com and [redacted] I reviewed several hundred photos which had been saved on the account. I did not view any photographs which were relevant to this investigation. I reviewed the Safari browsing history which yielded no data. I reviewed the iCloud Mail data file which yielded no data. Lastly, there were no iMessages saved on the account, and I therefore was unable to view them.

"I later uploaded all data files associated with Marlowe's Gmail account and apple iCloud account onto a thumb drive and booked it into evidence.

Case Status: TO DA."

On March 29, 2023, Marlowe's attorney, William Baird, sent me an email asking if Marlowe's IA interview could be postponed until Marlowe had a chance to review the interview recording of his voluntary statement to Petaluma PD, to which I agreed. Mr. Baird expected to get a copy of that recording with discovery in Marlowe's criminal case, following his April 11th court appearance.

On April 3, 2023, at 1330 hours, [redacted][8]

[8] [redacted]

On April 14, 2023, Attorney Baird sent me an email asking to schedule Marlowe's IA interview for May 10, 2023, at 1300 hrs. Mr. Baird asked if I would be willing to provide him with a copy of Marlowe's statement to Petaluma Detectives, citing he was having trouble obtaining it from the District Attorney's Office. I told him the Sheriff's Office would not be releasing that information to him.

Correctional Deputy Adam Marlowe's IA Statement:

On May 10, 2023, at 1300 hours, Sgt. Dylan Fong and I conducted an audio recorded interview with Deputy Marlowe, as a subject, at the Sheriff's Office in conference room 2G.[9] He was represented by William Baird, an attorney from the Mastagni Holstedt law firm. Prior to any questioning, I requested Marlowe and Mr. Baird review and sign the Administrative and Lybarger Admonishments[10]. I asked Marlowe if he had any work restrictions, which would prevent him from providing a statement due to his recent stress claim. Marlowe told me he did not.

Marlowe's statement to me was consistent with his statement to Petaluma PD Detectives. Below is a summary of additional relevant statements made by Marlowe during his IA interview, which I have reorganized for clarity.

Marlowe told me he was served a Domestic Violence Court Order and complied with all the conditions outlined in the restraining order, which included surrendering all his firearms.

With respect to the domestic related incident with [redacted], Marlowe claimed [redacted]

Marlowe told me the conversation in the bedroom was peaceful until he told [redacted] he was [redacted]. Marlowe told me [redacted] offered to move out of the home willingly after he asked her what she wanted. Marlowe stated he did not force [redacted] to agree to relinquish control of the house to him, but rather she offered to leave.

Marlowe asserted [redacted] lied to Petaluma Detectives, when she claimed he had blocked the bedroom door and prevented her from leaving. Marlowe steadfastly denied all [redacted] claims of him behaving in a threatening manner or preventing her from leaving. Sgt. Fong asked Marlowe if he felt like [redacted] ever tried to avoid him or walk away from him. He said no. I asked Marlowe what [redacted] motive would be to be dishonest. He replied, "I scorned her and rejected her physically and she does not do well with rejection. I'm assuming that she

[9] I have attached Marlowe's IA statement to this investigation under exhibits.
[10] Lybarger and Administrative admonishments can be found under exhibits.

wanted to hurt me and destroy my life." Marlowe had told me earlier in the interview that [redacted] tended to be vindictive and jealous [redacted].

I asked Marlowe, why would [redacted] be afraid of him. Marlowe was unable to explain why [redacted] was fearful, as she had never told him before she feared him. Marlowe told me pursued a restraining order after he refused to sign a No Contact Agreement. He believes she filed the restraining order to force him from the home and then to have control and use of the residence.

Concerning [redacted] efforts to obtain a restraining order after Marlowe's arrest, Marlowe's attorney, Mr. Baird, clarified it was Marlowe who had been attempting to gain a restraining order in Court since his arrest. However, on May 9th the Court accepted a mutual stayaway agreement between Marlowe and [redacted]. The agreement was mutually agreed upon by both parties and not imposed by the Court.

Marlowe denied there were any other domestic related incidents between himself and [redacted] after his IA interview with Sgt. Doherty. [redacted] He stated, "I don't know, it's an easy thing to accuse someone of and she ([redacted]) got a restraining order from a statement, and it doesn't require much proof. It's an easy way for someone to destroy someone's life or to get them removed from a property. Seems like a convenient abuse of the system." I then told Marlowe he was the common denominator between [redacted] and [redacted]. I asked him to explain why that was the case. Marlowe replied, "I don't know." When asked, Marlowe denied he has an anger problem.

Marlowe told me he smoked marijuana (marijuana vape pen cartridge) almost daily between the dates of March 14, 2022, and mid November 2022, to manage his pain and sleep. During this time, Marlowe explained he was off work recovering from a work injury and stopped using marijuana about a month before returning to work[11]. Without a marijuana medical prescription, Marlowe opted to use marijuana to manage his symptoms. He claimed outside of these dates, he never used marijuana while employed with the Sheriff's Office. Marlowe told me he was not specifically aware of what the Sheriff's Office Drug Use policy states, but he assumed using marijuana was not allowed. Marlowe thought using marijuana was a reasonable health alternative to using opioids. Marlow told me he was not currently using marijuana.

Marlowe told me in the Fall 2022, he and [redacted] attended a Warriors' basketball game in San Francisco with a large group of [redacted] co-workers. Marlowe drove himself and [redacted] to Petaluma from Windsor. Around 1600 hours, they rode on a bus from Petaluma to San Francisco. During the ride and during the game, Marlowe consumed a total of three alcohol drinks, which consisted of two beers and one shot of hard liquor. After the game they took the bus back to Petaluma but he did not drink on the bus. Marlowe stated his last drink was in the 3rd

[11] I confirmed through payroll records (Dimensions) Marlowe was off work on 4850 beginning on March 14,2022 and continued through November 16, 2022. He returned to work on November 17, 2022.

or 4th quarter of the game. Marlowe thought he and [redacted] arrived home between 2130 and 2200 hours.

Marlowe claimed he was not intoxicated and thought it was safe for him to drive from Petaluma to Windsor. I asked Marlowe if [redacted] had expressed any concerns about him driving, to which Marlowe claimed she did not.

Later in the night, Marlowe left his home and pulled forward out of his driveway and hit garbage cans. Marlowe claimed due to tight space between the garbage cans and other parked cars, he accidently struck them. Marlowe reiterated it was due to tight space not alcohol that caused him to hit the garbage receptacles.

Marlowe told me he owned, and he manufactured 11 or 12 years ago, the gray, black and white colored camouflaged assault-pistol, which Petaluma Detectives removed from the garage floor. Marlowe confirmed there was no serial number on the gun because he built the firearm, and it was not serialized or registered. Marlowe confirmed the gun was functionable when Petaluma removed the gun from his garage. Marlowe last fired the firearm on December 27, 2022, on his birthday, at the Cow Mountain shooting range.

I asked Marlowe to explain how he built the firearm. Marlowe said, he removed material from the frame and drilled holes in the lower receiver, so it could accept lower parts like the trigger. He purchased the lower receiver in California before it was illegal to purchase one in the State. During the firearm build, he designed the firearm to be an assault-pistol, as he equipped it with an arm brace.

I asked Marlow how he would load and unload the fireman. He said, "You insert a magazine into the magazine well and cycle the action." Marlowe confirmed the firearm has a detachable magazine outside the pistol grip and it was equipped with a bullet button (Raddlock) to release the magazine without separating the upper and lower receivers.

I asked Marlowe if the firearm was California legal. Marlowe stated Petaluma PD Detectives told him it was not legal because the magazine was detachable. Marlowe told me he did not intend to build an illegal firearm. I asked Marlowe what his understanding of California state law was, as it pertains to manufacturing or assembling your own assault style firearm. He replied, "I thought it was legal to make one and own one." Regarding serialization requirements, Marlowe stated, "I thought it didn't have to happen until January next year." Marlowe confirmed he never applied to the DOJ for a serial number because he did not think one was required until January 1, 2024.[12]

[12] On July 1, 2024, California law (AB 879 - Gibson) will change to require precursor parts of firearms being made through a licensed firearm precursor part vendor. Since 2019, in California all self-manufactured firearms must be serialized. In Marlowe's case his assault-pistol was not legal, thus it would not have been able to be serialized or registered.

Marlowe denied having ever built any other unregistered assault style firearms. Likewise, he denied owning any other illegal firearms or providing an illegal firearm to a Sheriff's Office employee.

From reviewing a photograph of three lower receivers, Marlowe confirmed he drilled the grey lower receiver, and it was not serialized. The two remaining lower receivers were undrilled. The photograph I showed Marlowe can be found on page 17 of this report.

Marlowe estimated he owns 10 to 15 high-capacity magazines exceeding 10 rounds and estimated the largest capacity magazine he possessed held about 30 rounds. Marlowe told me he thought it was legal for him to own them because he was a peace officer. Marlowe acknowledge his peace officer authority does not extend beyond his duty hours working in the capacity of a correctional deputy in the county jail.

In follow-up questioning, Sgt. Fong asked Marlowe when he first began to assemble firearms. Marlowe claimed he began assembling them about 12 years ago and doesn't read any publications about California State Law as it pertains to gun laws. Likewise, he did not seek information from firearm instructors at the Sheriff's Office about firearm laws specifically about manufacturing firearms and the legality of the firearms he possessed.

With respect to firearm storage, I asked Marlowe why Petaluma PD Detectives found the assault-pistol on the garage floor[13]. Marlowe told me he put the gun on the floor on January 3, 2022, because he had read a story on Instagram about ATF banning pistol braces. Marlowe said he had put the gun on the floor to remind himself to take off the pistol brace on his weekend.

I asked Marlowe to explain how he stored his firearms. Marlowe said he built a storage shelf which was attached to the garage wall about 8 feet high. The guns would lay on top of the shelf and were not secured in a locked cabinet or safe. Likewise, he stored ammunition under his work bench and on various shelfs inside the garage. Marlowe admitted there was not a gun safe at the residence.

I asked Marlowe if the children (ages 6, 14, and 16) had access to the firearms if they entered the garage and used a ladder to pull the guns off the shelf. Marlowe confirmed they would have access, as there were no special locking features on the door leading from the living area of the house to the attached garage. Marlowe explained that his two sons have been taught firearm safety and [redacted] daughter was not strong enough to load or use a gun. Marlowe acknowledged he should have stored his guns more safely.

I asked Marlowe if the home had a surveillance system. Marlowe said the house was outfitted with a Ring camera on the front door, driveway, and backyard. I asked Marlowe if he had disconnected the Ring cameras before the deputies arrived for the civil stand by on January 11th. Marlowe acknowledged he turned off the cameras by turning off the power switch. As to why he

[13] See previous case 19-PP-006 in AIM Gun storage/CPS Report.

turned off the cameras, Marlowe explained he did not want [redacted] to have him on a recording carrying his bags of clothing out in trash bags.

I asked Marlowe if he attempted to remove the assault-pistol or any other firearm from the residence before the deputies arrived. Marlowe stated, "No." I reminded Marlowe he requested the civil stand by to protect himself from false allegations from [redacted]. I then asked Marlowe why he would turn off the video surveillance system, which could provide video evidence, of what he removed or didn't remove from the property. Marlowe paused and then asked me to repeat the question. After repeating the question, Marlowe responded, "She wasn't home, and I didn't feel like I would need evidence of me taking my clothing out of my own home." He explained it would be an "embarrassment that she had on camera" of him carrying his clothing out of his home.

I told Marlowe his explanation was not reasonable and gave him another opportunity to provide a different explanation for turning off the cameras. Marlowe again denied he attempted to remove any firearms from the property.

On May 23, 2023, I reviewed the call for service (WI230110011) and Deputies Josh Cooper and Bennett Knight's BWC footage. The call for service was created on January 11, 2023, at 1419 hours and two Windsor Deputies were dispatched to the call at 1435 hrs. Deputies Cooper and Knight (trainee) arrived at 1437 hours, and they met Marlowe standing on the driveway next to his truck. Marlowe told the deputies, [redacted] wasn't home, as her black Range Rover wasn't at the residence. Marlowe unlocked the front door, turned on the lights and they entered the residence. Marlowe told the deputies he needed 10 minutes to pack clothing items. Once they verified [redacted] wasn't inside the residence, the deputies waited in their patrol car in front of the residence.

At 1443 hours, [redacted] pulled behind the patrol car. Deputies Knight and Cooper talked with [redacted] while she sat in her vehicle. [redacted] told the deputies she returned home because Marlowe had entered the house and turned off the cameras before the deputies arrived.

After talking with [redacted], Deputy Knight opened the front door and Marlowe was standing in the home with a red duffle bag and a white plastic bag of personal belongings. When asked, Marlowe told Knight he turned off the cameras when he arrived, but had turned them back on. Marlowe said he turned off the cameras because he did not want [redacted] to see him removing his personal belongings from the house. Marlowe walked out of the residence and the deputies spoke with [redacted] before leaving.

On May 23, 2023, I reviewed Deputy Jack Carpenter's January 12, 2023, recorded (BWC) telephone call with [redacted]. [redacted] called to obtain an incident number from the civil standby the previous day and expressed concern there was an "AR" on the garage floor and other firearms and ammunition, which the children could access. When asked, [redacted] said the deputies did not enter the garage during the civil standby.

CONCLUSIONS AND FINDINGS



Correctional Deputy Adam Marlowe

Date of Hire: July 16, 2016

Last Two Evaluations: Standard / Standard

Background Information

This Internal Affairs investigation began because of a domestic related incident involving Adam Marlowe, a Sonoma County Sheriff's Correctional Deputy and [redacted], at their Windsor home on January 7, 2023. The Sonoma County Sheriff's Office requested the Petaluma Police Department conduct a criminal investigation due to the sensitive nature of the investigation. After Marlowe provided a statement to Petaluma PD Detectives, he was arrested for felony PC 236, and booked into the MADF on January 14, 2023. Later, the Sonoma County District Attorney's Office declined to file any criminal charges related to the domestic related incident due to insufficient evidence.

Nonetheless, during Petaluma PD's investigation they collected firearms, ammunition, and firearm parts from the residence, which Marlowe shared with [redacted] pursuant to the Domestic Violence Restraining Order. From the garage floor detectives removed, a gray, black and white colored camouflaged firearm, which they determined was an un-serialized AR15 style assault-pistol. The firearm was removed from an open rifle case lying on the garage floor.

[redacted] and Marlowe had dated for less than three years when this incident occurred, and they each described their relationship as turbulent, which often involved verbal arguments, but never physical violence. They had previously separated, but Marlowe moved in with [redacted] in February 2022.

After the domestic incident on January 7th, [redacted] initially agreed to move out of the home, but changed her mind after consulting with an attorney. The attorney drafted a No Contact Agreement for Marlowe to sign agreeing to move out of the residence and to stayaway from [redacted]. After Marlowe refused to sign the contract, [redacted] attorney advised her to seek a restraining order. Thereafter, [redacted] filed the Domestic Violence Restraining Order and Petaluma PD began their criminal investigation.

On March 20, 2023, the Sonoma County District Attorney's Office filed felony criminal charges related to the possession and manufacturing of an assault-pistol.

The Domestic Related Incident:

On January 7, 2023, at 1700 hours, Marlowe and [redacted] went to the upstairs master bedroom to discuss their relationship. Once upstairs, they began to discuss the details of ending their

relationship, to include who was going to continue to live in the home. The conversation quickly became verbally intense, which included personal insults and ended with [redacted] leaving the residence.

236 PC defines the California crime of "false imprisonment" as unlawfully restraining, detaining, or confining a person against his or her will. The essential question was whether Marlowe confined [redacted] to the bedroom while they discussed ending their relationship. [redacted] and Marlowe both stated there was no physical violence during this incident or at any time during their dating relationship. However, felony false imprisonment does not require a person to be physically assaulted or restrained. Threats or physical violence would be sufficient for prosecution.

[redacted] told Petaluma PD Detectives Marlowe refused to allow her to leave the bedroom by blocking the bedroom door. [redacted] claimed Marlowe sat on a table near the bedroom entrance (about three feet away) and his legs blocked the door. [redacted] claimed she told Marlowe she was done talking and wanted to leave. Marlowe stated he was not going to allow her to leave until he was done with her. As [redacted] moved around the bedroom and bathroom area, Marlowe followed her and physically blocked the door, thereby preventing her from leaving the bedroom and continued to yell at her. [redacted] claimed she was afraid of Marlowe because of Marlowe's physical size, and he often carried a gun[14]. [redacted] said she was afraid Marlowe would physically assault her, although Marlowe had never physically abused her before.

Marlowe denied he blocked [redacted] from leaving the bedroom or from moving around the bedroom and bathroom. Marlowe claimed he mostly remained seated near the bedroom door, and he wasn't angry. He did recall standing up at one point in the transition area in the bedroom when [redacted] entered the bathroom. Marlowe claimed he never made any statements to [redacted], which would cause her to feel like she could not have left the bedroom. Likewise, Marlowe did not think [redacted] tried to avoid or walk away from him. Marlowe stated he wasn't armed with a firearm and never made any reference to the firearm being nearby.

This investigation was unable to determine whether Marlowe violated PC 236, due to [redacted] and Marlowe having contrasting views of this incident. There is no evidence to support or to refute [redacted] statement, which claimed Marlowe refused to allow her to leave the bedroom. While Marlowe's physical size and his temperament may have intimidated [redacted] from leaving the bedroom, this in and of itself is not enough to sustain an allegation of false imprisonment. This is particularly true given [redacted] was aware (based on her statement to PPD) of Marlowe's tendency to get angry and her knowledge he never physical abused her.

Without clarification from [redacted], it's difficult to say what specifically caused her to have a heightened level of fear and whether her fear was based on a misperception of the incident or an actual threat. In the end, [redacted] declined to provide Professional Standards with a statement

[14] Petaluma Detectives determined Marlowe was not armed during this interaction with [redacted]

and commented she wanted to move on with her life. Therefore, the finding for this allegation should be **Not Sustained.**

RULES AND REGULATIONS REGARDING CONDUCT

5.0 PROCEDURE

B. DUTIES, CONDUCT AND RESPONSIBILITY

2. Local State and Federal Law: Members shall observe, obey and uphold all local, state and federal laws. Specifically:

PC 236, a felony – False Imprisonment. The unlawful restraining, detaining, or confining a person against his or her will.

Finding: **Not Sustained**

Manufacturing and Possession of an Assault-Pistol



Based on the evidence presented in the case, the facts clearly show Deputy Adam Marlowe manufactured and possessed an assault-pistol. During his voluntary statement to Petaluma PD Detectives, Marlowe admitted he built the firearm, and it was not serialized. His admission prompted the Sonoma County District Office to file a felony criminal complaint on March 20, 2023, charging Marlowe for possession of an assault-pistol in violation of PC30605(a) and manufacturing an assault weapon in violation of PC30600(a).

Petaluma Detective Gutierrez determined the firearm was an assault pistol, "based off the fact that it was a semiautomatic pistol that did not have a fixed magazine and could accept a detachable magazine at a location outside of the pistol grip." Deputy Sheriff Larry Matelli looked at a photograph of the AR-15 style firearm and agreed the firearm was an assault pistol based on the weapon being outfitted with an assault pistol arm brace, pistol grip and a Raddlock AR style (bullet button) magazine release button. Marlowe confirmed during his IA interview he built the firearm 11 to 12 years ago and intended to build an AR-15 style pistol.

From reviewing the California Criminal Jury Instructions (2022 edition), to prove Marlowe of possession and manufacturing an assault-weapon, the prosecutor must prove he knew or reasonably should have known that the firearm he manufactured and possessed had the characteristics of an assault weapon. While Marlowe told me he did not intend to manufacture and possess an illegal firearm, after he failed to read publications concerning guns laws or to consult with professionals who could have offered him guidance about the weapons he made or had in his possession.

In this matter, Marlowe built an unregistered and un-serialized AR15 style assault-pistol. The firearm featured a detachable magazine at a location outside of the pistol grip, an assault pistol arm brace, a pistol grip, a bullet button (Raddlock AR style) magazine release and had the capacity to accept high-capacity magazines beyond the maximum legal requirement of 10 rounds. The firearm was classified as an "assault weapon" and was illegal to own in California.



California requires all firearms to have serial numbers, including incomplete receivers before they're milled and drilled, making them firearms. Marlowe admitted to milling and drilling the grayish receiver depicted to the left and confirmed it was not serialized. Milling a lower receiver allows the frame to accept fire control components, like a trigger and hammer, etc.

Marlowe estimated he owns 10 to 15 high-capacity magazines and estimated the largest capacity magazine he owned held about 30 rounds. Marlowe told me he thought it was legal for him to own them because he was a peace officer. When asked, Marlowe acknowledge his peace officer authority does not extend beyond his duty hours working in the capacity of a correctional deputy in the county jail.

Marlowe admitted to Petaluma PD Detectives and to me during his IA Interview he manufactured and owned the assault-style firearm, which was not registered or serialized. Likewise, he acknowledged he possessed high-capacity magazines, which could hold more than 10 rounds. Marlowe's actions have brought discredit to the Sheriff's Office, as his pending criminal case concerning these weapon charges were published in the Press Democrat in April 2022[15]. Therefore, the findings for these allegations should be **sustained**.

[15] Press Democrat link https://www.pressdemocrat.com/article/news/gun-charge-filed-against-sonoma-county-deputy-facing-possible-state-decerti/

RULES AND REGULATIONS REGARDING CONDUCT

5.0 PROCEDURE

B. DUTIES, CONDUCT AND RESPONSIBILITY

2. Local State and Federal Law: Members shall observe, obey and uphold all local, state and federal laws. Specifically:

PC 30600 (a) - Manufacturing of an assault weapon.

PC 306005 (a) - Possession of an assault weapon, assault pistol.

PC 32310 (c), by possession of high-capacity magazines, exceeding 10 rounds.

4. Standard of Conduct: Members shall conduct their private and professional lives in such a manner so as to avoid bringing discredit upon the Sheriff's Office.

Finding: **Sustained**

Firearm Storage



Based on the evidence presented in this case, the facts show Deputy Adam Marlowe negligently stored his firearms on a storage shelf about eight feet off the garage floor and for 11 days kept a 9mm assault-pistol on the garage floor. Marlowe stated ammunition was stored underneath workbenches and on various shelfs in the garage. Marlowe acknowledged there was not a gun safe in the house and he should have stored his firearms more safely. The photograph above represents the firearms Petaluma PD Detectives removed from Marlowe's garage.

Marlowe went on to say he had provided his sons with firearm safety training and [redacted] daughter was too young to load and use a firearm. Despite his children's training, this investigation determined Marlowe stored firearms in a location where he reasonably could have expected a child could gain access to the firearms, as the garage was attached to the residence

without any special locking features on the door leading into the garage. Neither the firearms or ammunition were locked in a locked cabinet or gun safe. Therefore, the findings for these allegations should be **sustained**.

RULES AND REGULATIONS REGARDING CONDUCT

5.0 PROCEDURE

B. DUTIES, CONDUCT AND RESPONSIBILITY

2. Local State and Federal Law: Members shall observe, obey and uphold all local, state and federal laws. Specifically:

PC 25100 (c) - Except as provided in Section 25105, a person commits the crime of "criminal storage of a firearm in the third degree" if the person keeps any firearm within any premises that are under the person's custody or control and negligently stores or leaves a firearm in a location where the person knows, or reasonably should know, that a child is likely to gain access to the firearm without the permission of the child's parent or legal guardian, unless reasonable action is taken by the person to secure the firearm against access by the child.

Finding: Sustained

DUI

Based on the evidence presented in the case, the evidence was insufficient to show Marlowe drove while under the influence of alcohol after returning home from a Warriors' basketball game in the fall of 2022. While Marlowe drank alcohol during the bus ride and while at the game, his level of intoxication after arriving home several hours later cannot be determined. However, according to Marlowe he had three drinks in about six hours and did not drink after arriving home. Moreover, I considered the fact [redacted] did not object to Marlowe driving her home from Petaluma to Windsor after getting off the bus. Therefore, the finding for this allegation should be not sustained.

RULES AND REGULATIONS REGARDING CONDUCT

5.0 PROCEDURE

B. DUTIES, CONDUCT AND RESPONSIBILITY

2. Local State and Federal Law: Members shall observe, obey and uphold all local, state and federal laws. Specifically:

CVC 23152 (a) - illegal for any person to operate a vehicle under the influence of any alcoholic beverage.

Findings: Not Sustained

Off-Duty Drug Usage

Based on the evidence presented in the case, the facts show Deputy Adam Marlowe smoked marijuana daily for about 7 months (March 2022 to October 2022), while off duty, while he recovered from a work injury, to manage his physical pain and sleep. Marlowe decided to use marijuana as an alternative to opioids and other narcotics. Although Marlowe did not have a prescription, he thought using marijuana was a reasonable health alternative to chemical drugs. While Marlowe had a lack of understanding of the Drug Use Policy, he believed Marijuana use wasn't allowed. Therefore, the findings for this allegation should be **sustained**.

RULES AND REGULATIONS REGARDING CONDUCT

5.0 PROCEDURE

B. DUTIES, CONDUCT AND RESPONSIBILITY

3. Obey Policies and Procedures: Members shall obey and carry out all lawful Sheriff's Office policies, procedures, and other order whether written or oral. Specifically:

OFFICE POLICY 1006 – DRUG AND ALCHOL FREE WORKPLACE

1006.3.2 USE OF MARIJUANA

Possession of marijuana, including medical marijuana, or being under the influence of marijuana on-or off-duty is prohibited and may lead to disciplinary action.

Finding: Sustained

Dishonesty to Petaluma PD Detectives

Based on the evidence presented in the case, the facts clearly show Marlowe was dishonest to Petaluma Detectives when he denied ownership of a gray, black and white colored camouflaged firearm, which was later determined to be an assault-pistol. At first, Marlowe was adamant he was not the owner and claimed the firearm was owned by [redacted]. At the conclusion of the interview, after Petaluma Detectives repeatedly asked about whether he owned the firearm, he finally acknowledged he built and owned the firearm. He explained he lied because he was aware the firearm was illegal to possess in California.

Excerpts from Petaluma Detective Boyd's Report

> "We asked Marlowe about the rifle style firearm that we located in the garage of the victim's residence. We asked if it belonged to him and he responded, "what was it?". I described the rifle to him, and he responded, "That's not mine, that doesn't belong to me, it could be hers (victim). It's not mine." Marlowe further stated that 90% of what was in the victim's garage was his. Detective Gutierrez showed Marlowe a photograph of the firearm and he again stated that it didn't belong to him. He then asked Marlowe if he had ever fired the firearm to which Marlowe responded that he had. I asked him who the firearm belonged to. Marlowe stated that he believed it belonged to the victim. Marlowe told me that all the miscellaneous firearm parts, including the hand guards, uppers, and barrels were his and that he built firearms."

Excerpts from Petaluma Detective Gutierrez' Report

> "At the end of the interview, I asked Marlowe about the rifle we located in the victims garage again. I explained to him that it was important that he be honest with us about the rifle, which Detective Boyd also emphasized. At that point in time, Marlowe hung his head down low and began apologizing. He stated the rifle was his and he didn't want to tell us because he knew it was illegal to possess because of the barrel length. I asked him why I could not locate any serial numbers on it. He told us he built the firearm and it was not serialized and not registered. He apologized several more time for being dishonest with us."

Marlowe's dishonesty would have continued if Petaluma Detectives did not confront Marlowe repeatedly, at different times during the interview. Marlowe never offered to clarify or to retract his dishonest statement on his own at any point. Marlowe's lie was particularly malicious, as he wrongfully accused [redacted] of being the owner of an illegal assault-style firearm. His untruthfulness while unrelated to his official duties as a Correctional Deputy, has adversely affected his relationship with the Sheriff's Office. Marlowe's untruthfulness hinders his ability to provide effective service to the community, particularly given he assigned an illegal felony act to another community member, which could negatively affect his ability to testify in a court of law. Therefore, the finding for this allegation should be **sustained.**

RULES AND REGULATIONS REGARDING CONDUCT

5.0 PROCEDURE

B. DUTIES, CONDUCT AND RESPONSIBILITY

3. Obey Policies and Procedures: Members shall obey and carry out all lawful Sheriff's Office policies, procedures, and other order whether written or oral. Specifically:

OFFICE POLICY 320 – Standard of Conduct

320.5.9 Conduct

h. Criminal, dishonest, or disgraceful conduct, whether on- or off-duty, that adversely affects the member's relationship with this office.

Finding: Sustained

I have included other untruthfulness concerns about whether Marlowe attempted to remove an assault-style firearm from the garage during a civil standby. As these concerns are subjective to Marlowe's intent to remove the assault-pistol to avoid prosecution, a policy violation was not assigned to this information.

During Marlowe's IA interview he denied he attempted to remove the assault-style firearm from the garage ahead of Windsor PD arriving at his residence for a civil standby. Marlowe claimed he placed the firearm on the garage floor on January 3, 2023, after reading an Instagram post the ATF had banned pistol braces. Marlowe said he had put the gun on the floor to remind himself to take off the pistol brace on his weekend.

I have included relevant text messages from Petaluma PD's report to demonstrate Marlowe had knowledge of [redacted] plan to file a Domestic Violence Restraining Order, which would require the surrendering of his firearms, to include the illegal assault-pistol.

The text messages read:

"Tuesday 01/10/2023

"Victim: I would like to avoid a restraining order and the affects it would have on your career. I have a No Contact Agreement written up by my lawyer. If you would like to sign it, remove your belongings, and be removed from the lease we can avoid

further action. I just want safety for my daughter and I, and to be left alone."

"Marlowe: I need to have a lawyer look at this before I sign anything."

"Victim: Ok, my lawyer is advising me to file a restraining order ASAP."

"Wednesday 01/11/2023

"Victim: You are going to have to surrender all your firearms, I have no idea what will happen to your job. I just want safety and separation from you. Agree to move out and have a lawyer look at that No Contract Agreement and let's avoid the court system."

"Marlowe: I'm coming by with deputys on civil standby in about 20min or so."

Marlowe told me his residence was outfitted with a surveillance system with a camera on the front door, driveway, and backyard. I asked Marlowe if he had disconnected the Ring cameras before the deputies arrived for the civil stand by on January 11th. Marlowe told me he turned off the cameras to prevent [redacted] from having an image of him carrying his clothing out of the house, which he thought would be an embarrassment for him. Marlowe denied he attempted to remove the assault-pistol or any other firearms from the residence.

I reminded Marlowe he requested the civil stand by to protect himself from false allegations from [redacted]. I then asked Marlowe why he would turn off the video surveillance system, which could provide video evidence of what he removed or didn't remove from the property. Marlowe hesitated and then asked me to repeat the question. After repeating the question, Marlowe responded, "She ([redacted]) wasn't home, and I didn't feel like I would need evidence of me taking my clothing out of my own home." He explained it would be an "embarrassment that she had on camera" of him carrying his clothing out of his home.

At the time of the civil standby, Marlowe had refused to sign the No Contact Agreement and was aware [redacted] planned to file a Domestic Violence Restraining Order, which would cause Marlowe to surrender all his firearms.

Based on all the firearm parts removed from Marlowe's garage, it's evident Marlowe had more knowledge about assembling and manufacturing firearms than he portrayed in his interview. With Marlowe's 12 years of experience of manufacturing firearms, its likely he was aware the assault-pistol was illegal before Petaluma PD Detectives told him the firearm was not California legal. Marlowe's assertion he placed the assault-pistol on the garage floor to later remove the illegal arm brace was inconsistent with his statement that he did not read publications to stay informed with California firearm laws. These contradictions created doubt about whether the firearm was placed on the garage floor to remove the arm brace or to remove the firearm from the residence.

On January 11th Marlowe contacted the Sheriff's Office and requested a civil standby. The following is a timeline, which I established from Dispatch records and BWC's.

1419 hrs. – Reported to Dispatch.

1435 hrs. – Two Windsor Deputies dispatched (Cooper and Knight)

1437 hrs. – Deputies arrived.

1438 hrs.- Deputies entered residence with Marlowe.

1443 hrs. – [redacted] arrived at the residence[16].

1446 hrs. - Marlowe left the residence.

When Deputies Cooper and Knight spoke with [redacted] during the civil standby, she did not tell them there was an assault-pistol on the garage floor. However, the next day [redacted] called the Sheriff's Office and spoke to Deputy Carpenter (which was recorded on his BWC) and voiced her concern about an "AR" being on the garage floor. This led me to believe the firearm was possibly placed on the garage floor by Marlowe on January 11th before the deputies arrived for the civil standby. When Deputy Knight asked Marlowe about turning off the cameras, Marlowe explained he did not want [redacted] to see him packing up his belongings.

On January 13th, [redacted] told Petaluma PD Detectives Marlowe had an "AR" firearm on the garage floor. Petaluma PD Detectives did not establish from [redacted] when Marlowe put the firearm on the garage floor. Without clarification from [redacted], it's difficult to say whether Marlowe placed the firearm on the garage floor on the day of the civil standby (which would further indicate he planned to remove the firearm from the residence) or whether it had been there for a few weeks as Marlowe claimed. Likewise, it's unknown how often [redacted] entered the garage.

Marlowe's explanation for turning off the Ring camera system to prevent [redacted] from capturing an image of him leaving the residence with his personal belongings was unreasonable, especially considering Marlowe's claim [redacted] was vindictive and had lied to Petaluma Detectives about his actions on January 7th, which resulted in his arrest. Conversely, Marlowe had motive to remove the assault-style pistol from the residence, which he should reasonably have known was illegal. Marlowe even stated to Petaluma Detectives he believed the gun was illegal, due to its length.

I considered Marlowe's credibility surrounding the assault-pistol. Marlowe initially lied to Petaluma Detectives about being the owner of the firearm. There is a possibility Marlowe turned off the cameras to conceal the removal of the assault-pistol from the residence, to avoid criminal firearm charges. However, without a statement from [redacted], its difficult to say when the assault-pistol was placed on the garage floor.

[16] [redacted] claimed Marlowe arrived at the residence 15 minutes after he texted her notifying her of the civil standby, however the time of the text is unknown.