



**Stephen M. Wagstaffe, District Attorney**

## **COUNTY OF SAN MATEO**

**SHIN-MEE CHANG**  
CHIEF DEPUTY

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### FOR IMMEDIATE RELEASE

**DATE:** Monday, December 16, 2024

**TO:** Media Members

**FROM:** Stephen M. Wagstaffe, District Attorney

**SUBJECT:** Prosecution Decision Regarding Deputy Carlos Tapia

On Tuesday afternoon, November 12, 2024 the San Mateo County Sheriff's Office conducted a warrantless arrest of Deputy Carlos Tapia for felony charges of timecard fraud in violation of Penal Code sections 487(A) grand theft and 532(A) obtaining money by false pretenses, occurring between January 1, 2024 and October 18, 2024. The Sheriff's Office submitted the case to the District Attorney's Office for review and prosecution the next morning, Wednesday, November 13, 2024. This was the first time the case was submitted to the District Attorney's Office for review.

Over the course of the following month the District Attorney's Office conducted a thorough and detailed investigation into the allegations. We have concluded based on the follow-up investigation that no crime was committed by Deputy Carlos Tapia, that the complete investigation showed that there was no basis to believe any violation of law had occurred, and finally that Deputy Tapia should not have been arrested.

The Sheriff's Office investigation was conducted entirely by an assigned Acting Assistant Sheriff who reviewed timecard records for Deputy Tapia. The Acting Assistant Sheriff's investigation was extraordinarily limited and did not involve necessary follow-up investigation to examine the accuracy of the allegations. The Acting Assistant Sheriff noted in his report that the investigation was on-going and more needed to be done. Nevertheless, the Assistant Sheriff reported that the Sheriff's Office executive leadership directed that Deputy Tapia be arrested on November 12, 2024 without that additional investigation being conducted.

After the Assistant Sheriff submitted the case for prosecution on November 13, 2024, District Attorney's Office investigators proceeded over the next month to conduct the complete investigation. This included interviews of the investigating Acting Assistant Sheriff, of the Sergeants and Lieutenant who supervised Deputy Tapia and verified his work schedule and work assignments, Human Resources Management Analysts who

verified the MOU rules allowing Deputy Tapia release time for his Deputy Sheriff's Association work, the Assistant County Controller regarding payroll rules, the Sheriff's Office Director of Finance and payroll coordinators, and County Public Works staff regarding building log-ins and log-outs. Additionally, a full interview of Deputy Carlos Tapia himself was conducted. Documentary evidence was collected to corroborate verbal statements and interviews were recorded.

At the conclusion of the interview of the investigating Acting Assistant Sheriff, District Attorney investigators discussed with the Acting Assistant Sheriff the additional information learned during the course of the District Attorney's Office follow-up investigation. The Acting Assistant Sheriff repeated several times that the follow-up investigation definitively established that there is no case against Deputy Tapia and he is not guilty of any criminal conduct.

It is my conclusion that the evidence establishes without question that Deputy Carlos Tapia did not commit grand theft, theft by false pretenses or any sort of timecard fraud. There were clerical errors in the manner in which work hours were coded but nothing showing criminal intent or criminal conduct. Additionally there was no monetary loss to the Sheriff's Office by the miscoding. Therefore, we deem this matter closed.

I will be available in the afternoon of December 16, 2024 for any interviews or questions regarding the Deputy Carlos Tapia case. Please direct any questions to District Attorney Stephen Wagstaffe (650) 363-4752.