

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/13/13 **DATE OF COMPLETION:** 05/20/13 **PAGE#** 1 of 2

SUMMARY OF ALLEGATION #1: The officer failed to prepare a complete and accurate incident report.

CATEGORY OF CONDUCT: ND **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that the officer wrote that the complainant complained of ankle pain. The complainant stated the officer should have used the word “foot” instead of ankle. The complainant also stated that the officer failed to document that he had been taken off an airplane in a wheelchair. The complainant further stated the officer should have documented that the complainant did nothing wrong. In his OCC interview, the complainant stated he walked off the plane and was placed in wheelchair after he left the plane.

The officer stated that the complainant told him that he had ankle pain. The officer stated that the complainant walked off the airplane unassisted and chose to sit in a wheelchair on the jet way ramp. At the gate, the complainant got up from the wheelchair and walked to the seating area to be interviewed.

One witness officer stated he did not know if the complainant was escorted off the plane in a wheelchair. He did not know whether the complainant complained about foot or ankle pain. A second witness officer stated he did not have any contact with the complainant but he believed the complainant was offered a wheelchair and accepted one.

A witness stated the complainant walked off the airplane unassisted. This witness further stated that the complainant refused to comply with Federal Aviation Administration regulations and was escorted off the plane by police.

Based on a preponderance of evidence, the officer’s report was overall complete and accurate. His conduct was proper.

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SUMMARY OF ALLEGATION #2: The officer behaved inappropriately.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated the officer was “kept asking questions,” was “badgering” him and “made me feel like I was being interrupted.” The complainant stated that every time he made a statement to the officer, the officer would say, “What do you mean?” The complainant stated the officer “was picking at me about details.”

The officer stated he did not question the complainant. A second officer at the scene stated he interviewed the complainant, and that the named officer did not interview the complainant. No other witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
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DATE OF COMPLAINT: 03/15/13 **DATE OF COMPLETION:** 05/17/13 **PAGE #1** of 1

SUMMARY OF ALLEGATION #1: This complaint raises matters outside OCC's jurisdiction.

CATEGORY OF CONDUCT: N/A **FINDING:** IO-1 **DEPT. ACTION:**

FINDINGS OF FACT: This complaint raises matters outside OCC's jurisdiction. This complaint has been referred to:

San Francisco Police Department
Internal Affairs Division
850 Bryant Street
San Francisco, CA 94103

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
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DATE OF COMPLAINT: 03/25/13 **DATE OF COMPLETION:** 05/28/13 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer behaved inappropriately.

CATEGORY OF CONDUCT: CRD **FINDING:** M **DEPT. ACTION:**

FINDINGS OF FACT: By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on May 22, 2013.

SUMMARY OF ALLEGATION #2: The officer made inappropriate gender biased comments.

CATEGORY OF CONDUCT: CRD **FINDING:** M **DEPT. ACTION:**

FINDINGS OF FACT: By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on May 22, 2013.

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DATE OF COMPLAINT: 04/03/13 **DATE OF COMPLETION:** 05/28/13 **PAGE #1** of 1

SUMMARY OF ALLEGATION #1: The officer behaved unprofessionally.

CATEGORY OF CONDUCT: D **FINDING:** M **DEPT. ACTION:**

FINDINGS OF FACT: By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on May 14, 2013.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
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DATE OF COMPLAINT: 04/05/13 **DATE OF COMPLETION:** 05/07/13 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer made an inappropriate comment.

CATEGORY OF CONDUCT: CRD **FINDING:** NF/W **DEPT. ACTION:**

FINDINGS OF FACT: The complainant requested a withdrawal of the complaint.

SUMMARY OF ALLEGATION #2: The officer issued an unlawful order.

CATEGORY OF CONDUCT: UA **FINDING:** NF/W **DEPT. ACTION:**

FINDINGS OF FACT: The complainant requested a withdrawal of the complaint.

**OFFICE OF CITIZEN COMPLAINTS
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DATE OF COMPLAINT: 04/10/13 **DATE OF COMPLETION:** 05/08/13 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: This complaint raises matters outside OCC's jurisdiction.

CATEGORY OF CONDUCT: **FINDING:** IO-1 **DEPT. ACTION:**

FINDINGS OF FACT: This complaint raises matters outside OCC's jurisdiction. This complaint has been referred to:

San Francisco Police Department
Internal Affairs Division
850 Bryant Street
San Francisco, CA 94103

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/10/13 **DATE OF COMPLETION:** 05/02/13 **PAGE #1** of 1

SUMMARY OF ALLEGATION #1: This complaint raises matters outside OCC's jurisdiction.

CATEGORY OF CONDUCT: N/A **FINDING:** IO-1 **DEPT. ACTION:**

FINDINGS OF FACT: This complaint raises matters outside OCC's jurisdiction. This complaint has been forwarded to:

Episcopal Community Services (ECS)
165 Eighth Street, 3rd Floor
San Francisco, CA 94103

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
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DATE OF COMPLAINT: 03/10/13 **DATE OF COMPLETION:** 05/20/13 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The department issued an invalid order.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated SFPD stopped BART service into San Francisco far too long in order to deal with a “small suspicious device” near the Powell BART station. Consequently, the complainant stated he was late for an important job interview. The evidence established that an MTA driver found an unattended ticking bag at a bus shelter on a major artery of San Francisco. Under the authority of California Penal Code section 409.5 and the policy and procedures set forth in DGO 8.08 and DB 09-271, the SFPD personnel made prompt notifications to create a reasonable perimeter, which included the closure of the BART Powell Station, and close access to motorized and pedestrian traffic within a four block quadrant for an hour until the found device was deactivated, and safely removed to another area by the SFPD explosive ordinance detail. The actions by SFPD personnel were justified, lawful, and proper.

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DATE OF COMPLAINT: 04/15/13 **DATE OF COMPLETION:** 05/24/13 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: The officer cited the primary complainant without cause.

CATEGORY OF CONDUCT: UA **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The officer stated he cited the primary complainant for violating California Vehicle Code section 22106, which states, “No person shall start a vehicle stopped, standing, or parked on a highway, nor shall any person back a vehicle on a highway until such movement can be made with reasonable safety.” The complainants denied the alleged violation. No witnesses were identified. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

SUMMARY OF ALLEGATION #2: The officer behaved inappropriately.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainants alleged that the officer behaved inappropriately, threatening them with arrest. The officer denied the allegation. The officer described his attitude and demeanor towards the complainants as “extremely professional.” No witnesses were identified. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

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DATE OF COMPLAINT: 04/16/13 **DATE OF COMPLETION:** 05/20/13 **PAGE #1** of 1

SUMMARY OF ALLEGATION #1: This complaint raises matters outside OCC's jurisdiction.

CATEGORY OF CONDUCT: N/A **FINDING:** IO-1 **DEPT. ACTION:**

FINDINGS OF FACT: This complaint raises matters outside OCC's jurisdiction. This complaint has been referred to:

San Francisco Police Department
Internal Affairs Division
850 Bryant Street, Room 558
San Francisco, CA 94103

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

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DATE OF COMPLAINT: 04/18/13 **DATE OF COMPLETION:** 05/15/13 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer behaved inappropriately.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated someone scratched her car and she believed the damage was done by an officer against whom she made a prior complaint. She stated she had no evidence that the officer caused the damage. She stated this was just her “assumption.”

The officer denied damaging the complainant’s vehicle. There were no witnesses and no additional evidence to further prove or disprove the allegation.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

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DATE OF COMPLAINT: 04/23/13 **DATE OF COMPLETION:** 05/17/13 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer searched the complainant's residence without cause.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated her parolee boyfriend was in custody at the time the supervising San Francisco Police Department officer came to their residence to conduct a parole search, to which she consented. Case law does not preclude any San Francisco Police Department member from executing a parole search regardless of the parolee being in County Jail for new arrest charges. The officer's actions were lawful, justified, and proper.

SUMMARY OF ALLEGATION #

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
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DATE OF COMPLAINT: 04/29/13 **DATE OF COMPLETION:** 05/28/13 **PAGE #1** of 1

SUMMARY OF ALLEGATION #1: This complaint raises matters outside OCC's jurisdiction.

CATEGORY OF CONDUCT: N/A **FINDING:** IO-1 **DEPT. ACTION:**

FINDINGS OF FACT: This complaint raises matters outside OCC's jurisdiction. This complaint has been personally delivered to the:

San Francisco Sheriff's Department
Investigative Services Unit
25 Van Ness Avenue, Suite 350
San Francisco, CA 94102

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
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DATE OF COMPLAINT: 05/08/13 **DATE OF COMPLETION:** 05/15/13 **PAGE #1** of 1

SUMMARY OF ALLEGATION #1: This complaint raises matters not rationally within the OCC's jurisdiction.

CATEGORY OF CONDUCT: N/A **FINDING:** IO-2 **DEPT. ACTION:**

FINDINGS OF FACT: This complaint raises matters not rationally within the OCC's jurisdiction.

SUMMARY OF ALLEGATIONS #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
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DATE OF COMPLAINT: 05/02/13 **DATE OF COMPLETION:** 05/15/13 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer engaged in inappropriate sexual behavior.

CATEGORY OF CONDUCT: CRD **FINDING:** NF **DEPT. ACTION:**

FINDINGS OF FACT: The complainant did not provide valid contact information and did not provide sufficient information to open an investigation.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
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DATE OF COMPLAINT: 05/02/13 **DATE OF COMPLETION:** 05/20/13 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer engaged in inappropriate sexual behavior.

CATEGORY OF CONDUCT: CRD **FINDING:** NF **DEPT. ACTION:**

FINDINGS OF FACT: The complainant failed to provide valid contact information and did not provide sufficient information to investigate the allegation.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
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DATE OF COMPLAINT: 05/13/13 **DATE OF COMPLETION:** 05/17/13 **PAGE # 1 of 1**

SUMMARY OF ALLEGATION #1: The complaint raises matters not rationally within OCC's jurisdiction.

CATEGORY OF CONDUCT: N/A **FINDING:** IO-2 **DEPT. ACTION:**

FINDINGS OF FACT: The complaint raises matters not rationally within OCC's jurisdiction.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING :** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
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DATE OF COMPLAINT: 05/14/13 **DATE OF COMPLETION:** 05/17/13 **PAGE #1** of 1

SUMMARY OF ALLEGATION #1: This complaint raises matters outside OCC's jurisdiction.

CATEGORY OF CONDUCT: N/A **FINDING :** IO-1 **DEPT. ACTION:**

FINDINGS OF FACT: This complaint raises matters outside OCC's jurisdiction. This complaint has been referred to:

San Francisco Community Boards
601 Van Ness Avenue, Suite 2040
San Francisco, CA 94102

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING :** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/04/13 **DATE OF COMPLETION:** 05/17/13 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The complaint raises matters not rationally within OCC's jurisdiction.

CATEGORY OF CONDUCT: NA **FINDING:** IO-2 **DEPT. ACTION:**

FINDINGS OF FACT: This complaint raises matters not rationally within the OCC's jurisdiction.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
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DATE OF COMPLAINT: 05/20/13 **DATE OF COMPLETION:** 05/22/13 **PAGE #1** of 1

SUMMARY OF ALLEGATION #1: This complaint raises matters outside the OCC jurisdiction.

CATEGORY OF CONDUCT: N/A **FINDING:** IO-1 **DEPT. ACTION:**

FINDINGS OF FACT: his complainant raises matters outside the OCC jurisdiction. This complaint has been forwarded to:

San Francisco Police Department
Internal Affairs Division
850 Bryant Street, Room 558
San Francisco, CA 94103

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/13/13 **DATE OF COMPLETION:** 05/22/13 **PAGE #1** of 1

SUMMARY OF ALLEGATION # 1: The complaint raises matters not rationally within OCC's jurisdiction.

CATEGORY OF CONDUCT: N/A **FINDING:** IO-2 **DEPT. ACTION:**

FINDINGS OF FACT: The complaint raises matters not rationally within OCC's jurisdiction.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING :** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
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SUMMARY OF ALLEGATION #1: The officer damaged property without cause.

CATEGORY OF CONDUCT: UA **FINDING:** S **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that late at night he and other family members heard banging on the front door. Shortly thereafter the complainant and other family members saw a foot kick through the front door and a hand reach inside and open the door. The complainant stated that individuals in dark clothing entered the residence and physically took hold of the complainant's nephew who was standing in the hallway. The officer stated that he and other officers were in hot pursuit of the complainant's nephew, whom they had seen run into the residence. The officer stated that he had knocked on the door, identified himself and demanded entry. He requested and received authorization to forcibly enter the residence from a superior officer at the scene. The officer acknowledged that he kicked in and subsequently opened the door. The investigation established that the officer did not have probable cause and an exigency to justify a warrantless, late night entry into the residence. A preponderance of the evidence proved that the conduct complained of occurred and, using as a standard the Fourth Amendment, federal and state case law, and the applicable regulations of the Department, the conduct was improper.

SUMMARY OF ALLEGATION #2: The officer damaged property without cause.

CATEGORY OF CONDUCT: UA **FINDING:** U **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that late at night he and other family members heard banging on the front door. Shortly thereafter the complainant and other family members saw a foot kick through the front door and a hand reach inside and open the door. The complainant stated that individuals in dark clothing entered the residence and physically took hold of the complainant's nephew who was standing in the hallway. The investigation established that the named officer did not kick in the front door of the residence but that the named officer's partner kicked in the front door of the residence. The allegation of damaging property without cause is unfounded as to this named officer.

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SUMMARY OF ALLEGATIONS #3-5: The officers entered a residence without consent or cause.

CATEGORY OF CONDUCT: UA **FINDING:** S **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that the officers kicked in the door to his aunt's home and entered the residence without consent. The officers acknowledged entering the home without consent. They stated exigent circumstances existed because they were in hot pursuit of the complainant's nephew, whom they had seen run into the house. They stated the complainant's nephew matched the description of a homicide suspect, was wearing dark clothing associated with a gang, and the residence was in an area claimed by a gang.

The investigation established that the nephew was not wearing colors, tattoos, or clothing associated with a gang and was not engaging in any criminal activity. Courts have ruled that vague or generalized suspect descriptions of race and height do not provide probable cause to arrest or even reasonable suspicion to detain. Courts have also ruled that an individual's refusal to have a consensual encounter with an officer is not a factor supporting reasonable suspicion for a detention. The investigation concluded that the officers did not have probable cause and an exigency to justify the warrantless, nighttime entry into the residence. A preponderance of the evidence proved that the conduct complained of occurred and, using as a standard the Fourth Amendment, federal and state case law, and the applicable regulations of the Department, the conduct was improper.

SUMMARY OF ALLEGATIONS #6-8: The officers failed to take required action.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that the officers failed to announce themselves before forcibly entering his aunt's home. Two of the named officers stated they knocked on the door and announced themselves as police. One of these officers stated he waited "a few seconds" before he kicked open the door. The second officer stated he did not know how much time passed before the door was kicked open. The third officer stated that the officer who kicked in the door followed the Department's "knock/notice" requirements. The officers stated that they repeatedly yelled, "Police! Police!" upon entering the home. Witnesses inside the home stated that the officers did not knock on the door or announce themselves before forcibly entering the home. One witness stated that one of the officers was wearing a blue police jacket. There were no other witnesses and no additional evidence to further prove or disprove the allegation.

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DATE OF COMPLAINT: 06/12/12 **DATE OF COMPLETION:** 05/14/13 **PAGE#** 3 of 4

SUMMARY OF ALLEGATIONS #9-11: The officers used unnecessary force.

CATEGORY OF CONDUCT: UF **FINDING:** S **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated officers pepper sprayed him and four other people when they protested the arrest of the complainant's nephew. He also stated that the officers used force to remove his nephew from the residence. Two of the three named officers acknowledged employing pepper spray during the arrest of the complainant's nephew. Two of the three named officers also acknowledged forcefully grabbing and pulling the complainant's nephew from the residence and taking him to the ground.

Penal Code Section 835 authorizes a peace officer to use reasonable force to overcome resistance but is applicable only where there is probable cause to believe the person has committed an offense. A preponderance of the evidence demonstrated that the officers did not have probable cause to believe that the complainant's nephew had committed a public offense and that they used unnecessary force to arrest him without cause. A preponderance of the evidence proved that the conduct complained of occurred and, using as a standard the Fourth Amendment, federal and state case law, and the applicable regulations of the Department, the conduct was improper.

SUMMARY OF ALLEGATIONS #12-14: The officers arrested the complainant's nephew without cause.

CATEGORY OF CONDUCT: UA **FINDING:** S **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated the officers arrested his nephew without cause. The officers stated that complainant's nephew matched the description of a homicide suspect, that he was wearing dark clothing and that the residence was in territory claimed by a gang. The investigation established that the generalized suspect description, the nephew's dark clothing, and his presence in front of the residence did not provide probable cause for an arrest. A preponderance of the evidence proved that the conduct complained of occurred and, using as a standard the Fourth Amendment, federal and state case law, and the applicable regulations of the Department, the conduct was improper.

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SUMMARY OF ALLEGATIONS #15-17: The officers arrested the complainant without cause.

CATEGORY OF CONDUCT: UA **FINDING:** S **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated he was arrested without cause. The investigation established that the officers acted improperly when they forcibly entered the complainant's residence without probable cause and exigent circumstances. The complainant's arrest directly resulted from the officers' improper actions. A preponderance of the evidence proved that the conduct complained of occurred and, using as a standard the Fourth Amendment, federal and state case law, and the applicable regulations of the Department, the conduct was improper.

SUMMARY OF ALLEGATIONS #18-20: The officers arrested the complainant's brother without cause.

CATEGORY OF CONDUCT: UA **FINDING:** S **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated the officers arrested his brother without cause. The investigation established that the officers acted improperly when they forcibly entered the complainant's residence without probable cause and exigent circumstances. The complainant's brother's arrest directly resulted from the officers' improper actions. A preponderance of the evidence proved that the conduct complained of occurred and, using as a standard the Fourth Amendment, federal and state case law, and the applicable regulations of the Department, the conduct was improper.

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DATE OF COMPLAINT: 06/25/12 **DATE OF COMPLETION:** 05/28/13 **PAGE#** 1 of 2

SUMMARY OF ALLEGATION #1: The officer failed to properly investigate.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated he was involved in a fare dispute with a cab driver regarding a shared taxi ride. He also stated the driver uttered homophobic slurs at him. The complainant called 911 and received instructions from the Department of Emergency Management to drive to a local police station. The complainant and the taxi driver contacted the officer at the station. The complainant stated the officer would not go beyond the fare dispute, minimized the incident and failed to investigate the driver's alleged homophobic slur. The officer denied the allegation, stating the dispute was civil in nature. He denied the complainant told him the cab driver uttered homophobic slurs, and stated he did not observe such conduct by the cab driver himself. The officer stated he investigated both sides of the story from the complainant and the cab driver. The driver denied engaging in the behavior complained of and there were no independent witnesses. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

SUMMARY OF ALLEGATION #2: The officer made inappropriate remarks and acted in an inappropriate manner.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated the officer belittled and minimized his dispute with a cab driver, and improperly threatened to arrest him. The officer denied the allegation. There were no independent witnesses to this incident. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

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SUMMARY OF ALLEGATION #3: The officer engaged in biased policing based on sexual orientation.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that he complained to the named officer that a cab driver called him a homophobic slur during the course of a fare dispute and the officer allowed the driver to leave. The complainant stated he told the officer that it was Gay Pride weekend and that the city was full of people who fit the cab driver's slur and that the officer had just condoned the driver's use of the slur. The officer denied engaging in biased policing based on sexual orientation. He said he never knew of the complainant's sexual orientation until the complainant mentioned his sexual orientation. The named officer was interviewed pursuant to OCC's Biased Policing Investigation Protocol. There were no independent witnesses to this incident. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

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DATE OF COMPLAINT: 06/29/12 **DATE OF COMPLETION:** 05/02/13 **PAGE #1 of 3**

SUMMARY OF ALLEGATION #1: The officer searched a residence without cause.

CATEGORY OF CONDUCT: UA **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant said SFPD officers knocked on the door to her apartment and they came in, telling her they had a search warrant regarding her daughter but never telling her what the warrant was for or allowing her to read it. The complainant acknowledged her daughter lived in the apartment but said there was no reason to search her apartment because her daughter had broken no law. The named officer acknowledged that he was in charge of executing a search warrant on the complainant's address and that he did so. He denied the allegation, stating that he had a warrant to search the apartment for evidence in a case involving the complainant's daughter. He said the warrant listed the complainant's address. The police department did not produce the warrant authorizing the search, reporting that the Superior Court had sealed the warrant. Five witness officers said the warrant named the complainant's address. No other witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #2: The officer used unnecessary force during a detention.

CATEGORY OF CONDUCT: UF **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that an unidentified officer in plain clothes entered the apartment and struck her in the chest, causing her to be injured. The complainant failed to produce any record of the injury, and refused to sign a waiver for the OCC to obtain her medical records. The six officers who acknowledged entering the apartment denied striking the complainant in the chest, and denied seeing any officer do so. One other witness said he was not within eyesight of the complainant when the officers entered the apartment. No other witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/29/12 **DATE OF COMPLETION:** 05/02/13 **PAGE #2 of 3**

SUMMARY OF ALLEGATION #3: The officer failed to take required action.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant said the sergeant she spoke to when he entered her apartment to execute a search warrant failed to show her the warrant in a manner in which she could read it and failed to give her a copy. The named officer acknowledged that he was the officer communicating with the complainant regarding the warrant, but denied the allegation, stating that he showed the complainant the warrant. He said he did not recall if he left a copy of the warrant. One witness said he was in a separate room from the complainant and did not see the exchange between the complainant and the officer. Three witness officers stated that they did not know if an officer left a copy of the warrant. Two witness officers said an officer left a copy of the warrant, but did not know which officer did so. No other witness came forward. There was insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #4: The officer intentionally damaged property.

CATEGORY OF CONDUCT: UA **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant said an officer broke into her daughter's room without letting the complainant get a key to open the door. The named officer said the complainant was uncooperative regarding opening the door to the daughter's room and he had to force the door to execute a valid warrant. Five witness officers said they did not recall the complainant's conversation regarding a key to the daughter's room. No other witness came forward. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/29/12 **DATE OF COMPLETION:** 05/02/13 **PAGE #3 of 3**

SUMMARY OF ALLEGATION #5: The officer engaged in inappropriate behavior and comments.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant said unidentified officers laughed inappropriately at photos of her family and an officer put a “dirty magazine” on her bed. One witness in the apartment with the complainant could not identify which officers took part in what behavior. The six officers at the scene during the incident denied either taking part in or observing the alleged behavior or comments. No other witnesses came forward. There is insufficient evidence to identify the officer or to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/18/12 **DATE OF COMPLETION:** 05/24/13 **PAGE #1** of 2

SUMMARY OF ALLEGATION #1: The officer behaved inappropriately.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant said the named officer grabbed a phone and keys out of her hands, pulled out his handcuffs, and pushed her up against a car, as if he were going to handcuff her. One witness said the officer removed his handcuffs and turned the complainant around, holding her arms behind her, but it did not appear as if he were trying to hurt the complainant. The named officer denied the allegation, stating that the complainant refused numerous orders to stay in her car during a traffic stop, and since he was alone, he had to consider handcuffing her to assure his safety, but did not because backup officers arrived. There was insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #2: The officer issued a citation without cause.

CATEGORY OF CONDUCT: UA **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant and one witness stated that the named officer issued a parking citation, then issued a moving violation for the same offense, parking in a traffic lane. The complainant provided copies of the two citations, issued by the named officer at the prescribed time. The named officer denied the allegation, stating that he recalled the complainant refused to accept the parking ticket, so he issued a moving violation and retained the parking citation, ultimately destroying it. The named officer claimed he could have issued both citations as they were separate and the complainant had committed them both. He could not explain how the complainant had obtained a copy of the parking citation. City records indicated that the parking citation was not submitted to MTA for processing. There were no other witnesses. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/18/12 **DATE OF COMPLETION:** 05/24/13 **PAGE #2** of 2

SUMMARY OF ALLEGATION #3: The officer made inappropriate comments.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The named officer denied making the alleged comments. One witness did not overhear all the conversations between the named officer and the complainant. No other witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/18/12 **DATE OF COMPLETION:** 05/02/13 **PAGE#** 1 of 2

SUMMARY OF ALLEGATIONS #1, 2: The officers used unnecessary force during an arrest.

CATEGORY OF CONDUCT: UF **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant said the named officers pulled on his earrings and forcefully pushed his head into a window at the booking counter, causing him to be injured. The complainant failed to respond to requests for a waiver to obtain medical records. The named officers denied the allegations, stating that the complainant was resistive and uncooperative when they were conducting the booking search, and that he would not tell them how to remove his earrings. One witness named by the complainant has retired from the SFPD and thus unavailable. There was insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #3: The officer used profanity in speaking to the complainant.

CATEGORY OF CONDUCT: D **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The named and one witness officer denied the allegation. There were no other witnesses. There was insufficient evidence to either prove or disprove the allegation.

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DATE OF COMPLAINT: 07/18/12 **DATE OF COMPLETION:** 05/02/13 **PAGE#** 2 of 2

SUMMARY OF ALLEGATION #4: The officer threatened the complainant.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The named officer and a witness officer denied the allegation. No other witness came forward. There was insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/17/12 **DATE OF COMPLETION:** 05/07/13 **PAGE #1** of 3

SUMMARY OF ALLEGATION #1: The officer issued a citation without cause.

CATEGORY OF CONDUCT: UA **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant said he had been in front of a car, and saw the car stop at a controlled intersection, and then saw an officer give the driver a citation for running the stop sign. The named officer denied the allegation. The driver of the car, who was cited for the violation, did not respond to requests for an interview. No other witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #2: The officer made inappropriate comments to the complainant.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The named officer said he did not recall making any inappropriate comments. Three witness officers said they did not hear the inappropriate comments alleged by the complainant. No other witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/17/12 **DATE OF COMPLETION:** 05/07/13 **PAGE #2 of 3**

SUMMARY OF ALLEGATION #3: The officer used profanity in speaking to the complainant.

CATEGORY OF CONDUCT: D **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The named officer denied the allegation. Three witness officers said they did not hear any profanity used by the named officer or any other. No other witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #4: The officer engaged in biased policing based on race.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant said the named officer issued a citation to a motorist, his employee, because the driver was black and the officer engaged in “profiling.” The named officer was interviewed pursuant to OCC’s Biased Policing Investigation Protocol. The named officer said he observed a traffic law violation and issued the citation for that reason. Three witness officers who were at the scene of the citation said they had not been present when the violation allegedly occurred. No other witness came forward. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/17/12 **DATE OF COMPLETION:** 05/07/13 **PAGE #3** of 3

SUMMARY OF ALLEGATION #5: The officer failed to properly supervise.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant said he called for a sergeant at the scene of a traffic citation, and the named officer did not respond to his complaint about an officer speaking to him improperly in the presence of the sergeant. The named officer denied the allegation, stating that the complainant was upset about a citation being issued to an employee driving in a car separate from the complainant, but said he did not recall any complaint about an officer speaking improperly to the complainant. Two witness officers said they did not hear the conversation between the complainant and the named sergeant. No other witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/16/12 **DATE OF COMPLETION:** 05/02/13 **PAGE #1** of 4

SUMMARY OF ALLEGATIONS #1-2: The officers detained the complainant without justification.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated the officers had no reason to detain him. The complainant stated he was in a private driveway in an alley using binoculars to monitor police activity and to collect recyclable cans. The officers denied the allegation. One of the named officers stated he was on foot patrol when he observed the complainant standing in a corner in an alley. The officer thought the complainant was urinating in the alley, so he yelled for the complainant to stop, but received no response nor did he see any movement from the complainant. The officer walked towards the complainant who turned around and brought down a pair of binoculars from his face. The officer said the complainant was two yards away from a window with drawn curtains to a bedroom, which was the same level as the complainant's position. The other named officer stated he observed a male standing with binoculars up to his face facing a building line and turned towards them when his partner called out to the complainant. The officer stated he believed that the building the complainant was looking into was a hostel of European tourist kids with many female attendees. One of the officers asked the complainant what he was doing there and the complainant replied that he was looking for cans. The named officer stated there were no cans or recycling bins in the area. The officers said the complainant wore a thick puffy jacket and carried a black satchel type bag with a metal cane. The officers made contact with the complainant to conduct an investigative detention. The officers stated they thought the complainant was either a "peeping tom" or was casing the building for a burglary. The officers had reasonable suspicion to believe the complainant was or about to be engaged in criminal activity and had sufficient justification to detain the complainant. The evidence proved that the acts, which provided the basis for the allegations occurred; however, such acts were justified, lawful, and proper.

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DATE OF COMPLAINT: 08/16/12 **DATE OF COMPLETION:** 05/02/13 **PAGE #2** of 4

SUMMARY OF ALLEGATIONS # 3-5: The officers arrested the complainant without cause.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT : The complainant stated he would not comply with the officers since the officers had no reason to detain him. The complainant admitted he evaded and resisted the officers during the detention. The officers denied the allegation. The named officers stated they asked the complainant for identification multiple times and the complainant verbally refused while stepping back and clutching his bag and cane in his hands. The officer stated they had not searched the complainant or his bag and were not certain if the complainant intended to evade them or to use his cane as a weapon. The named officers physically detained the complainant by grabbing his arms and hands while telling him they needed to search him for weapons. The officers said the complainant started struggling and they all went down to the ground. The supervisor stated he arrived during the detention of the complainant. The supervising officer heard the officers ask the complainant to provide identification due to observing him peering into the back of a window with a pair of binoculars. The supervising officer said the complainant became agitated and “shut down.” The supervising officer said the complainant would not comply with the officer’s orders and resisted their physical controls during the detention. The supervising officer said he assisted the officers in taking the complainant to the ground and tried to get the complainant’s hands from the front of his body to his back. The officers stated they wrestled with the resistive complainant and eventually handcuffed him. The totality of the circumstances provided the officers with reasonable cause to detain the complainant and request identification from the complainant. Once the complainant failed to comply with the officers, the officers had cause to pat search the complainant in order to protect themselves during the detention. The complainant’s refusal to comply with the officers developed into an arrest for resisting and delaying the officers’ investigation. The complainant admittedly resisted the officers and was subsequently arrested for resisting, possession of narcotics, possession of illegal knives, and loitering with weapons. No witnesses came forward. The evidence proved that the acts, which provided the basis for the allegations occurred; however, such acts were justified, lawful, and proper.

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DATE OF COMPLAINT: 08/16/12 **DATE OF COMPLETION:** 05/02/13 **PAGE #3 of 4**

SUMMARY OF ALLEGATIONS # 6-8: The officers used force during the detention/arrest.

CATEGORY OF CONDUCT: UF **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated he evaded, resisted and pulled back from the police. The complainant stated all three officers grabbed him and threw him on the ground. During the struggle, the complainant said one officer struck him with a baton. The complainant said he was on the ground subdued and the officer kept hitting him, three to four times, with the baton while telling him to stop resisting. The complainant stated his knee was sore, but he did not seek medical attention.

The officers denied the allegation. The named officers stated that during a lawful detention, the complainant failed to comply with their request for identification and posed a threat to their safety. The officers said they physically detained the complainant by grabbing his arms and hands. The officers stated the complainant “clutched in” and held his black bag to the front of his body. The officers stated the complainant started struggling with them and they all went down to the ground. The officers continued to wrestle with the complainant. The officers said the complainant would not give up his hands and place them behind his back for handcuffing. The officers said they all gave the complainant commands to give his hands and to stop resisting them. The supervising officer said the complainant continued to resist so he stood up from the ground and used his baton to strike the complainant two times on his legs. At that point, the supervising officer stated the officers were finally able to get the complainant to loosen his resistance, which allowed the officers to wrestle the complainant’s hands back and handcuff him. The use of force by the supervising officer was properly documented in the Department’s Use of Force Log. There was insufficient evidence to determine the level of force necessary to take the complainant into custody. There was insufficient evidence to either prove or disprove the allegation.

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DATE OF COMPLAINT: 08/16/12 **DATE OF COMPLETION:** 05/02/13 **PAGE #4 of 4**

SUMMARY OF ALLEGATION #9: The officer intentionally damaged the complainant's property.

CATEGORY OF CONDUCT: UA **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated one of the officers intentionally crushed his eyeglasses with his boot. The officers denied the allegation. One of the officers stated that during the struggle the complainant's eyeglasses ended up on the ground. The officer did not recall the complainant's eyeglasses having been damaged and denied that any officer intentionally stepped on the complainant's eyeglasses. Another officer stated he recalled the eyeglasses being "mangled slightly" and assumed it had occurred during the struggle. This officer stated that the complainant himself might have damaged his own eyeglasses by rolling on top of them during the struggle with the officers. The supervising officer stated the complainant's eyeglasses came off his face when he was taken to the ground. The supervising officer thought one of the temples was broken, but could not say for sure. He did not see an officer intentionally step on the complainant's glasses. There were no other witnesses. There was insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATIONS #10-11: The officers failed to properly process property.

CATEGORY OF CONDUCT: ND **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated the officers took his property and failed to return his belongings. The complainant stated he had twenty-five to fifty dollars, throwing knives, binoculars and a cane, which were not returned to him. The officers denied the allegation. Both officers stated several items were booked into evidence and the complainant's personal property went to the county jail with the complainant. The officers stated they did not recall the locating of any money on or with the complainant during the search. During the OCC investigation, evidence was gathered to show the complainant's money, cane, eyewear and other items were inventoried and sent with the complainant to the county jail. The county sheriff's documents show the complainant signed the property inventory report form, acknowledging that the items were correct upon his entry and release from the county jail. Furthermore, the complainant signed the report indicating that he received his cane and \$11.13 in cash. In addition, the complainant's items booked into evidence are still in the property room. However, according to the SFPD supervising inspector, the complainant would have to contact his attorney for a court order to have his illegal items released. Based on the documents gathered for the OCC investigation, the complainant's property was properly booked and processed and the complainant signed his name in acknowledgement of his property when jailed and once released. The evidence proved that the acts, which provided the basis for the allegations occurred; however, such acts were justified, lawful, and proper.

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DATE OF COMPLAINT: 08/16/12 **DATE OF COMPLETION:** 05/23/13 **PAGE #** 1 of 3

SUMMARY OF ALLEGATION #1: The officer cited the complainant without cause.

CATEGORY OF CONDUCT: UA **FINDING :** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated he shut down his taxi business the day prior to the incident and had changed his motor vehicle registration on his town car from a commercial vehicle to a passenger vehicle. The complainant stated that although he was no longer in the taxi business, he gave a female passenger a ride to the San Francisco airport and the passenger gave him money as a donation for the ride. The complainant stated he did nothing wrong. The officer stated he observed a town car drop off a female passenger at the drop off curb at the airport without proper permits on the car. He observed the complainant unload the passenger's luggage and saw the female pull out her wallet only to put it away when the complainant saw the named officer nearby. The officer said the complainant's vehicle had none of the required markings, permits or numbers displayed on the vehicle to operate as a taxi service for hire. The officer made contact with the complainant, requested his documents and asked him a series of questions to determine his type of operation at the airport. The officer said the complainant became very argumentative and stated he had just gotten out of the taxi business the day before and was not operating as a taxi service. The named officer made contact with the female passenger in the airport who confirmed that she had paid the complainant \$79.00 dollars for the ride to the airport. The complainant eventually admitted to the named officer that he had accepted the money from the female passenger on a "donation type scale." The complainant could not provide any documents indicating that he was operating as a tax-exempt company to qualify for the donation type scale. The officer took numerous photos of the exterior and interior of the complainant's car as evidence to show the covered taxi meter, the complainant's taxi driver permit on the visor, his clipboard and pen on the front seat and the omission of all the required markings and permit numbers. The complainant refused to sign the citation and requested that a supervisor respond to the scene. A sergeant responded as requested by the complainant and corroborated the officer's account of the violations and prompted the officer to take photos of the vehicle. Two assisting officers also corroborated the officer's account of the complainant's violations. The named officer wrote the complainant a citation for failing to have a carrier identification number, not having an airport permit, failing to having a livery commercial plate and for failing to have commercial insurance. The complainant did not provide OCC with any evidential documents, which would allow him to accept fares from passengers on a donation type scale. The evidence and statements of the parties involved corroborated that the named officer had cause to cite the complainant. The evidence proved that the acts, which provided the basis for the allegations occurred; however, such acts were justified, lawful, and proper.

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DATE OF COMPLAINT: 08/16/12 **DATE OF COMPLETION:** 05/23/13 **PAGE #** 2 of 3

SUMMARY OF ALLEGATION #2: The officer behaved inappropriately and/or made inappropriate comments, intimidating the complainant.

CATEGORY OF CONDUCT: CRD **FINDING :** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated the named officer intimidated him by not allowing the complainant to explain his situation and asking the complainant numerous questions. The officer stated that upon contact with the complainant, the officer asked him a series of questions to determine whether the complainant had collected money from his female passenger. The officer asked the complainant whom he had just dropped off, what company the complainant worked for and if the complainant was working as a limo or taxi service. The officer then requested the complainant's driver's license. At this point, the complainant told the officer he did not collect any money from his female passenger. Once the officer retrieved the required information from the complainant, the officer made contact with the female passenger inside the airport terminal and confirmed that the female had paid the complainant \$79.00 dollars for the ride to the airport. The responding sergeant stated during his conversation with the complainant, the complainant was acting irrational and accusing the named officer of trying to intimidate him with threatening behavior and that the officer was so big. The sergeant said when the complainant was making these accusations, the sergeant looked toward the named officer and saw no such intimidating behavior. The Department's airport transportation unit enforces commercial laws, public utility codes, vehicle codes and San Francisco international airport rules and regulations. Due to the numerous licensing and regulatory codes, officers must ask a series of questions to determine in what manner regulated vehicles are operating under. This is a normal process by ground transportation officers and a necessity for proper enforcement. There was insufficient evidence to either prove or disprove that the officer intimidated the complainant.

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DATE OF COMPLAINT: 08/16/12 **DATE OF COMPLETION:** 05/23/13 **PAGE #** 3 of 3

SUMMARY OF ALLEGATION #3: The officer engaged in biased policing, due to race.

CATEGORY OF CONDUCT: CRD **FINDING :** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated if he had spoken with a native accent, he would not have been treated unfairly. The complainant stated the named officer told him he was not in Brazil and that things are done differently here. The named officer was interviewed pursuant to OCC's biased policing protocol. The officer denied the allegation, stating his comment was not racially biased. The officer said he has studied international taxicabs and specializes in its enforcement. The officer stated he meant no disrespect when he told the complainant that his actions may be legal in Brazil, but it is not legal in California. The officer told the complainant that in California he had to have a limousine permit, the carrier identification number and the livery license. He informed the complainant that accepting donations on a scale basis might be perfectly legal in some countries, but not in California. Furthermore, the officer stated that taxicabs are operated all over the world and every country and province has their own regulations for taxicabs. The officer stated it was just part of his education to the public about the laws and regulations to prevent the complainant from having this type of contact again. There were no other witnesses available. There was insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #4: The officer harassed the complainant.

CATEGORY OF CONDUCT: CRD **FINDING :** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated the officer harassed him by making contact with a taxi regulation division in another county regarding the incident at the airport. The officer denied harassing the complainant. The officer stated that making contact with other agencies is his normal follow up process when an incident involves an out of town taxi, which operated illegally at the airport. The officer stated he spoke with the individual who investigates complaints and violations of taxis from their county. The individual told the named officer that the complainant had terminated his permit a few months prior and he would check into it. The officer stated his duties as an airport officer has also involved making contact with the public utilities commission on a regular basis regarding complaints and the status of limousine operators. The officer summarized that it is a normal practice to investigate and follow up on incidents with other agencies that govern regulated vehicles. There was insufficient evidence to either prove or disprove that the officer's actions were intended to harass the complainant. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/16/12 **DATE OF COMPLETION:** 05/28/13 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer arrested the complainant without cause.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that he was arrested for no reason and that drugs that were confiscated were his prescription drugs. The officer stated that he had a tip from someone who bought pharmaceuticals illegally from the complainant earlier in the day. The officer then went to arrest the complainant but the complainant ran from the officer and then resisted arrest. The officer seized pharmaceuticals that were in an unlabeled bag. An independent witness stated that he saw the complainant evading the officer and resisting arrest.

SUMMARY OF ALLEGATIONS #2-3: The officer used unnecessary force during the arrest.

CATEGORY OF CONDUCT: UF **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that he was doing nothing when suddenly one of the named officers jumped on him, handcuffed him and started choking him. According to the complainant, several more officers arrived and started kicking and pulling his hair. One of the named officers stated that he was going to arrest the complainant, but the complainant ran away and put something in his mouth. This officer caught up to the complainant and grabbed him and attempted to handcuff him on the ground. The complainant struggled with the officer and resisted arrest, prompting the other named officer to assist the initial officer. Both officers denied kicking the complainant or pulling his hair. An independent witness stated that he saw an undercover officer tackle the complainant and wrestle with him. He stated that the complainant struggled with the officer. The witness did not see the officer strike the complainant. No other witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/19/12 **DATE OF COMPLETION:** 05/28/13 **PAGE #1 of 2**

SUMMARY OF ALLEGATION #1: The officer made inappropriate comments.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant and his acquaintance stated that the officer made inappropriate comments. The officer denied the allegation. Several witnesses said they did not hear the alleged comments. No independent witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #2: The officer engaged in biased policing based on race.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated the officer engaged in biased policing based on the complainant's race. The named officer was interviewed pursuant to OCC's biased policing investigation protocol. The officer denied the allegation. No independent witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

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COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/19/12 **DATE OF COMPLETION:** 05/28/13 **PAGE #2 of 2**

SUMMARY OF ALLEGATIONS #3 and 4: The officers issued an invalid order.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated the officers ordered him off the property. The officers stated and the complainant admitted that he was on the property removing items that did not belong to him, and that he did not have any documentation that demonstrated he had the right to be on the property. One of the parties had a valid lease, documenting his right to be on the property. This party asked the officers to remove the complainant from the property. The officers said they advised the complainant that without proof of property rights, he was trespassing and was asked to leave. The complainant left the property. The officers' conduct was consistent with department rules. The evidence proved that the acts, which provided the basis for the allegation, occurred; however, such acts were justified, lawful, and proper.

SUMMARY OF ALLEGATIONS #5 and 6: The officers failed to take required action.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The officers responded to a 240 assault/battery call. Upon arriving at the scene the officers discovered that the underlying dispute involved the removal of property from the premises. While investigating the property dispute, the officers were informed by the complainant that he had been kicked and hit by the second party to the dispute. The second party to the dispute informed the officers that the complainant had assaulted him when the complainant threw a bucket at him. The second party showed the officers his cell phone video tape recording of the assault. The officers stated they advised both parties of their right to make a citizen's arrest and said that the parties chose not to do so, therefore, they were not required to make a police report. Department orders require that in all cases involving Citizen's Arrest Procedures officers are required to file a police report. There were no other available witnesses. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/22/12 **DATE OF COMPLETION:** 05/01/13 **PAGE #** 1 of 1

SUMMARY OF ALLEGATIONS #1-2: The officers used force against the complainant's nephew.

CATEGORY OF CONDUCT: UF **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated her nephew told her that police roughed him up and snatched one of his dread locks from his head. The officers stated that the complainant's nephew, who was on active probation with a search condition, disobeyed their commands to stop, fled, and resisted arrest. The officers stated the force used to take the complainant's nephew into custody was necessary. The officers denied that they pulled his dread locks and pointed out that he was wearing a hood at the time of the incident. The San Francisco Police Department photograph of the complainant's nephew documents her nephew wearing a hood. The officers reported the use of force. The complainant did not provide witness information and the complainant's nephew did not respond to requests for interview. There were no other witnesses. There is insufficient evidence to determine the level of force necessary to take the complainant's nephew into custody.

SUMMARY OF ALLEGATION # 3: The officer failed to comply with Department General Order 7.01.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that she was not notified that her nephew was in police custody for several hours. The officer stated he notified the complainant as soon as he had her contact information and after paramedics had treated her nephew. The complainant's nephew did not respond for an interview. There were no other witnesses and no additional evidence to further prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS+
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/22/12 **DATE OF COMPLETION:** 05/06/13 **PAGE #** 1 of 1

SUMMARY OF ALLEGATION #1: The San Francisco Police Department failed to comply with the Americans with Disabilities Act.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: In his OCC interview, the complainant stated he drove to the Hall of Justice to pay for his parking citations. The complainant stated he is disabled, has mobility issues and has a disabled placard for his vehicle. He sought to park in a disabled parking space in front of the Hall of Justice. The complainant stated that available disabled parking spaces in front of the Hall of Justice were inaccessible because they were blocked by double-parked San Francisco Police Department Vehicles. The OCC notified the San Francisco Police Department of the problem and it has been abated. The OCC has monitored the disabled parking spaces over the course of several months and found the problem to have been abated. There was insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING :** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/02/12 **DATE OF COMPLETION:** 05/22/13 **PAGE#** 1 of 2

SUMMARY OF ALLEGATIONS #1 & 2: The officers failed to take required action.

CATEGORY OF CONDUCT: ND **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: In his written complaint, the complainant stated that he summoned police to prepare a report concerning a break-in of his room. He stated that officers who responded communicated with him in an irrational manner and refused his request to follow procedures. He stated that he then asked the officers to leave and that as they did, they laughed sarcastically.

Department records established that the complainant went to the police station soon afterwards to file a report concerning the break-in. This report indicates that the break-in occurred two months earlier. The complainant stated in this report that an unknown person had entered his locked room, located in a multi-person household, and moved some of his items but that nothing was taken.

The named officers stated that when they met with the complainant at his home, he told them that items in his room had been rearranged by an unknown individual but that nothing was taken. When they asked questions concerning this, the complainant became angry, used profanity and ordered them to leave his home. As they were leaving, one of the complainant's roommates told them the complainant is psychotic.

Communications records established that seven minutes after arriving at the complainant's home, the named officers wrote in their CAD event history that the complainant told them there was no sign of forced entry and that nothing was taken from his home and that he ordered them to leave his home.

The complainant failed to respond to OCC requests for an interview. A preponderance of the evidence established that the complainant did not report an incident that would have required the named officers to prepare a report and that the complainant ceased communicating with the officers before they could complete their investigation. The evidence proved that the acts, which provided the basis for the allegation, occurred. However, the acts were justified, lawful, and proper

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/02/12 **DATE OF COMPLETION:** 05/22/13 **PAGE#** 2 of 2

SUMMARY OF ALLEGATIONS #3 & 4: The officers exhibited inappropriate behavior.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: In his written complaint, the complainant stated that he summoned police to prepare a report concerning a break-in of his room. He stated that officers who responded communicated with him in an irrational manner and refused his request to follow procedures. He stated that he then asked the officers to leave and that as they did, they laughed sarcastically. Department records established that the complainant went to the police station soon afterwards to file a report concerning the break-in. This report indicates that the break-in occurred two months earlier. The complainant stated in this report that an unknown person had entered his locked room, located in a multi-person household, and moved some of his items but that nothing was taken. The named officers stated that when they met with the complainant at his home, he told them that items in his room had been rearranged by an unknown individual but that nothing was taken. When they asked questions concerning this, the complainant became angry, used profanity and ordered them to leave his home. As they were leaving, one of the complainant's roommates told them the complainant is psychotic. The named officers denied exhibiting the behavior described by the complainant. Communications records established that seven minutes after arriving at the complainant's home, the named officers wrote in their CAD event history that the complainant told them there was no sign of forced entry and that nothing was taken from his home and that he ordered them to leave his home. The complainant failed to respond to OCC requests for an interview that would have provided details concerning the behavior by the officers that the complainant considered inappropriate. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/04/12 **DATE OF COMPLETION:** 05/01/13 **PAGE #** 1 of 3

SUMMARY OF ALLEGATIONS #1 & 2: The officers issued a 72 hour Warning without cause.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated the officers issued him a 72 Hour warning even though there were no signs on the street where he was parked. The officers stated they were doing overnight parking enforcement on orders from the Captain due to complaints from merchants in the area. The officers added that there were no signs on that street for sleeping, camping, lodging in vehicles but it is a citywide ordinance. The officers had the authority to enforce Traffic Code 37A.

SUMMARY OF ALLEGATIONS #3 & 4: The officers behaved inappropriately.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that the officers were unprofessional during the contact. The complainant stated that the officers banged on his door violently, yelled, shined a bright light on his face, and laughed during the incident. The officers stated that they did shine a light on the complainant because this is what they do for safety reasons when it is dark and when they approach someone in a vehicle. The officers denied yelling, laughing, or banging on the door violently. The officers stated because the complainant was sleeping, it took a while for him to come to the door so they knocked repeatedly and spoke loudly to announce "Police." The complainant's wife corroborated the complainant's version. There were no other witnesses. There was insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/04/12 **DATE OF COMPLETION:** 05/01/13 **PAGE #** 2 of 3

SUMMARY OF ALLEGATIONS #5 & 6: The officers engaged in biased policing due to race.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated he felt he was being singled out due to his race because there were other vehicles in which people were sleeping, but the officers did not take enforcement action against them. The officers were interviewed pursuant to OCC's Biased Policing Investigation Protocol. The officers denied the allegation. The officers stated they issued another warning and two citations to others in that area and denied that the complainant's race had anything to do with their enforcement of Traffic Code 37A.

SUMMARY OF ALLEGATION #7: The officer failed to take required action.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that he went to the station to meet with the captain but the captain did not meet with him nor did he return any of his calls. The captain denied the allegation. The captain stated that he did not recall receiving a phone call from the complainant, therefore, he would not have returned his call. The captain also stated that the complainant was not seen on August 12, 2012 because he was not working that day. There were no witnesses. There was insufficient evidence to prove or disprove the allegation.

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DATE OF COMPLAINT: 09/04/12 **DATE OF COMPLETION:** 05/01/13 **PAGE #** 3 of 3

SUMMARY OF ALLEGATION #8: The officer issued an invalid order.

CATEGORY OF CONDUCT: UA **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated the officer told him that he not only had to move his car within three days but he had to also move out of the district. The officer denied the allegation. The witness officer did not recall the officer saying this to the complainant. There were no other witnesses. There was insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #9: The officer engaged in biased policing due to race.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated he believed the officer was prejudiced against him. The officer was interviewed pursuant to OCC's Biased Policing Investigation Protocol. The officer denied the allegation. There was insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/05/12 **DATE OF COMPLETION:** 05/22/13 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer arrested the complainant without cause.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that the officer arrested her without cause. The named officer stated that she arrested the complainant for trespassing and for violating a stay-away order issued by the court. The evidence established that the owner of the property signed a citizen arrest card for the complainant's arrest and the complainant admitted that there was a stay-away order in effect barring her from the property where she was arrested. The evidence proved that the acts, which provided the basis for the allegation, occurred; however, such acts were justified, lawful and proper.

SUMMARY OF ALLEGATION #2: The officer made inappropriate statements.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant initially claimed that the named officer made disparaging comments about her to third parties. When pressed for specifics, the complainant stated that a friend of her boyfriend's told him that the named officer described the complainant's boyfriend as a thief. The friend to whom the named officer allegedly made this statement could not be contacted by the OCC. The named officer denied making any disparaging statement about the complainant's boyfriend. There was insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/12/12 **DATE OF COMPLETION:** 05/29/13 **PAGE#** 1 of 2

SUMMARY OF ALLEGATION #1: The officers failed to comply with DGO 5.04.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated a man approached him asking if he was the manager of a nearby hotel. The complainant stated that he ignored the question and continued walking. He stated that the man then grabbed his shoulder in an attempt to get his attention and the complainant felt that touching him was a violation of his civil rights. When police arrived, the complainant stated that he asked for the man to be arrested for touching him but the police officers refused. The named officers denied the allegation and stated that there was never any discussion of making an arrest, or of the complainant seeking a citizen's arrest. A witness was unable to corroborate the complainant's version of the events and no other witnesses were located during the investigation. There was insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #2: The officers failed to provide their name and/or star numbers upon request.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that he asked the officers for their badge numbers, but they refused to provide them. Both named officers denied the allegation and stated that they provided their names and star numbers upon request. A witness was unable to corroborate the complainant's version of the incident and no other witnesses were located during the investigation. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/12/12 **DATE OF COMPLETION:** 05/29/13 **PAGE#** 2 of 2

SUMMARY OF ALLEGATION #3: The officers failed to write an incident report.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that he asked for an incident report to be written, but the officers did not write one. He confirmed that he was not injured but stated that his civil rights were violated when the other man touched his shoulder. Both officers denied the allegation and stated that they did not write an incident report because no crime was reported to them. They classified the contact made between the man and the complainant as non-criminal in nature that was not intended to cause harm to the complainant. Department General Order 1.03 requires an officer to write an incident report when a crime is observed or is brought to their attention. The OCC was unable to locate the other party involved in the incident. There was insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #4: The officers engaged in biased policing due to race.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that he felt that the officers treated him differently due to his race. When asked to explain, the complainant was unable to articulate anything that the officers did or said related to his race, but stated that if he, a black man, had grabbed a white man by the shoulder, he would be taken to jail. Both named officers were interviewed pursuant to OCC's biased policing protocol. Both denied the allegation. They denied knowing the race or ethnicity of either party prior to arriving at the scene, and denied that race or ethnicity was a factor in how the call was resolved. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/14/12 **DATE OF COMPLETION:** 05/21/13 **PAGE #1** of 1

SUMMARY OF ALLEGATION #1: The officer detained the complainant without cause.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated she did not know why she was pulled over by the officer, who informed her she made an illegal left turn. The complainant did not respond to OCC requests for an interview. The officer denied the allegation and stated the complainant made an illegal left turn. OCC's investigation established that the complainant did in fact make an illegal left turn at an intersection where there were numerous signs prohibiting left turn at a specified time period. The officer's actions were justified, lawful, and proper.

SUMMARY OF ALLEGATION #2: The officer's behavior and comments were inappropriate.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant said the officer belittled her by telling her she was illiterate. The officer denied the allegation. There was insufficient evidence to either prove or disprove the allegation.

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DATE OF COMPLAINT: 09/17/12 **DATE OF COMPLETION:** 05/21/13 **PAGE#** 1 of 3

SUMMARY OF ALLEGATIONS #1-2: The officers failed to properly investigate.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant, who is disabled, boarded a MUNI bus at 16th and Mission Streets. The bus was crowded with people and had no available seats. The complainant stated she requested a seat from passengers near the front of the bus but no one offered their seat to her. The complainant became upset and started making comments she later thought she should not have made. The complainant said a female passenger eventually offered her a seat and the complainant sat down. The complainant stated a young man on the bus walked up to her location and started staring at her. The young man, without any provocation, punched the complainant in her eye, dragged her out of the bus and repeatedly kicked her. Two passengers intervened and stopped the attack. The complainant stated that the responding officers failed to properly investigate the incident. The complainant stated the officers briefly talked to her and spent most of their time talking to her assailant. The complainant said the officers also failed to take photographs of her injuries.

The officers stated they separated the parties and spoke to them simultaneously to find out what had occurred. The officers stated it was difficult to hold a conversation with the complainant because she was yelling, agitated and hysterical. The officers stated that they did not take any photographs of the complainant's injuries because her injuries were minor and had been properly documented in the incident report and by the paramedics. The bus driver stated the officers asked him questions about the incident and one of them took his statement. The bus driver said the officers also talked to the suspect and complainant separately, but he did not hear their conversation because he remained seated inside the bus. The witness provided by the complainant stated the officers talked to the suspect and the bus driver, but he did not see them talk to the complainant, though this witness was at the scene for only 5-6 minutes and left while the officers were still conducting their investigation. The incident report shows that the officers took statements from witnesses and gathered relevant evidence regarding the incident. The complainant provided OCC with photographs of her injuries. However, the complainant's photographs show no date as to when they were taken. The paramedic medical records show the complainant refused to complete her medical assessment and evaluation. It further shows that she suffered only minor injuries. No other witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

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DATE OF COMPLAINT: 09/17/12 **DATE OF COMPLETION:** 05/21/13 **PAGE#** 2 of 3

SUMMARY OF ALLEGATIONS #3-4: The officers failed to make an arrest.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant alleged the officers failed to make an arrest. The complainant stated she signed an arrest form for her assailant to be taken into custody, but she later learned that the officers released the suspect on scene.

DGO 5.04 II.4. ARRESTS BY PRIVATE PERSONS, states:

Whenever a private person summons an officer to take custody of an individual that the private person has arrested or wants to arrest, officers shall determine if probable cause exists to believe the individual committed the crime in question. If probable cause exists such that an arrest should be made, accept the private person's arrest and book or cite the individual as appropriate (see DGO 5.06, "Citation Release"). If probable cause does not exist, the individual is free to leave.

The officers stated after conducting their investigation and talking to their supervisor, they determined that the alleged suspect acted in self-defense. Pursuant to DGO 5.04, the officers accepted the complainant's private person's arrest and released the alleged suspect due to lack of probable cause to believe that the individual committed the crime in question. The officers prepared an incident report pursuant to DGO 5.04, II.8.

Two witnesses identified in the incident report were interviewed by the OCC. The alleged suspect did not respond to OCC's request for an interview. No other witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/17/12 **DATE OF COMPLETION:** 05/21/13 **PAGE#** 3 of 3

SUMMARY OF ALLEGATION #5: The officer behaved inappropriately and/or made inappropriate comments.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant alleged that the officer behaved inappropriately and/or made inappropriate comments. The named officer and her partner denied the allegation. Witnesses interviewed by the OCC did not corroborate the complainant's allegation against the named officer. No other witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #6: This complaint raises matters outside OCC's jurisdiction.

CATEGORY OF CONDUCT: NA **FINDING:** IO1 **DEPT. ACTION:**

FINDINGS OF FACT: This complaint raises matters outside OCC's jurisdiction. This complaint has been forwarded to the San Francisco Police Department Internal Affairs Division.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/21/12 **DATE OF COMPLETION:** 05/07/13 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer behaved inappropriately and/or made inappropriate comments.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated he was approached by an officer while the complainant was on the sidewalk smoking his medical marijuana. The complainant alleged that the unknown officer behaved inappropriate towards him and made inappropriate comments during their brief interaction. An Officer Poll was sent to the district station and came back with negative results. One officer questioned by the OCC denied having any contact with the complainant. The identity of the alleged officer has not been established. No witnesses were identified. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

SUMMARY OF ALLEGATION #2: The officer failed to provide his name upon request.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated he was approached by an officer while the complainant was on the sidewalk smoking his medical marijuana. The complainant alleged that the unknown officer failed to provide his name upon request. An Officer Poll was sent to the district station and came back with negative results. One officer questioned by the OCC denied having any contact with the complainant. The identity of the alleged officer has not been established. No witnesses were identified. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/27/12 **DATE OF COMPLETION:** 05/14/13 **PAGE #** 1 of 3

SUMMARY OF ALLEGATION #1: The officer arrested the complainant without cause.

CATEGORY OF CONDUCT: UA **FINDING :** NF **DEPT. ACTION:**

FINDINGS OF FACT: Personnel Order No. 10, issued on May 8, 2013, shows that the named officer retired on April 12, 2013. Because of his retirement, the named officer is no longer with the Department and no longer subject to Department discipline.

SUMMARY OF ALLEGATION #2: The officer towed the vehicle without justification.

CATEGORY OF CONDUCT: UA **FINDING:** NF **DEPT. ACTION:**

FINDINGS OF FACT: Personnel Order No. 10, issued on May 8, 2013, shows that the named officer retired on April 12, 2013. Because of his retirement, the named officer is no longer with the Department and no longer subject to Department discipline.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/27/12 **DATE OF COMPLETION:** 05/14/13 **PAGE #** 2 of 3

SUMMARY OF ALLEGATION #3: The officer failed to properly Mirandize the complainant.

CATEGORY OF CONDUCT: ND **FINDING :** NF **DEPT. ACTION:**

FINDINGS OF FACT: Personnel Order No. 10, issued on May 8, 2013, shows that the named officer retired on April 12, 2013. Because of his retirement, the named officer is no longer with the Department and no longer subject to Department discipline.

SUMMARY OF ALLEGATION #4: The officer failed to take a required action.

CATEGORY OF CONDUCT: ND **FINDING:** NF **DEPT. ACTION:**

FINDINGS OF FACT: Personnel Order No. 10, issued on May 8, 2013, shows that the named officer retired on April 12, 2013. Because of his retirement, the named officer is no longer with the Department and no longer subject to Department discipline.

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DATE OF COMPLAINT: 09/27/12 **DATE OF COMPLETION:** 05/14/13 **PAGE #** 3 of 3

SUMMARY OF ALLEGATION #5: The officer made inappropriate comments.

CATEGORY OF CONDUCT: CRD **FINDING:** NF **DEPT. ACTION:**

FINDINGS OF FACT: Personnel Order No. 10, issued on May 8, 2013, shows that the named officer retired on April 12, 2013. Because of his retirement, the named officer is no longer with the Department and no longer subject to Department discipline.

SUMMARY OF ALLEGATION #6: The officer engaged in biased policing.

CATEGORY OF CONDUCT: CRD **FINDING:** NF **DEPT. ACTION:**

FINDINGS OF FACT: Personnel Order No. 10, issued on May 8, 2013, shows that the named officer retired on April 12, 2013. Because of his retirement, the named officer is no longer with the Department and no longer subject to Department discipline.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/28/12 **DATE OF COMPLETION:** 05/17/13 **PAGE #** 1 of 3

SUMMARY OF ALLEGATION #1: The officer detained the complainant without justification.

CATEGORY OF CONDUCT: UA **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated the officer approached him and asked him for his name but he refused. The complainant said the officer told him he could take him to jail to identify him, so he put his hands up and told officer to go ahead. The complainant stated the officer pulled his wallet out of his pocket and looked at his identification, put it back, and told him he was free to leave. The officer stated that this was a consensual encounter. He stated the complainant looked like a suspect in a shooting that occurred earlier in the morning. The officer stated he asked the complainant for his name, but the complainant took offense, put his hands up and told him to arrest him. The officer stated he asked the complainant to pull out his wallet from his rear pocket but he told the officer to go ahead and take it. The officer did so and then put it back after he saw the identification. The officer said he told the complainant he was free to go. The officer stated the encounter was about two minutes, but the complainant was upset and requested a sergeant, requiring additional time waiting for a sergeant. The officer provided a mug shot of the suspect he was looking for and a mug shot of the complainant, which showed a resemblance. There was insufficient evidence to prove or disprove whether there was a detention or a consensual encounter.

SUMMARY OF ALLEGATION #2: The officer conducted an unlawful search.

CATEGORY OF CONDUCT: UA **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that the officer reached into his pocket to remove his wallet for identification. The officer stated the complainant told him to pull out the wallet from his pocket. The witness did not return calls for interview. There were no other witnesses. There was insufficient evidence to prove or disprove the allegation.

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DATE OF COMPLAINT: 09/28/12 **DATE OF COMPLETION:** 05/17/13 **PAGE#** 2 of 3

SUMMARY OF ALLEGATION #3: The officer failed to provide a Certificate of Release.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated he wanted some paper work to document his contact with the officer. The officer stated that a consensual contact does not require a certificate of release and that his contact with the complainant only lasted for about two minutes. The officer further stated the complainant was not handcuffed or moved, and was free to leave. However, the officer stated the complainant added additional time at the scene by requesting and waiting for a sergeant after he told him he could leave. There was insufficient evidence to prove that the contact was consensual or not and, therefore, not enough evidence to either prove or disprove that a certificate of release was required.

SUMMARY OF ALLEGATION #4: The officer failed to process property.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that his cannabis card was missing from his wallet. The officer denied the allegation. The witness did not respond for interview. There were no other witnesses. There was insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
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DATE OF COMPLAINT: 09/28/12 **DATE OF COMPLETION:** 05/17/13 **PAGE#** 3 of 3

SUMMARY OF OCC ADDED ALLEGATION #1: The officer failed to take required action.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The officer did not prepare an Investigative Detention Report Form per DB 10-182. The officer stated that this incident was a consensual encounter, not a detention. There was insufficient evidence to prove whether this was a consensual encounter or a detention.

**OFFICE OF CITIZEN COMPLAINTS
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DATE OF COMPLAINT: 10/05/12 **DATE OF COMPLETION:** 05/14/13 **PAGE#** 1 of 1

SUMMARY OF ALLEGATIONS #1-4: The officers failed to properly operate a vehicle.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated he observed police vehicles parked illegally while the officers were out of the cars eating. The officers did not recall the circumstances complained of. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/18/12 **DATE OF COMPLETION:** 05/14/13 **PAGE#** 1 of 2

SUMMARY OF ALLEGATIONS #1-2: The officers issued an invalid order.

CATEGORY OF CONDUCT: UA **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that he witnessed an interaction between several occupants of a parked car and two police officers. The complainant stated the officers were talking aggressively to the driver of the vehicle and then ordered one of the young occupants to exit the vehicle. The complainant stated the officers then noticed him, turned towards his direction and ordered him to leave the area. The complainant stated he wished to remain at the scene to be assured that the contact remained professional. The officers denied the allegation. One officer said he ordered the complainant to back away from the scene because he was too close and the complainant complied. The OCC canvassed the area for witnesses. No available witnesses came forward. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

SUMMARY OF ALLEGATIONS #3-4: The officers used profanity.

CATEGORY OF CONDUCT: D **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that he witnessed an interaction between several occupants of a parked car and two police officers. The complainant stated the officers used profanity towards him numerous times. The officers denied the allegation. The OCC canvassed the area for witnesses. No available witnesses came forward. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/18/12 **DATE OF COMPLETION:** 05/14/13 **PAGE#** 2 of 2

SUMMARY OF ALLEGATIONS #5-6: The officers made inappropriate comments.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated one officer told him he should not bother calling 911 because the next time he got robbed, he and his partner would not help him. The complainant also stated the officer's partner told him to "Shut up." The officers denied the allegation. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/18/12 **DATE OF COMPLETION:** 05/28/13 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer cited the complainant without cause.

CATEGORY OF CONDUCT: UA **FINDING:** M **DEPT. ACTION:**

FINDINGS OF FACT: By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on May 10, 2013.

SUMMARY OF ALLEGATION #2: The officer made inappropriate comments/behavior.

CATEGORY OF CONDUCT: CRD **FINDING:** M **DEPT. ACTION:**

FINDINGS OF FACT: By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on May 10, 2013.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/30/12 **DATE OF COMPLETION:** 05/16/13 **PAGE #1** of 2

SUMMARY OF ALLEGATION #1: The officer drove his motorcycle improperly.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated he was crossing the street when an unknown motorcycle officer clipped the complainant's left ankle area. The complainant stated he had no identifying information about the officer. An Officer Poll was sent to the motorcycle unit and the district station and both came back with negative results. The identity of the alleged officer has not been established. No witnesses were identified. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

SUMMARY OF ALLEGATION #2: The officer failed to take an OCC complaint.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated he went to the police station to report the incident he had with the unknown motorcycle officer, and the officer refused to accept his complaint against the motorcycle officer. An Officer Poll, an equipment search of the patrol unit assigned to the station and a conversation with the station Captain about the identity of the officer did not disclose the identity of the alleged officer. The identity of the alleged officer has not been established. No witnesses were identified. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

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DATE OF COMPLAINT: 10/30/12 **DATE OF COMPLETION:** 05/16/13 **PAGE #2 of 2**

SUMMARY OF ALLEGATION #3: The officer behaved inappropriately and made inappropriate comments.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated the officer was rude and did not listen or help him regarding his prior incident with the unknown motorcycle officer. The complainant said the officer did not take his complaint. The identity of the alleged officer has not been established. No witnesses were identified. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
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DATE OF COMPLAINT: 11/13/12 **DATE OF COMPLETION:** 05/20/13 **PAGE #1** of 2

SUMMARY OF ALLEGATION #1: The officer issued an invalid order.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated the officer demanded that the complainant give him information about the whereabouts of a family member. The officer stated that he was investigating a missing person case and he gave the order for law enforcement purposes. The officer was investigating a possible crime and noted his steps in an incident report. The evidence proved that the acts, which provided the basis for the allegation, occurred; however, such acts were justified, lawful and proper.

SUMMARY OF ALLEGATION #2: The officer engaged in inappropriate behavior and made inappropriate comments.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that the officer was rude and threatened the complainant with arrest if he did not provide information. The officer stated that he was trying to get information about a missing person and anything he said was an effort to investigate the crime. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

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DATE OF COMPLAINT: 11/13/12 **DATE OF COMPLETION:** 05/20/13 **PAGE #2 of 2**

SUMMARY OF ALLEGATION #3: The officer misused police authority.

CATEGORY OF CONDUCT: CRD **FINDING:** U **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that the officer called him on behalf of family members to search for someone, and that the officer was not working in an official capacity. The officer stated he was investigating a possible crime and articulated in investigative steps in his incident report. The evidence proved that the act alleged in the complaint did not occur.

SUMMARY OF ALLEGATION #4: The officer failed to provide her name and star number.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that a woman claiming to be a San Francisco police officer spoke to him over the phone but refused to give her star number and name. The woman was never identified. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

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DATE OF COMPLAINT: 11/15/12 **DATE OF COMPLETION:** 05/02/13 **PAGE #** 1 of 2

SUMMARY OF ALLEGATIONS #1-2: The officers failed to properly investigate.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that the officers did not hear his side of the story. The officers denied the allegation. There were no witnesses. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #3: The officer used unnecessary force.

CATEGORY OF CONDUCT: UF **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated the officer grabbed his forearm forcefully and pinned it down while he was trying to sign the citation, causing pain. The officer stated the complainant was agitated and volatile during the incident. She stated he was standing in close proximity to butcher knives. The officer told the complainant not to move toward the knives, but he grabbed her citation book and moved in the direction of the knives, so she did grab his forearm and sleeve. The officer stated the complainant did not complain of pain or injury during the incident. The complainant stated he did not tell the officer he was having pain. There were no witnesses. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

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DATE OF COMPLAINT: 11/15/12 **DATE OF COMPLETION:** 05/02/13 **PAGE #** 2 of 2

SUMMARY OF ALLEGATIONS #4-6: The officers behaved inappropriately and/or made inappropriate comments.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated one of the named officers attempted to intimidate him and the officers made assumptions about him being on drugs. The officers denied the allegation. There were no witnesses. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

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DATE OF COMPLAINT: 10/25/12 **DATE OF COMPLETION:** 05/08/13 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer made inappropriate comments and/or behaved inappropriately.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that she called the Police Station to discuss the behavior of another officer and the officer who took her phone call was rude and angry. She stated that the officer blamed the economy for officers taking too long to respond and said that they are forced to work “double-duty” shifts. The officer denied the allegation, stating that she was polite and calm towards the complainant. She further denied ever discussing double-duty shifts and stated that she merely tried to explain to the complainant that the Department is understaffed which may result in delayed response times. No witnesses to the telephone conversation were made available to the OCC. There was insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #2: The officer failed to provide her name and/or star number upon request.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that the officer refused to provide her name and star number, and that the officer only provided the information after the complainant had requested it at least 12 times and refused to end the phone call until she had the information. The officer denied the allegation, stating that she provided the information to the complainant promptly upon request, and then provided it again when the complainant asked for it later in their conversation. No witnesses to the telephone conversation were made available to the OCC. There was insufficient evidence to either prove or disprove the allegation.

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DATE OF COMPLAINT: 11/26/12 **DATE OF COMPLETION:** 05/23/13 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer made inappropriate comments and acted in an inappropriate manner.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated the officer was “sassy and sarcastic” during the course of a traffic stop. He said the officer spoke in an aggressive tone regarding his violation. The complainant did not challenge the substance of the traffic stop. He said the officer was behind him from a distance with his lights on and off and he did not realize the lights were for him until the officer boxed him in. The officer denied the allegation, stating he did not use the tone inferred by the complainant. No available witnesses came forward. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

SUMMARY OF ALLEGATION #2: The officer engaged in biased policing based on race.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated the officer racially profiled him during the course of a traffic stop. The OCC questioned the named officer pursuant to its biased policing protocol. The officer denied the allegation. No available witnesses came forward. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

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DATE OF COMPLAINT: 10/29/12 **DATE OF COMPLETION:** 05/16/13 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer detained the complainants without cause.

CATEGORY OF CONDUCT: UA **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainants stated they were visiting a relative when the officer pulled up and began to question them, threatening to arrest them for no apparent reason. After being unnecessarily questioned by the officer, the complainants decided to leave. The officer denied detaining the complainants. The officer stated she was investigating a suspicious vehicle in the area when the complainants started talking to her. The officer noted that many residents have complained to the police regarding numerous criminal activities (stolen vehicles, drug trafficking, noise complaints, burglaries, etc) in the area, prompting district officers to conduct passing calls to the location. The officer stated the complainants could have left at anytime during the interaction. No witnesses were identified. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

SUMMARY OF ALLEGATION #2: The officer threatened the complainants, behaved inappropriately, and made inappropriate comments.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainants stated they were threatened with arrest. The officer denied the allegation. No witnesses were identified. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

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DATE OF COMPLAINT: 11/26/12 **DATE OF COMPLETION:** 05/20/13 **PAGE #1** of 2

SUMMARY OF ALLEGATION #1: The officers arrested the complainant without cause.

CATEGORY OF CONDUCT: UA **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that he was working at the homeless shelter, located at 5th and Bryant Streets, when he saw a man who previously had stolen money from him. The complainant stated that he and the other man were outside of the shelter, arguing about the stolen money, when a patrol car approached and two officers began to question what was going on. The complainant stated that both he and the other man explained their side of the story to the police and were then asked for identification. The complainant did not have identification on him but stated that he provided his name to the officers. He admitted to yelling at the officers, and stated that he was then arrested for not having his ID. He was unable to provide names, star numbers or a patrol car number in order to identify the involved officers.

The OCC investigation did not yield any results in identifying the alleged officers and no witnesses came forward. The identity of the alleged officers has not been established. There was insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #2: The officers failed to provide their names and/or star numbers upon request.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that he asked for the officers' names but they refused to provide them. The OCC investigation did not yield any results in identifying the alleged officers and no witnesses came forward. The identity of the alleged officers has not been established. There was insufficient evidence to either prove or disprove the allegation.

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SUMMARY OF ALLEGATION #3: The officer made inappropriate comments and/or behaved inappropriately.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant alleged that officers behaved inappropriately and/or made inappropriate comments. The OCC was unable to identify any officer having had contact with the complainant on the alleged date and no witnesses came forward. The identity of the alleged officers has not been established. There was insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

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DATE OF COMPLAINT: 12/04/12 **DATE OF COMPLETION:** 05/15/13 **PAGE#** 1 of 3

SUMMARY OF ALLEGATION #1: The officer detained a person without cause.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that while at a bus stop on 7th and Mission Streets, the officer contacted a male subject sitting on the bus shelter's chair. The complainant stated the officer who was parked in the bus stop zone, approached and made contact with the subject seated in the bus shelter. The complainant stated the officer moved aggressively close to the subject and backed him up to his seat. The subject repeatedly asked the officer why he was being detained but the officers refused to give him an immediate answer. The evidence shows that prior to the contact, a robbery had occurred at a nearby BART station. The officer stated he was at 7th and Mission streets monitoring radio traffic when he heard the broadcast about the robbery. The officer stated he detained the subject because he matched the description of the suspect. The complainant provided a cell phone video, which showed the subject's clothing closely matched the suspect's description. OCC was unable to contact the subject who is homeless and has no contact information. No other witnesses came forward. The evidence proved that the acts, which provided the basis for the allegations occurred; however, such acts were justified, lawful, and proper.

SUMMARY OF ALLEGATION #2: The officer searched a person's personal property without cause.

CATEGORY OF CONDUCT: UA **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated the officer searched the subject's bag without cause. The complainant stated the officer ordered the subject to take out his property from his bag/backpack. The officer stated he conducted a cursory search on the subject but could not recall searching the subject's bag. A video taken by the complainant shows the officer ordering the subject to take out his things. However, the video does not show the officer conducting a search, or going through the subject's belongings. OCC was unable to contact the subject who is homeless and has no contact information. No witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

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DATE OF COMPLAINT: 12/04/12 **DATE OF COMPLETION:** 05/15/13 **PAGE#** 2 of 3

SUMMARY OF ALLEGATION #3: The officer behaved inappropriately and/or made inappropriate comments.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant alleged that the officer behaved inappropriately and made inappropriate comments. The complainant stated the officer, who was “very profane” and aggressive, yelled at the subject from the very beginning “out of nowhere” and stepped on the subject’s shoe. The complainant stated the officer also made inappropriate remarks when she asked for his name and badge number. The officer denied stepping purposely on the subject’s shoe or foot. The officer stated he wore a full-faced motorcycle helmet and wore large bulky motocross boots during the contact. The officer stated he was direct with the subject and made loud verbal commands, due to the police radio being loud in his ears. The officer stated he could not recall using profanity or the words he said during the contact. No witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #4: The officer failed to comply with DGO 5.07, Rights of Onlookers.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The officer allegedly failed to comply with DGO 5.07 regarding the rights of onlookers. The complainant stated the officer ordered her to move on because she was interfering with his investigation. The complainant stated she did not interfere with the officer’s investigation. The officer stated the complainant was behind him recording the incident with her phone. He felt having the complainant behind him was an officer safety issue and jeopardized his safety. Furthermore, the officer stated the complainant made threats towards him. No witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

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SUMMARY OF ALLEGATION #5: The officer failed to promptly provide his name and star number.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant alleged that the officer failed to promptly provide his name and star number. The officer denied the allegation. The officer stated the complainant asked for his name and he provided it to her. No witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

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SUMMARY OF ALLEGATION#1: The officers behaved inappropriately and/or made inappropriate comments.

CATEGORY OF CONDUCT: CRD **FINDING:** NF **DEPT. ACTION:**

FINDINGS OF FACT: The complainant requested a withdrawal of her complaint.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

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DATE OF COMPLAINT: 12/10/12 **DATE OF COMPLETION:** 05/28/13 **PAGE** #1 of 2

SUMMARY OF ALLEGATION #1: The officer threatened to make an arrest.

CATEGORY OF CONDUCT: CRD **FINDING:** M **DEPT. ACTION:**

FINDINGS OF FACT: By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on April 19, 2013.

SUMMARY OF ALLEGATION #2: The officer issued an invalid order.

CATEGORY OF CONDUCT: UA **FINDING:** M **DEPT. ACTION:**

FINDINGS OF FACT: By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on April 19, 2013.

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SUMMARY OF ALLEGATION #1: The officer failed to provide his name and badge number on request.

CATEGORY OF CONDUCT: ND **FINDING:** M **DEPT. ACTION:**

FINDINGS OF FACT: By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on April 19, 2013.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

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SUMMARY OF ALLEGATION #1: The officer arrested the co-complainant without cause.

CATEGORY OF CONDUCT: UA **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The co-complainant stated he was wrongfully arrested for inciting a riot. The co-complainant stated he yelled at the named officer but denied inciting anyone else in the crowd and denied making the statements the named officer attributed to him. He stated the named officer arrested him due to his attitude and only after he asserted that he was exercising his rights of free speech. A civilian witness who was a friend of the co-complainant confirmed hearing the interchange the co-complainant claimed he had with the named officer. She stated the co-complainant was not yelling or inciting others in the crowd. A second civilian witness, also a friend of the co-complainant, stated he didn't recall the co-complainant saying or doing anything before his arrest and didn't observe or hear any interaction between the co-complainant and the named officer until the co-complainant was under arrest.

The complainant, who is the co-complainant's mother, stated a friend of her son telephoned her as her son was being arrested and that she heard over her phone an officer make statements indicating that he was arresting her son because of his attitude. An analysis of the complainant's cell phone records and Communications records established that she received this phone call after her son had been placed under arrest.

A witness officer stated he didn't recall anyone yelling at the named officer. A second witness officer stated he didn't recall anyone inciting the crowd and didn't see the co-complainant until after he had been handcuffed. The named officer stated he arrested the co-complainant because he was encouraging others in the crowd to join him in protesting the named officer's actions by yelling at the named officer and waving his arms. The named officer denied that anything was said about the co-complainant's first amendment rights and denied statements attributed to him by the co-complainant. There is insufficient evidence to prove or disprove the allegation.

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SUMMARY OF ALLEGATION #2: The officer used unnecessary force on the co-complainant.

CATEGORY OF CONDUCT: UF **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The co-complainant stated that, as he was being escorted to the police car by an officer, the named officer grabbed him aggressively by the collar, breaking a chain around his neck, and intentionally attempted to trip him, causing him to stumble. A civilian witness who was a friend of the co-complainant stated she followed the officer, who was leading the co-complainant to the police car, and saw the named officer grab and pull the co-complainant by the back of the neck. A second civilian witness, also a friend of the co-complainant, stated he saw the named officer lead the co-complainant to a police car. Along the way, the named officer intentionally attempted to trip the co-complainant, causing the co-complainant to stumble. A witness officer who transported the co-complainant to the police station (identified by the named officer identified as being present when the co-complainant was placed inside the police car) stated that, when he first saw the co-complainant, he was already seated in the back of his patrol car. This officer's partner stated he didn't recall seeing or having any contact with the co-complainant at the scene. The named officer stated he and a second officer (whose identity he didn't recall) escorted the co-complainant to the patrol car. The named officer stated he didn't recall ever grabbing or grasping the co-complainant by the neck or collar and denied pushing or attempting to trip the co-complainant. The named officer also stated the witness who transported the co-complainant to the station was present when he searched the co-complainant outside the patrol car and discovered a knife in his possession. However, this witness officer denied ever being present when the co-complainant was searched or when a knife was found in his possession. No other witnesses were identified. There is insufficient evidence to prove or disprove the allegation.

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SUMMARY OF ALLEGATION #3: The officer damaged the co-complainant's property.

CATEGORY OF CONDUCT: UA **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The co-complainant stated that, as he was being escorted to the police car by an officer, the named officer grabbed him aggressively by the collar, breaking a chain around his neck. A civilian witness who was a friend of the co-complainant stated she followed the officer, who was leading the co-complainant to the police car and saw the named officer grab and pull the co-complainant by the back of the neck. A second civilian witness, also a friend of the co-complainant, stated he saw the named officer lead the co-complainant to a police car but did not see him grab the co-complainant by the neck or collar. The named officer stated he and a second officer (whose identity he didn't recall) escorted the co-complainant to the patrol car. The named officer stated he didn't recall ever grabbing or grasping the co-complainant by the neck or collar and denied breaking a chain around the co-complainant's neck. The two witness officers who, according to the named officer, transported the co-complainant to the police station denied helping the named officer escort the co-complainant to the patrol car. One of them contradicted the named officer's claim that he was present when the co-complainant was searched next to the patrol car. The complainant, who is the co-complainant's mother, stated that, when she picked up her son at the station, she saw that his neck-chain was broken. The co-complainant stated he did not photograph the broken chain, which he had repaired prior to filing his OCC complaint. No other witnesses were identified. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #4: The officer made inappropriate comments and/or exhibited inappropriate behavior.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The co-complainant stated the named officer made inappropriate comments to him inside a patrol car. The named officer denied making the statements described by the co-complainant. One witness officer stated he didn't recall the named officer being present in his patrol car when he transported the co-complainant to the police station. A second witness officer stated he did not recall transporting the co-complainant to the police station. No other witnesses were identified. There is insufficient evidence to prove or disprove the allegation.

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SUMMARY OF ALLEGATION #5: The officer failed to provide name and/or star number upon request.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The co-complainant stated that, while he was alone inside a patrol car with the named officer, he asked for his star number but the named officer didn't provide it. A civilian witness who was a friend of the co-complainant stated he heard the co-complainant ask the named officer for his star number while being led to the patrol car and that the named officer failed to respond. The named officer denied the allegation and stated he provided his star number when the co-complainant requested it. No other witnesses were identified. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #6: The officer made inappropriate comments and/or exhibited inappropriate behavior.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The co-complainant stated an officer made inappropriate comments and exhibited inappropriate behavior at the police station. The officer whose physical description matched that of the officer described by the co-complainant denied having any contact with the co-complainant at the police station. The co-complainant failed to come to the OCC to view a photo spread to identify the involved officer. Other officers involved in the arrest and/or transportation of the co-complainant stated they did not see any officer have the interaction described by the co-complainant at the station. There is insufficient evidence to identify the involved officer or to prove or disprove the allegation.

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SUMMARY OF ALLEGATION #7: The officer failed to provide name and/or star number upon request

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The co-complainant stated an officer failed to provide his star number when requested. The officer whose physical description matched that of the officer described by the co-complainant denied having any contact with the co-complainant. The co-complainant failed to come to the OCC to view a photo spread to identify the involved officer. There is insufficient evidence to identify the involved officer or to prove or disprove the allegation.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

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DATE OF COMPLAINT: 01/02/13 **DATE OF COMPLETION:** 05/15/13 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer made inappropriate comments and engaged in inappropriate behavior.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that he asked an officer to move his patrol vehicle so that he could park in an empty parking spot being blocked by the officer's vehicle. The complainant stated the officer responded in an inappropriate way. The officer stated that he was recovering a stolen vehicle. He told the complainant that he was unable to move his patrol vehicle at the time because he was performing his duties. The officer denied saying anything inappropriate to the complainant. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

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SUMMARY OF ALLEGATION #1: The officer cited the complainant without justification.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainant said the named officer issued him a citation for a brake light not working when in fact it just had one bulb out. The vehicle Code section states that the operator of a vehicle must keep all lights in good working order. The named officer said he did not recall the exact violation but said that there was a violation of the VC under the section. The evidence proved that the acts that provided the basis for the allegations occurred; however, such acts were justified, lawful and proper.

SUMMARY OF ALLEGATION #2: The officer engaged in biased policing due to race.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant said the officer enforced laws and spoke to him the way he did because of the complainant's race. The named and one witness officer were interviewed pursuant to OCC's Biased Policing Investigation Protocol. The named and one witness officer denied any bias in the enforcement of laws. The named and one witness officer did not recall or hear the alleged racially biased questions. There were no other witnesses who came forward. There was insufficient evidence to either prove or disprove the allegation.

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SUMMARY OF ALLEGATIONS #3- 4: The officers made inappropriate comments.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The named officers denied making the alleged comments or hearing the alleged comments. No other witness came forward. There was insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

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SUMMARY OF ALLEGATIONS #1-7: The officers searched the complainants' residence without cause.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainants stated officers conducted a probation search of their home. They acknowledged that the complainant's son was on probation, but he was not probationed to their house. They claimed he was homeless. The complainant stated her son comes to the home for food and clothing, as he did that morning. The complainant stated she called her son's probation officer that day and was informed that her son was using her address as his own. The officers stated they conducted a probation search of the complainant's son. One officer stated they were also searching for an armed robbery suspect. The investigation determined that the complainant's son was on active probation with a search condition and that he uses his mother's address as his listed address for probation purposes. The officers' conduct was proper.

SUMMARY OF ALLEGATION #8: The officer searched the complainants' bedroom without cause.

CATEGORY OF CONDUCT: UA **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainants stated that during a probation search of their son, officers searched a bedroom that was not under the control of their son. The named officer stated he was familiar with the residence and had seen the complainant's son looking out from that bedroom window many times. This officer further stated he saw clothing inside the bedroom that appeared to belong to the complainant's son. Two officers at the scene stated they accompanied the named officer into the bedroom but did not search it. Four other officers denied searching this room. Established California case law allows officers to search rooms that are controlled jointly by the probationer and anyone else. There was insufficient evidence to prove or disprove the allegation.

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SUMMARY OF ALLEGATION #9: The officer detained the complainant without cause.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainants stated they were detained while the officers conducted a probation search of their home. The complainants were detained for officer safety while officers conducted a probation search of their residence. Certificates of Release were issued to the complainants when the search was concluded. The officer's actions fell within the guidelines of Department policy and procedures. His conduct was proper.

SUMMARY OF ALLEGATIONS #10-11: The officer used force during the co-complainant's detention.

CATEGORY OF CONDUCT: UF **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The co-complainant stated an unknown officer stepped on his already-injured leg. He stated that he then was dragged into the living room. The named officer denied the allegation. Six officers also denied the allegation. The co-complainant's wife stated she did not see this occur but stated heard her husband loudly complain about an officer stepping on his foot. Medical records indicated the co-complainant was recovering from a gunshot wound to his right leg and had mild swelling in his right leg. There were no other witnesses and no additional evidence to prove or disprove the allegation.

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SUMMARY OF ALLEGATIONS #12-13: The officer used profanity.

CATEGORY OF CONDUCT: D **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The co- complainant stated an unidentified officer used profanity. The co-complainant stated she heard an officer use profanity. The named officer denied the allegation. Six officers at the scene denied using profanity and denied hearing any other officer use profanity. There were no other witnesses and no additional evidence to prove or disprove the allegation.

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SUMMARY OF ALLEGATION #1: The officer acted in an intimidating and threatening manner.

CATEGORY OF CONDUCT: CRD **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated the officer made inappropriate and threatening gestures to him during a contact at a police station window. An officer identification poll was returned with negative results. The OCC researched Department records and queried officers with the descriptors provided by the complainant. Officers that matched the complainant's description denied involvement or were not at the scene during the alleged time parameters. The identity of the alleged officer has not been established. No witnesses were identified. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

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SUMMARY OF ALLEGATION #1: The officer failed to take the required action.

CATEGORY OF CONDUCT: ND **FINDING:** M **DEPT. ACTION:**

FINDINGS OF FACT: By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on May 16, 2013.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT:

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SUMMARY OF ALLEGATION #1: The officer used a sexually derogatory term.

CATEGORY OF CONDUCT: SS **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant said an officer spoke to her through a car window, just before he drove across the street and exited the car at a traffic accident scene. The Department had no records that would establish which officers were in the car identified by the complainant. A poll by the commanding officer of the unit to which the car was assigned did not disclose any officers who recalled the above incident. No other witnesses came forward. There was insufficient evidence to identify the officer involved or to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #2: The officer drove improperly.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant said an officer almost struck her with an unmarked car, just before he drove across the street and exited the car at a traffic accident scene. The Department had no records that would establish which officers were in the car identified by the complainant. A poll by the commanding officer of the unit to which the car was assigned did not disclose any officers who recalled the above incident. No other witnesses came forward. There was insufficient evidence to identify the officer involved or to either prove or disprove the allegation.

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SUMMARY OF ALLEGATION #1: The complainant was arrested without cause.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that she was arrested for violating a restraining order that was dismissed prior to her arrest. The officer stated that he relied on a law enforcement database and the San Francisco Police Department Identification Bureau to confirm that the restraining order was still active. He stated the complainant did not provide evidence that the restraining order had been lifted. The database printout confirmed that the restraining order was active at the time of the complainant's arrest. The officer complied with Department General Order 6.09, which requires officers to search the law enforcement database and to contact the San Francisco Police Department Identification Bureau when verifying restraining orders. His conduct was proper.

SUMMARY OF ALLEGATION #2: The officer placed the complainant's children in the care of Child Protective Services without cause.

CATEGORY OF CONDUCT: UA **FINDING:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The officer stated that the complainant was arrested for violating a restraining order. The protected person was the complainant's 3 year-old daughter. The officer properly transferred the care of the complainant's children to Child Protective Services.

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SUMMARY OF ALLEGATION #3: The officer failed to provide identification upon request.

CATEGORY OF CONDUCT: ND **FINDING:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated when she asked an officer for his name, he told her, "It will be on the paperwork." Each of the four officers involved in the complainant's arrest were questioned. Each officer denied the allegation. There were no witnesses or additional evidence to further prove or disprove the allegation.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT: **FINDING:** **DEPT. ACTION:**

FINDINGS OF FACT: