

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 01/11/11 **DATE OF COMPLETION:** 04/11/11 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1-2:** The officers engaged in inappropriate behavior.

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

**FINDINGS OF FACT:** The complainant alleged that the officers who responded to his report of a burglary in his unit stole money and property from him. The officers who responded to the call denied the allegation and said that the complainant seemed confused and disoriented. No other witnesses were identified. There was insufficient evidence to either prove or disprove the allegation. It should be noted that the complainant has a history, based on prior police reports and the report of his former social worker, of accusing others of stealing from him.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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**DATE OF COMPLAINT:** 01/14/11      **DATE OF COMPLETION:** 04/05/11      **PAGE #1** of 1

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

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

**FINDINGS OF FACT:** The complainant alleged that the officer accused her of hitting another vehicle when she did not. The officer said that the complainant's vehicle backed into another vehicle. The officer said the driver of the vehicle that was struck did not see any damage to her vehicle and, therefore, did not want anything done. This driver was not identified. No other witnesses were identified. There was insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #2:** The officer failed to provide his name and star number.

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

**FINDINGS OF FACT:** The officer denied the allegation. No other witnesses were identified. There was insufficient evidence to either prove or disprove the allegation.

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**DATE OF COMPLAINT:** 01/18/11    **DATE OF COMPLETION:** 04/11/11    **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officer's behavior was inappropriate.

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

**FINDINGS OF FACT:** The complainant stated that the officer jaywalked, made an inappropriate comment and raised her voice to the complainant. The officer did not recall any contact with the complainant or being at the location of the incident on the time and date identified by the complainant. Department records did not show where the officer was at the time the alleged incident occurred. No witness came forward during the investigation despite OCC contact efforts. There is 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:** 01/18/11    **DATE OF COMPLETION:** 04/21/11    **PAGE #1** of 1

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

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

**FINDINGS OF FACT:** The complainant alleged that the officer made inappropriate comments to him while he was speaking with two other police officers. One of those officers stated she was standing several feet away and didn't hear the conversation. Her partner stated that the named officer asked the complainant for his required paperwork as a working limousine driver; he said the named officer was persistent but not inappropriate. The named officer stated he was courteous towards the complainant. He stated the complainant was there to pick up a client but did not have a waybill. He advised the complainant that his permit to operate a limousine at the Airport had been suspended.

There were no other 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:** 01/19/11 **DATE OF COMPLETION:** 04/26/11 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1-2:** The officer failed to properly operate a department vessel.

**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 8, 2011.

**SUMMARY OF ALLEGATION #3-4:** The officer demonstrated inappropriate behavior or made inappropriate 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 April 8, 2011.

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**DATE OF COMPLAINT:** 01/22/11    **DATE OF COMPLETION:** 04/15/11    **PAGE# 1 of 3**

**SUMMARY OF ALLEGATION #1:** The officer detained the complainant at gunpoint.

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

**FINDINGS OF FACT:** The complainant did not provide any additional evidence or witness contact information.

**SUMMARY OF ALLEGATION #2:** The officer made inappropriate comments and harassed the complainant.

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

**FINDINGS OF FACT:** The complainant did not provide any additional evidence or witness contact information.

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

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

**FINDINGS OF FACT:** The complainant did not provide any additional evidence or witness contact information.

**SUMMARY OF ALLEGATION #4:** The officer detained the complainant.

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

**FINDINGS OF FACT:** The complainant did not provide any additional evidence or witness contact information.

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**SUMMARY OF OCC #5:** The officer harassed the complainant.

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

**FINDINGS OF FACT:** The complainant did not provide any additional evidence or witness contact information.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**



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**DATE OF COMPLAINT:** 02/04/11 **DATE OF COMPLETION:** 04/26/11 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officer was inattentive to the safety of pedestrians.

**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 13, 2011.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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**DATE OF COMPLAINT:** 02/07/11 **DATE OF COMPLETION:** 04/21/11 **PAGE#** 1 of 3

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

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

**FINDINGS OF FACT:** The officer stated he detained the complainant for littering. The complainant acknowledged littering. The officer's action was proper.

**SUMMARY OF ALLEGATIONS #2-3:** The officers used unnecessary force during the complainant's detention.

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

**FINDINGS OF FACT:** The complainant stated he walking away from the officer after being detained. He stated the officer "slammed" him against a wall and yanked his arm up behind his back. He stated he struggled to get away from the officer and refused orders to get on the ground. He stated that upon release he told the officers he was fine and refused medical assistance. His companion stated while they were walking away, the officer grabbed the complainant's arm and pushed him against a wall. The officer yanked the complainant's arm up behind his back. He further stated both officers kicked at the complainant's legs to get him on the ground. The officer stated he attempted to employ a rear wrist lock and a shin reap to try to take the complainant into custody but the complainant resisted each time. When he tried to employ a carotid restraint, the complainant just turned around and pushed the officer away. The back-up officer stated he was also unsuccessful in attempting to employ a right rear wristlock and a bar arm control. The backup officer then successfully conducted a leg sweep. Although the complainant acknowledges resistance, there is insufficient evidence to conclude that the degree of force used was justified, lawful and proper. There is insufficient evidence to either prove or disprove the allegation.

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**SUMMARY OF ALLEGATION #4:** The officer searched the complainant without cause.

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

**FINDINGS OF FACT:** The complainant stated he did not provide the officer with his identification when requested to do so. The officer stated that after the complainant was placed under arrest, he removed the complainant's wallet from his pants pocket and located his driver's license. The search was incident to arrest and proper.

**SUMMARY OF ALLEGATION #5:** The officer cited the complainant without cause.

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

**FINDINGS OF FACT:** The officer stated he detained the complainant for littering and resisting arrest. The complainant acknowledged littering and resisting arrest. The officer's action was proper.

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

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

**FINDINGS OF FACT:** The complainant alleged he was detained because he was a young black man. The officer and his partner denied the allegation. The officers were interviewed pursuant to the OCC biased policing protocol and there was no evidence to conclude that the initial stop for littering was other than for violation for which in part the complainant was cited. The officer articulated probable cause for the citation and subsequent arrest but denied that race or bias had role in the detention and arrest. The officer stated that he has been assigned "10B" duties for the area's merchants for the past three years, in response to complaints about open containers, drinking in public, smoking marijuana, muggings, vehicle break-ins and littering. There is 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:** 02/08/11 **DATE OF COMPLETION:** 04/14/11 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The department took inappropriate actions.

**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 March 24, 2011.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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**DATE OF COMPLAINT:** 02/11/11 **DATE OF COMPLETION:** 04/14/11 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officer made inappropriate 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 March 24, 2011.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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**DATE OF COMPLAINT:** 02/08/10      **DATE OF COMPLETION:** 04/04/11      **PAGE#** 1 of 3

**SUMMARY OF ALLEGATION #1:** The officer failed to properly investigate before taking police action.

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

**FINDINGS OF FACT:** The complainant stated that the officer failed to properly investigate before attempting to detain several individuals outside the school where she works as a teacher. Department records establish that the named officer responded to the school at the request of a school administrator. This administrator failed to respond to requests by the OCC for an interview but submitted a written statement to police in which he wrote that he saw two young adults on the school's front steps whom he did not recognize. When he questioned these two young adults, they did not respond. The named officer said that, when he arrived, the administrator told him there were two students whom he did not know sitting on the stairs. Before the administrator could convey additional information to the officer, the officer approached the four young men and attempted to detain them. The named officer stated that there had been a fight outside the school several days' earlier involving non-students. The named officer stated that he saw the school administrator talking to four young men at the top of the school's front steps. The young men ignored the administrator and began walking away in different directions. The administrator told the named officer that he did not know some of these young men, which led the named officer to conclude that they were non-students who were unlawfully on school property. The named officer said he did not have time to converse further with the school administrator because he needed to detain the young men before they left the scene. One of the men whom the named officer detained failed to respond to OCC requests for an interview. The other is a juvenile whose parent failed to provide OCC with consent necessary to interview him. Other witnesses could not be identified. There is insufficient evidence to prove or disprove the allegation.

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**SUMMARY OF ALLEGATION #2:** The officer exhibited an inappropriate manner.

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

**FINDINGS OF FACT:** The complainant stated that the officer exhibited an inappropriate manner when he contacted several young men outside the school where she works as a teacher. The complainant stated that the named officer screamed orders at the young men, told one of them he was being arrested and drew his baton. The complainant believes the officer's conduct unnecessarily escalated the situation. Department records establish that the named officer responded to the school at the request of a school administrator. This administrator failed to respond to requests by the OCC for an interview but submitted a written statement to police in which he wrote that the named officer yelled at the four young men to stop and get down. The administrator also wrote that the named officer drew his baton while shouting at the men. The named officer stated that he approached the men because he believed that several of them were non-students who were on school grounds illegally. The named officer said he asked the young men if they attended this school and one of them said they did not. The named officer told them to sit down but they began walking away. The named officer told one of the men to stop but he failed to comply, and when the named officer grabbed him by the shoulder, he punched the named officer. The named officer said he did not draw his baton until after he had been assaulted. One of the men who the named officer detained failed to respond to OCC requests for an interview. The other is a juvenile whose parent failed to provide OCC with consent necessary to interview him. Other witnesses could not be identified. There is insufficient evidence to prove or disprove the allegation.

**SUMMARY OF ALLEGATION #3-4:** The officers used unnecessary force on the co-complainant's son.

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

**FINDINGS OF FACT:** The co-complainant stated that she believes officers used unnecessary force while arresting her juvenile son. The complainant, who was not present when her son was arrested, failed to provide the OCC with consent to interview her son or with a release necessary to obtain her juvenile son's medical records. The officers complied with reporting requirements for the use of force. They described the force used as necessary to accomplish an arrest. There is insufficient evidence to determine the level of force necessary to arrest the juvenile.



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**SUMMARY OF ALLEGATION #5:** The officer failed to take required action concerning juvenile procedures.

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

**FINDINGS OF FACT:** The co-complainant stated that police failed to notify her after her juvenile son was arrested. The complainant acknowledged that at the time of this incident, her son was residing in a group home. Department records document the notification of personnel at this group home concerning the juvenile's arrest. The evidence established that the acts alleged in the complaint did not occur.

**SUMMARY OF ALLEGATION #6-7:** The officers wrote an inaccurate incident report.

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

**FINDINGS OF FACT:** The co-complainant stated that she believes the officers who arrested her son wrote inaccurate incident reports concerning the force they used on her son. The complainant, who was not present when her son was arrested, failed to provide the OCC with consent to interview her son or with a release necessary to obtain her son's medical records. The officers denied the allegation. There is insufficient evidence to prove or disprove the allegation.

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**DATE OF COMPLAINT:** 02/07/11 **DATE OF COMPLETION:** 04/14/11 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officer made a discourteous remark.

**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 March 16, 2011.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
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**DATE OF COMPLAINT:** 02/25/11    **DATE OF COMPLETION:** 04/14/11    **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officer made rude statements and exhibited a rude manner.

**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 March 30, 2011.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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**DATE OF COMPLAINT:** 02/28/11 **DATE OF COMPLETION:** 04/08/11 **PAGE #1** of 1

**SUMMARY OF ALLEGATION #1:** The officer towed a vehicle without cause.

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

**FINDINGS OF FACT:** The complainant was seated in his vehicle at 0230 hrs. in an area known to be frequented by street prostitutes when he was observed by the officer. The officer initiated a traffic stop. During the investigative process, the issuance of a traffic citation, a records check revealed that the complainant had a suspended / revoked driver's license. A preponderance of the evidence based on department records (CLETS, SF Superior Court documents) show that the officer towed the vehicle pursuant to DGO 9.06. The officer's actions were lawful and proper.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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**DATE OF COMPLAINT:** 02/28/11 **DATE OF COMPLETION:** 04/14/11 **PAGE#** 1 of 1

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

**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 5, 2011.

**SUMMARY OF ALLEGATION #2:** 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 April 5, 2011.

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**DATE OF COMPLAINT:** 02/25/11 **DATE OF COMPLETION:** 04/14/11 **PAGE#** 1 of 2

**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 March 24, 2011.

**SUMMARY OF ALLEGATION #2:** The officer failed to provide his name and badge number when requested.

**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 March 24, 2011.

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**DATE OF COMPLAINT:** 02/25/11 **DATE OF COMPLETION:** 04/14/11 **PAGE #2 of 2**

**SUMMARY OF ALLEGATION #1:** The officer failed to take 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 March 24, 2011.

**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 cause.

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

**FINDINGS OF FACT:** The complainant stated the officer improperly stopped and cited him for running a red light. The officer denied the allegation, stating the complainant committed the violation. There were no available witnesses. There was insufficient evidence to 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 misrepresented the truth.

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

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

**SUMMARY OF ALLEGATION #:**

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**FINDINGS OF FACT:**

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

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

**FINDINGS OF FACT:** This complainant raises matters outside OCC's jurisdiction. A copy of this complaint has been personally delivered to the San Francisco Sheriff's Department.

San Francisco Police Department Operations  
Hall Justice  
850 Bryant Street  
San Francisco, CA 94103

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

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

**FINDINGS OF FACT:** The complaint raises matters outside OCC's jurisdiction. There is no referral for this complaint.

**SUMMARY OF ALLEGATION #:**

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**FINDINGS OF FACT:**

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**SUMMARY OF ALLEGATIONS #1 & 2:** The officers detained the complainants without justification.

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

**FINDINGS OF FACT:** The complainants alleged the officers did not have any reason to detain them. The officers obtained a court-approved search warrant for the complainants' residence. It is a Department approved procedure to detain unknown individuals who are present in the residence before officers allow them to leave. 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 #3 & 4:** The officers illegally seized the property.

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

**FINDINGS OF FACT:** The complainants alleged the officers did not have any reason to seize their personal property. The officers produced a court-approved search warrant to search the complainants' residence and seize any property deemed to relate to the commission of a crime. Accordingly, the officers seized evidence they believed related to a crime. The evidence proved that the acts, which provided the basis for the allegation, occurred; however, such acts were justified, lawful and proper.

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**SUMMARY OF ALLEGATIONS #5 & 6:** The officers arrested the co-complainant without cause.

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

**FINDINGS OF FACT:** The complainants alleged the officers did not have any reason to detain them for the amount of time the officers did. The officers obtained a court-approved search warrant for the complainants' residence. It is a Department approved procedure to detain individuals who are present in the residence until officers determine that the individuals are not a threat: the complainant was detained for approximately one hour. The officers also provided the complainants with a Certificate of Release after the officers completed the search of the residence. The officers found and seized evidence in the co-complainant's bedroom, which supported the officers' suspicion the co-complainant was involved in on-going criminal activity. 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 #7 & 8:** The officers searched the residence without cause.

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

**FINDINGS OF FACT:** The complainants alleged the officers did not have any reason to search their residence. The officers obtained a court-approved search warrant for the complainants' residence. The evidence proved that the acts, which provided the basis for the allegation, occurred; however, such acts were justified, lawful and proper.

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**SUMMARY OF ALLEGATIONS #9:** The officer used unnecessary force during the detention.

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

**FINDINGS OF FACT:** The complainant said she suffers from a medical condition, which makes it uncomfortable for her to sit on the ground. She said she hyperventilated after being forced to sit on the ground despite telling an officer she could not sit in that position. However, she could not identify the officer. The officer in charge of this operation denied forcing the complainant to sit or seeing the complainant sit, but said it is an approved police procedure for officers to command unknown individuals they encounter to stand against the wall or lay on the floor until the officer determines the unknown individual no longer poses a threat to the officers' safety. If the complainant were made to sit, the officer in charge did not believe any of his officers forced the complainant to sit for an unreasonable amount of time. Additionally, the officer in charge stated paramedics were on standby and responded to the scene of this incident to treat the complainant. No independent witnesses were developed to corroborate the complainant's allegation. There is insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATIONS #10 & 11:** The officers engaged in continuous harassment.

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

**FINDINGS OF FACT:** The co-complainant said the officers engage in a continuous practice of detaining him without justification. The officers said the complainant has a lengthy criminal record, has been identified as a gang member and has previously been arrested with other gang members on firearms-related charges. The officers denied harassing the co-complainant and said they had a court-approved search warrant for the latest incident. No independent witnesses were developed to corroborate the complainant's allegations. There is insufficient evidence to either prove or disprove the allegations.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 03/26/10    **DATE OF COMPLETION:** 04/11/11    **PAGE#** 4 of 6

**SUMMARY OF ALLEGATIONS #12 & 13:** The officers displayed threatening and inappropriate behavior.

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

**FINDINGS OF FACT:** The complainants stated the officers made statements threatening to re-arrest one of the complainants and not to return property belonging to that complainant. The officers denied making these statements. No independent witnesses were developed to corroborate the complainant's allegations. There is insufficient evidence to either prove or disprove the allegations.

**SUMMARY OF ALLEGATIONS #14 & 15:** The officers misrepresented the truth.

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

**FINDINGS OF FACT:** The complainants stated the officers lied about having the authority to search the complainants' residence on a prior occasion. The officers stated they did not search the complainants' residence prior to obtaining a court-approved search warrant for the residence. No records or independent witnesses were developed to corroborate the complainants' allegations. There is insufficient evidence to either prove or disprove the allegations.

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**DATE OF COMPLAINT:** 03/26/10    **DATE OF COMPLETION:** 04/11/11    **PAGE#** 5 of 6

**SUMMARY OF ALLEGATIONS #16 & 17:** The officers failed to state a reason for the detention.

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

**FINDINGS OF FACT:** The complainants alleged the officers did not state a reason for entering their residence and detaining them. The officers obtained a court-approved search warrant to enter the complainants' residence. One of the officers indicated it is standard procedure for them to knock and announce their presence before entering a residence to execute the search warrant, and they did so in this incident. Additionally, the officers said they provided the complainant with a copy of the search warrant. No independent witnesses were developed to corroborate the complainant's allegations. There is insufficient evidence to either prove or disprove the allegations.

**SUMMARY OF ALLEGATION #18:** The officer displayed a firearm without justification.

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

**FINDINGS OF FACT:** One of the complainants alleged the officers pointed rifles at her when officers entered the residence. The officers obtained a court-approved search warrant to enter the complainants' residence. The officer in charge of executing the warrant said they were requested to execute a "High Risk" search warrant, and indicated it was a Department-approved procedure for them to draw their weapons during the execution of the "High Risk" warrant. Additionally, the officers said they provided the complainant with a copy of the search warrant. The evidence proved that the acts, which provided the basis for the allegation, occurred; however, such acts were justified, lawful and proper.



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**SUMMARY OF ALLEGATIONS #19:** The officer intentionally damaged the complainants' property.

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

**FINDINGS OF FACT:** The complainants alleged officers intentionally damaged their property. The officers obtained a court-approved search warrant to enter the complainants' residence. The officer in charge indicated it is standard procedure for them to knock and announce their presence before entering a residence in the execution of a court-approved search warrant, and they did so in this incident. No one answered the door in a timely manner; so, officers forced the door open with a battering ram. The officer in charge indicated it was a Department-approved procedure for them to force the door open, thereby damaging it. 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 #:**

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

**FINDINGS OF FACT:**

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**DATE OF COMPLAINT:** 04/22/11 **DATE OF COMPLETION:** 04/28/11 **PAGE#** 1 of 2

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

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

**FINDINGS OF FACT:** This complaint is outside the jurisdiction of this Department. The complaint was forwarded to the California Highway Patrol.

**SUMMARY OF ALLEGATION #2:** The officer arrested the complainant without cause.

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

**FINDINGS OF FACT:** This complaint is outside the jurisdiction of this Department. The complaint was forwarded to the California Highway Patrol.

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**DATE OF COMPLAINT:** 04/22/11 **DATE OF COMPLETION:** 04/28/11 **PAGE#** 2 of 2

**SUMMARY OF ALLEGATION #3:** The officer failed to inform the complainant of his *Miranda* rights and refused to allow him to speak to an attorney.

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

**FINDINGS OF FACT:** This complaint is outside the jurisdiction of this Department. The complaint was forwarded to the California Highway Patrol.

**SUMMARY OF ALLEGATION #4:** The officer forced the complainant to provide a blood sample.

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

**FINDINGS OF FACT:** This complaint is outside the jurisdiction of this Department. The complaint was forwarded to the California Highway Patrol.

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**DATE OF COMPLAINT:** 04/26/10   **DATE OF COMPLETION:** 04/25/11   **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant stated the officer did not investigate her case. The officer denied the allegation and stated he investigated the case to the best of his ability within the department time frames. There was insufficient evidence to either prove, or disprove the allegation made in the complaint.

**SUMMARY OF ALLEGATION #2:** The officer misrepresented the truth.

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

**FINDINGS OF FACT:** The complainant stated the officer lied about making telephone calls to contact her in regard to her case. The officer denied the allegation. There was insufficient evidence to either prove, or disprove the allegation made in the complaint.

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**DATE OF COMPLAINT:** 04/28/10    **DATE OF COMPLETION:** 04/21/11    **PAGE#** 1 of 3

**SUMMARY OF ALLEGATIONS #1-2:** The officers made inappropriate comments and displayed inappropriate behavior.

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

**FINDINGS OF FACT:** The complainant stated the officers made inappropriate comments toward him. Both officers denied the allegation. There were no independent witnesses to the incident. 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 the officers used profanity during the incident. Both officers denied the allegation. There were no independent witnesses to the incident. There was insufficient evidence to either prove, or disprove the allegation made in the complaint.

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**SUMMARY OF ALLEGATIONS #5-6:** The officers failed to take the required action.

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

**FINDINGS OF FACT:** The complainant stated the officers failed to take the required action and arrest a woman who allegedly assaulted him. Both officers investigated the incident and there was no evidence of an assault on the complainant. The officers further stated the complainant would not get off his cell phone and tell his account of what happened. There were no independent witnesses to the incident. There was insufficient evidence to either prove, or disprove the allegation made in the complaint.

**SUMMARY OF ALLEGATION #7:** The officer detained the complainant without justification.

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

**FINDINGS OF FACT:** The complainant stated the officer detained him without justification. The officer did detain the complainant because he thought he was a possible suspect of an assault. Once the alleged assault was investigated, the alleged victim was not able to give a clear account of what happened and the complainant was free to leave. The complainant was never handcuffed or placed in a patrol vehicle. There were no independent witnesses to the incident. There was insufficient evidence to either prove, or disprove the allegation made in the complaint.

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**SUMMARY OF ALLEGATIONS #8:** The officer used excessive force.

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

**FINDINGS OF FACT:** The complainant stated the officer used excessive force on him. The officer denied the allegation. There were no independent witnesses to the incident. There was insufficient evidence to either prove, or disprove the allegation made in the complaint.

**SUMMARY OF ALLEGATION #9:** The officer threatened witnesses.

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

**FINDINGS OF FACT:** The complainant stated the officer threatened possible witnesses. The officer denied the allegation. There were no independent witnesses to the incident. There was insufficient evidence to either prove, or disprove the allegation made in the complaint.

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**SUMMARY OF ALLEGATION #1-4:** The officers entered the complainant's residence without cause.

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

**FINDINGS OF FACT:** The complainant alleged that the officers entered her residence without cause. The evidence shows that the officers were in pursuit of a person who ran away from them and entered the complainant's residence. The evidence further shows that the person was on probation with a search condition. One of the officers said the complainant essentially consented to the entry, by pointing to the bedroom door, which the complainant denied. No other witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #4-8:** The officers searched the complainant's residence without cause.

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

**FINDINGS OF FACT:** The complainant alleged that the officers searched her residence without cause. The evidence shows that the officers were in pursuit of a person who ran away from them and entered the complainant's residence. The evidence further shows that the person was on probation with a search condition. One of the officers said the complainant essentially consented to the entry, by pointing to the bedroom door, which the complainant denied. The officers said they performed a protective sweep after entering the complainant's residence. No other witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.



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**SUMMARY OF ALLEGATION #9-12:** The officers detained numerous individuals without justification.

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

**FINDINGS OF FACT:** The complainant alleged that the officers detained numerous individuals upon entering her residence. The evidence shows that the officers were in pursuit of a person who ran away from them and entered the complainant's residence. The evidence further shows that the person was on probation with a search condition. One of the officers said the complainant essentially consented to the entry, by pointing to the bedroom door, which the complainant denied. The officers said they performed a protective sweep after entering the complainant's residence and detained the occupants for officer safety. No other witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #13:** The officer used unnecessary force.

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

**FINDINGS OF FACT:** The complainant alleged that the officer used unnecessary force. The complainant stated the officer pushed her out of the way when the officer entered her residence. The officer denied the allegation. No witnesses came forward. The evidence was insufficient to either prove or disprove the allegation.

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**SUMMARY OF ALLEGATION #14:** The officer used profanity.

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

**FINDINGS OF FACT:** The complainant alleged that the officer used profanity during the contact. The officer denied the allegation. No other witnesses came forward. The evidence was insufficient 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:** 05/28/10 **DATE OF COMPLETION:** 04/04/11 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officer behaved inappropriately and 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 officer denied the allegation. No witnesses came forward. The evidence was insufficient to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #2:** The officer misused the Department's computer/CLETS.

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

**FINDINGS OF FACT:** The complainant alleged that the officer misused the Department's computer/CLETS by arbitrarily running other people's information. The officer denied the allegation. No witnesses came forward. The evidence was insufficient to either prove or disprove the allegation.

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**DATE OF COMPLAINT:** 06/09/10    **DATE OF COMPLETION:** 04/11/11    **PAGE#** 1 of 3

**SUMMARY OF ALLEGATIONS #1-2:** The officers interfered with the rights of an onlooker.

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

**FINDINGS OF FACT:** The complainant alleged that the officers interfered with his rights as an onlooker by impeding his observations of the officers' actions toward his nephew's double-parked vehicle. The complainant further stated that he approached the area the officers were at and that he failed to comply with their advisements to back up. The complainant stated that he wrestled with the officers until he was exhausted and he was then arrested. The officers denied the allegation and stated that they were about to investigate a double-parked vehicle when the complainant approached them yelling profanities. The officers said the complainant's interference caused a significant delay, which allowed the motorist to leave the scene and escape any enforcement. A witness (the complainant's family member) stated he did double park his vehicle and that officers told the complainant to get back on the sidewalk as the complainant approached the officers. The witness entered and drove his double parked vehicle away from the scene as the complainant and the officers began a physical altercation. No other witnesses came forward. A preponderance of the evidence established that the officer's actions were lawful and proper under the circumstances.

**SUMMARY OF ALLEGATIONS #3-4:** The officers arrested the complainant without cause.

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

**FINDINGS OF FACT:** The complainant said he and his nephew were knocking at the door of a relative's home, when the officers drove up behind his nephew's double-parked vehicle. The complainant's nephew went to move his vehicle and the complainant walked to the sidewalk with the intention to cross the street toward another relative's residence when the officers arrested him without cause. The officers stated they were investigating a double-parked vehicle when the complainant approached them, yelled profanities at them, and despite their commands to return to the sidewalk, stepped into the street in violation of Section 21956(a) of the California Vehicle Code. The officers also stated that the complainant interfered and delayed their investigation of the double parked vehicle belonging to the complainant's nephew, who entered and drove the vehicle from the scene during the

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complainant's distraction and violent arrest. The complainant and the officers stated that a violent physical altercation occurred when the complainant resisted arrest. A witness verified the complainant disregarded the officer's commands to return to the sidewalk as the complainant continued to walk toward the street. A video submitted for review by the complainant was viewed during the course of the investigation was inconclusive regarding this allegation. No other witnesses came forward during the investigation. A preponderance of the evidence established that the complainant violated sections 148(A)(1) of the Penal Code and section 21956(a) of the Vehicle Code during this incident. The officer's actions were lawful and proper.

**SUMMARY OF ALLEGATIONS #5-6:** The officers used excessive force during the arrest.

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

**FINDINGS OF FACT:** The complainant alleged he was slammed to the ground and sustained unnecessary abrasions to his legs, shoulder, right knee, and right elbow during his arrest. However, he also admitted that he disregarded the officers' verbal commands, physically resisted the arrest until he was exhausted and placed into custody. Moreover, the complainant described a subsequent physical altercation with Sheriff Deputies inside County Jail #1 in which he said he sustained additional injuries. The officers stated they used minimal force to overcome the complainant's violent resistance and assault without a complaint of pain or visible injury on the complainant. The police station medical screening form and County Jail medical triage records indicate the complainant was free of injuries until his altercation with Sheriff Deputies at County Jail. Hospital medical records indicate the complainant sustained multiple injuries at the hands of unspecified law enforcement personnel. Police officers are authorized to use force to overcome a suspect's resistance. The video footage submitted by and about the complainant after he was in custody was inconclusive for this allegation. A witness described the struggle without any use of excessive force. No other witnesses came forward during the investigation. The preponderance of the evidence established that the acts, which provided the basis for the allegation occurred; however, such acts by the officers did not appear to have resulted in the subsequent injuries sustained by the complainant. Therefore, the officers' actions were lawful and proper under the circumstances due to the complainant's admitted resistance.

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**SUMMARY OF ALLEGATIONS #7:** This allegation raises matters outside OCC's jurisdiction.

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

**FINDINGS OF FACT:** This allegation raises matters outside OCC's jurisdiction, and it was referred to:

SFSD  
Investigative Services Unit  
25 Van Ness Avenue, Suite 350  
San Francisco, CA 94102  
(415)554-2380

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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**DATE OF COMPLAINT:** 06/07/10 **DATE OF COMPLETION:** 04/08/11 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officer made an arrest without cause.

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

**FINDINGS OF FACT:** According to the complainant's written complaint, the officer arrested a person known to the complainant without cause. The complainant and the person who was arrested did not come forward. No other witnesses were identified. The complainant failed to provide additional requested evidence.

**SUMMARY OF ALLEGATION #2:** The officer conducted a search without cause.

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

**FINDINGS OF FACT:** According to the complainant's written complaint, the officer searched a person known to the complainant without cause. The complainant and the person who was arrested did not come forward. No other witnesses were identified. The complainant failed to provide additional requested evidence.

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**DATE OF COMPLAINT:** 06/10/10    **DATE OF COMPLETION:** 04/20/11    **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officer engaged in excessive enforcement.

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

**FINDINGS OF FACT:** The complainant alleged that he was issued a citation for failing to yield to a pedestrian in a crosswalk but saw no pedestrian. He claimed that because he had received three citations in 2010 and none before that, he believed that the officer who issued this citation had been insulted by the city to increase the number of citations he issued to help city finances. The officer denied the allegation, stating that his observation of the violation was the only reason he had issued the citation. A review of Department records showed that the number of citations issued in the district at issue in this case went down significantly in the period of time alleged by the complainant. The evidence proved that the act alleged in the complaint did not occur.

**SUMMARY OF OCC-ADDED ALLEGATION #1:** The officer failed to log E585 Traffic Stop Data as required by Department regulation.

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

**FINDINGS OF FACT:** The named officer acknowledged he did not log the traffic stop data as required by the Department regulation. He offered no explanation. A preponderance of the evidence proved that the conduct complained of did occur and, using as a standard the applicable regulations of the Department, the conduct was improper.



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**DATE OF COMPLAINT:** 06/10/10    **DATE OF COMPLETION:** 04/11/11    **PAGE#** 1 of 2

**SUMMARY OF ALLEGATION #1-2:** The officers used unnecessary force during arrest.

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

**FINDINGS OF FACT:** The complainant alleged that the officers used unnecessary force during her arrest. The complainant alleged the officers kneeled on her back. The officers denied the allegation. No witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #3-4:** The officers placed the complainant in tight handcuffs.

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

**FINDINGS OF FACT:** The complainant alleged that the officers placed her in tight handcuffs injuring her wrists. The officers denied the allegation. No witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

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**SUMMARY OF ALLEGATION #7-8:** The officers failed to properly process the complainant's property.

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

**FINDINGS OF FACT:** The complainant alleged that the officers failed to return her identification. The officers denied the allegation. No 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:**

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**DATE OF COMPLAINT:** 06/01/10    **DATE OF COMPLETION:** 04/21/11    **PAGE #1** of 1

**SUMMARY OF ALLEGATION #1:** The officer demonstrated a rude attitude and demeanor.

**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 April 11, 2011.

**SUMMARY OF ALLEGATION #2:** The officer demonstrated biased policing due to race.

**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 11, 2011.

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**DATE OF COMPLAINT:** 06/14/10 **DATE OF COMPLETION:** 04/04/11 **PAGE#** 1 of 2

**SUMMARY OF ALLEGATION #1:** The officer threatened the complainant.

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

**FINDINGS OF FACT:** The complainant alleged that the officer threatened her. The officer and his partner denied the allegation. No other witnesses came forward. There is insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #2:** The officer used profanity.

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

**FINDINGS OF FACT:** The complainant alleged that the officer used profanity. The officer and his partner denied the allegation. No other witnesses came forward. There is insufficient evidence to either prove or disprove the allegation.

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**DATE OF COMPLAINT:** 06/14/10 **DATE OF COMPLETION:** 04/04/11 **PAGE#** 2 of 2

**SUMMARY OF ALLEGATION #3:** The officer failed to provide his name or star number to the complainant.

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

**FINDINGS OF FACT:** The complainant alleged that the officer failed to provide his name and star number. The officer and his partner denied the allegation. No other witnesses came forward. There is 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:** 06/16/10      **DATE OF COMPLETION:** 04/11/11      **PAGE #** 1 of 4

**SUMMARY OF ALLEGATIONS #1:** The officer's behavior was inappropriate.

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

**FINDINGS OF FACT:** The complainant stated that the officer repeatedly banged on his door and that another person told him that the officer entered his room and looked around after the incident occurred. The officer denied the allegation. All other officers denied that they either observed the named officer enter and look around the room or that any officer did so. No independent witnesses came forward during the investigation. There is insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATIONS #2:** The officer used profanity.

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

**FINDINGS OF FACT:** The complainant stated that the officer used profanity as he handcuffed the complainant. The complainant identified the officer who used profanity as the same officer who was speaking to him at, and through the apartment door. The named officer denied the allegation. All other officers denied hearing the named officer use profanity. No independent witnesses came forward during the investigation. There is insufficient evidence to either prove or disprove the allegation.

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**SUMMARY OF ALLEGATIONS #3:** The officer used a racial slur.

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

**FINDINGS OF FACT:** The complainant stated that the officer used a racial slur. The officer vehemently denied the allegation. All other officers denied hearing the named officer or any officer use a racial slur. No independent witnesses came forward during the investigation. There is insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATIONS #4-5:** The officers used unnecessary force.

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

**FINDINGS OF FACT:** The complainant stated that officers used unnecessary force during his arrest. The complainant said that after the initial contact with the officers concluded his roommate opened their apartment door, entered the hallway and began yelling at the officers who were walking away from the room. The complainant said that he exited his room, entered the hallway and yelled at his roommate, repeatedly pulling on his roommate to get him out of the hallway and back into the room. The complainant said that officers then attacked him and pushed him against the wall and onto the floor whereupon he sustained a head injury. Both officers stated that as the officers were leaving the hallway, the complainant exited his room and began yelling and challenging the officers. One officer turned around and stated that as the complainant and he approached each other in the hallway, the complainant pushed him. The officer said he then gave the complainant a defensive two-handed push to the chest to back up the complainant and to create space between them. The second officer observed this interaction and stated he came to the first officer's aide and also pushed the complainant while attempting to subdue and take the complainant into custody with academy trained wrist locks and an arm bar which failed. Both officers stated a violent struggle ensued with the complainant in the narrow hallway as they attempted to take him into custody and that no other officers assisted them until the final handcuffing of the complainant due to the narrowness of the hallway. Both officers stated that they believed the complainant's head struck either the wall or the doorframe during the struggle causing the injury to the complainant's head. Both officers stated they used reasonable force to subdue and take the complainant into custody. Witness officers corroborated that the complainant was resisting the named officers attempts to take him into custody. No other witnesses or independent witnesses came forward during the investigation. There is insufficient evidence to either prove or disprove that the officers used unnecessary force.

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**SUMMARY OF ALLEGATIONS #6:** The officer used unnecessary force.

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

**FINDINGS OF FACT:** The complainant sustained a laceration to the back of his head during his interaction with the officers. During his OCC interview, he stated that his roommate told him the female officer struck him his head with a baton, and the complainant then wrote in his OCC narrative that he was struck with a baton during his interaction with the officers. The complainant's medical records from this incident were reviewed. The records indicate that the complainant initially told emergency medical personnel that he was struck by a baton, however both the emergency care records and the hospital records indicate that upon arrival at the hospital, the complainant amended his statement and told the examining medical personnel that he was not struck by a baton but instead sustained the laceration to his head when he struck his head on the wall. The named officer denied using her baton. No other officer observed the named officer use her baton and strike complainant. All officers denied using a baton. The medical records show that the act alleged did not occur as the complainant stated to medical personnel his injury was caused when his head struck a wall.

**SUMMARY OF ALLEGATIONS #7-8:** The officers detained the complainant without justification.

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

**FINDINGS OF FACT:** The officers stated that they detained the complainant after he refused to comply with their advisements to return to his room, stop yelling in the hallway and challenged and physically struggled and resisted the officers. Witness officers corroborated the named officers statements. No independent witnesses came forward during the investigation despite multiple OCC contact efforts. There is insufficient evidence to either prove or disprove the allegation.



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

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

**FINDINGS OF FACT:** The complainant stated he was cited and arrested without cause. The named officer and other witness officers stated that the complainant was arrested for resisting arrest, assault on a police officer and challenging a police officer. No witnesses came forward during the investigation despite multiple OCC contact efforts. There is 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 #1-2:** The officers behaved inappropriately.

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

**FINDINGS OF FACT:** The complainant said he called regarding missing items in his apartment. The complainant said the responding officers were not interested in his case and had the complainant to insist that they write a report. The officers denied the allegation. No witnesses were identified. There was insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATIONS #:**

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

**FINDINGS OF FACT:**

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

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

**FINDINGS OF FACT:** The evidence shows that the officer conducted a complete and thorough investigation of the incident. The officer collected statements and evidence relevant to the investigation. Hours after the incident, the officer, witness officer, and his supervisor responded to the hospital for additional follow up with the complainant. The witness officer corroborated the named officer performed his duties well while investigating the incident. The supervising officer reviewed the incident report and found it complete and thorough. The evidence proved that the acts, which provided the basis for the allegations occurred; however, such acts were proper.

**SUMMARY OF ALLEGATION #2:** The officer wrote an inaccurate incident report

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

**FINDINGS OF FACT:** The evidence shows that the officer conducted an accurate, complete and thorough investigation of the incident, based on the information and evidence presented at the time. The officer collected statements and evidence relevant to the investigation. Hours after the incident, the officer, witness officer, and his supervisor responded to the hospital for additional follow up with the complainant. The incident report included two summaries of the complainants' version of the incident and two written statements from the complainant.

The San Francisco Superior Court dismissed the charges against the complainant and involved party as a community dispute issue. The witness officer corroborated the named officer performed his duties well while investigating the incident. The supervising officer reviewed the incident report and found it complete and thorough. 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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**SUMMARY OF ALLEGATION #3:** The officer's behavior and comments were inappropriate

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

**FINDINGS OF FACT:** The officer denied the allegation. The officer said he handled the call for service in his normal demeanor while working. The officer said he is tasked to investigate and gather as much information as possible at the scene. The witness officer said the named officer did a good job during the investigation. There is insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #4:** The officer was biased due to race.

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

**FINDINGS OF FACT:** The officer denied the allegation. He did not display any biased policing toward the complainant. The officer said he gathered information, statements and evidence relevant to the investigation. Based on the statements and evidence collected, the officer concluded the incident was mutual combat between the involved parties. There is insufficient evidence to either prove or disprove the allegation.

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

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

**FINDINGS OF FACT:** The supervisor denied the allegation. He responded to the incident momentarily for a well being check on the officers. Once he determined the officers were safely investigating the incident, he left the scene. Hours later, the supervisor received a call that the complainant was in the hospital as a result of the incident. He responded to the hospital with the officers for follow up, interviewed the complainant and took another written statement from her. The supervisor reviewed the incident report and found it complete, thorough and accurate. 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 #:**

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

**FINDINGS OF FACT:**

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**SUMMARY OF ALLEGATION #1-2:** The officers used unnecessary force during the detention

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

**FINDINGS OF FACT:** The officers received a call of a volatile domestic disturbance involving the service of a temporary restraining order and reports of the complainant having attempted suicide in front of his 15 year old juvenile. The officers arrived at the scene, made contact with the complainant then made immediate and urgent demands for the complainant to show his hands and place them behind his head. Both officers noted the complainant was sweating profusely. Due to the situation at hand, one of the named officers was equipped with an ERIW, a less lethal weapon, with the muzzle pointed up and away from the complainant.

During the detention, the complainant failed to follow instructions and reached for his unsearched backpack on the ground. The officers tried to grab the complainant's hands to secure him for handcuffing. However, the complainant resisted by moving away and attempting to break free. The officers gave the complainant numerous commands to stop resisting. One of the named officers used a bar arm takedown and they guided the complainant to the ground where he was handcuffed.

The witness corroborated the account of the named officers. The witness said the officers had to restrain the complainant once he resisted and failed to cooperate with the officers. The witness further relayed the officers did not use more force than necessary to contain the complainant. The witness said the complainant was wrong for his actions and put up a pretty good fight and struggle with the police. The witness stated she did not see any officer with a shotgun pointed at the complainant during the detention. Based on her experience and history with the complainant, his profuse sweating was from being high on drugs. 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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**SUMMARY OF ALLEGATION #3:** The officer failed to properly process the complainant's property

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

**FINDINGS OF FACT:** The officer stated he retrieved the complainant's identification and secured it in his uniform front pocket when the complainant became resistive and noncompliant. Once the complainant was secured and handcuffed, the sergeant arrived at the scene and dispatched the named officer and his partner to an "A" priority call of a strong-arm robbery. The complainant was transported to the district station by another police unit who handled the investigation.

The officer said one to two days later, the complainant returned to the police station and requested his identification. At this point, the officer realized he had inadvertently kept the complainant's identification, which was still located in his uniform shirt pocket within his locker. The named officer returned the identification directly to the complainant and apologized for the inconvenience. The witness officer corroborated the named officer returned the complainant's identification at the police station. Therefore, a preponderance of the evidence proved that the conduct complained of did occur, and that using as a standard the applicable regulations of the Department, the conduct was improper.

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

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

**FINDINGS OF FACT:** The complainant stated she was detained without justification. The officer did detain the complainant because he was dispatched to her residence for throwing lit cigarettes out of her window. The complainant did admit to throwing lit cigarettes out of her window. 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 handcuffed the complainant without justification.

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

**FINDINGS OF FACT:** The complainant stated the officer handcuffed her without justification. 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 searched the complainant's bedroom without justification.

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

**FINDINGS OF FACT:** The complainant stated the officer searched her bedroom without justification. The officer stated he was given verbal consent by the complainant to go into her bedroom and retrieve her identification from the top of her dresser, which he did, but denied searching the bedroom. There were no independent witnesses to this incident. There was insufficient evidence to either prove, or disprove the allegation made in the complaint.

**SUMMARY OF ALLEGATION #4:** The officer used excessive force.

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

**FINDINGS OF FACT:** The complainant stated the officer used excessive force by pushing her into her kitchen. 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 #5:** The officer used profanity.

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

**FINDINGS OF FACT:** The complainant stated the officer used profanity. 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.

**SUMMARY OF ALLEGATION #6:** The officer made inappropriate comments.

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

**FINDINGS OF FACT:** The complainant stated the officer made inappropriate comments. 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 #7:** The officer failed to provide his name and star number.

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

**FINDINGS OF FACT:** The complainant stated the officer refused to provide his name and star number. 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.

**SUMMARY OF OCC ADDED ALLEGATION #1:** The officer failed to comply with DGO 5.03.

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

**FINDINGS OF FACT:** The complainant stated the officer handcuffed her. The OCC added this allegation because there was no certificate of release provided to the complainant or an incident report prepared for the detention. The named and witness officers denied that the complainant was ever handcuffed. Department records show that from the time the officers arrived on scene they were present for less than 16 minutes. The detention was brief and the complainant was admonished and the officers departed. 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 ALLEGATIONS #1-2:** The officers detained the complainant for a prolonged time period.

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

**FINDINGS OF FACT:** The complainant stated he was detained for a prolonged time period. The officers stated the complainant was detained for an extended amount of time but due to the nature of the incident several telephone calls had to be made to investigate the claims of the complainant. The investigation steps were documented in CAD, an incident report, and an audio disk. 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 #3-4:** The officers failed to identify themselves as police officers.

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

**FINDINGS OF FACT:** The complainant stated the officers failed to identify themselves as police officers. The officers denied the allegation and stated they advised the complainant they were the police. There were no independent witnesses to the incident. There was insufficient evidence to either prove, or disprove the allegation made in the complaint.

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**SUMMARY OF ALLEGATIONS #5-6:** The officers operated outside their assigned area.

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

**FINDINGS OF FACT:** The complainant stated the officers were outside of their district. The officers were investigating specific crimes and did drive through another district for a few blocks but stated they notified their supervisor of their travels. The supervisor investigating the incident did not remember if the officers notified him of their out of district travels but stated it was not uncommon for officers to go outside of district while investigating crimes and stated if it were for only a few minutes they would not have to notify a supervisor. There were no independent witnesses to the incident. There was insufficient evidence to either prove, or disprove the allegation made in the complaint.

**SUMMARY OF ALLEGATION #7:** The officer seized the complainant's documents without justification.

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

**FINDINGS OF FACT:** The complainant stated the officer seized his documents without justification. The officer did seize the complainant's documents because they were expired and they were needed for evidence of the investigation. The complainant was issued a property receipt for his documents. The evidence proved that the acts, which provided the basis for the allegation, occurred; however such acts were justified, lawful, and proper.

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**SUMMARY OF ALLEGATIONS #8:** The officer conducted field sobriety tests without justification.

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

**FINDINGS OF FACT:** The complainant stated the officer conduct field sobriety test without justification. The officer stated the complainant's breath smelled of alcohol and the complainant admitted to taking medication on the day of the investigation. An audio recording of the investigating reveals the complainant admitting to using medication on the day of the investigation. 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 #9:** The officer made inappropriate comments.

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

**FINDINGS OF FACT:** The complainant stated the officer made inappropriate comments. The officer denied the allegation. There were no independent witnesses to the incident. There was insufficient evidence to either prove, or disprove the allegation made in the complaint.

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**SUMMARY OF ALLEGATIONS #10:** The officer used profanity.

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

**FINDINGS OF FACT:** The complainant stated the officer used profanity during the detention. The officer denied the allegation. There were no independent witnesses to the incident. There was insufficient evidence to either prove, or disprove the allegation made in the complaint.

**SUMMARY OF ALLEGATION #11:** The officer issued a citation without cause.

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

**FINDINGS OF FACT:** The complainant stated the officer issued a citation without cause. The officer issued a citation for vehicle code violations which are displayed in photographs of the complainant's vehicle taken during the investigation. The evidence proved that the acts, which provided the basis for the allegation, occurred; however such acts were justified, lawful, and proper.

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**SUMMARY OF ALLEGATIONS #12-13:** The officers searched the complainant's vehicle beyond the scope of his permission without justification.

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

**FINDINGS OF FACT:** The complainant stated the officers searched his vehicle beyond the scope of his permission without justification. The officers stated the complainant gave consent to search his entire vehicle. An audio recording of the detention revealed the complainant gave the officers permission to search his vehicle and there was no limited scope mentioned. The evidence proved that the acts alleged in the complaint did not occur.

**SUMMARY OF ALLEGATION #14:** The officer reconnected the power supply to the strobe lights in the complainant's vehicle without justification.

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

**FINDINGS OF FACT:** The complainant stated the officer reconnected the power supply to the strobe lights in his vehicle. The officer denied the allegation. There were no independent witnesses to the incident. There was insufficient evidence to either prove, or disprove the allegation made in the complaint.



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**SUMMARY OF ALLEGATIONS #1 & 2:** The officer detained the complainant without justification.

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

**FINDINGS OF FACT:** The complainant alleges that the named officers detained her without justification. The officers stated that the complainant met the description of the suspect in the theft of a cell phone on a bus, and that the victim pointed out the complainant as the one who had taken his phone. Although the victim's suspicion turned out to be false, the officers had reasonable suspicion to detain the complainant for questioning, based on the victim's report. The evidence proved that the acts that provided the basis for these allegations did occur; however, such acts were justified, lawful, and proper.

**SUMMARY OF ALLEGATION #3:** The officer used a sexual slur toward the complainant.

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

**FINDINGS OF FACT:** The complainant alleges that the named officer used a sexual slur toward her. The officer denied the allegation. His partner also denied hearing him use a sexual slur toward the complainant. No other witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

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**SUMMARY OF ALLEGATIONS #4:** The officer used profanity.

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

**FINDINGS OF FACT:** The complainant alleges that the named officer used profanity. The named officer denied the allegation. His partner also denied hearing him use profanity. No other witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATIONS #5 & 6:** The officers behaved inappropriately toward the complainant.

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

**FINDINGS OF FACT:** The complainant alleges that the officers treated her in an aggressive, accusatory manner. The officers stated that they treated her calmly and professionally, and that she was yelling and swearing at them. No other witnesses came forward. There was insufficient evidence to either prove or disprove these allegations.

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**SUMMARY OF ALLEGATIONS #7 & 8:** The officers used unnecessary force against the complainant.

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

**FINDINGS OF FACT:** The complainant alleges that the officers pushed her against the hood of the car and placed her in a headlock. The named officers denied using unnecessary force. The witness officer also denied seeing the named officers use unnecessary force. No other witnesses came forward. There was insufficient evidence to either prove or disprove these allegations.

**SUMMARY OF ALLEGATIONS #9 & 10:** The officers searched the complainant's property without cause.

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

**FINDINGS OF FACT:** The complainant alleges that both of the named officers searched her bag. The named officers admitted that they searched the complainant's bag, but both stated that the complainant gave them permission to do so and that, even without her permission, they had grounds to conduct the search. The complainant admitted that she gave the officers permission to conduct the search. The evidence proved that the acts that provided the basis for these allegations did occur; however, such acts were justified, lawful, and proper.

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

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

**FINDINGS OF FACT:** The officer denied the allegation. The officer observed the complainant's vehicle drive through a red light at a high rate of speed with three occupants in the vehicle. He activated the lights and siren and made a traffic stop on the complainant's vehicle. The complainant stated the traffic light turned yellow upon entering the intersection. A witness in the complainant's vehicle said they crossed a yellow light, which was turning red through the intersection. 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 detained the complainant for a prolonged period of time.

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

**FINDINGS OF FACT:** The complainant alleged the officer detained them during the traffic stop for 30-40 minutes. The officer denied the allegation. The officer stated the detention lasted seventeen minutes; the basic length of time for a traffic stop and investigation. The witness in the complainant's vehicle said the detention lasted 10-15 minutes. The SFPD computer aided dispatch corroborated the total detention time was approximately seventeen (17) minutes. 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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**SUMMARY OF ALLEGATION #3:** The officer failed to provide his name and badge number upon request.

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

**FINDINGS OF FACT:** The officer denied the allegation. The officer said the complainant did not ask for his name and badge number. No other witnesses came forward to corroborate this allegation. There is insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #4:** The officer's comments were inappropriate.

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

**FINDINGS OF FACT:** The officer denied making the comments attributable to him toward the complainant. No other witnesses heard the officer make inappropriate comments. There is insufficient evidence to either prove or disprove the allegation.

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**SUMMARY OF ALLEGATION #5:** The officer engaged in biased policing, due to race.

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

**FINDINGS OF FACT:** The officer and his partner denied the allegation. The officers were interviewed pursuant to the OCC biased policing protocol and there was no evidence to conclude that the traffic stop was for other than the Vehicle Code violation for which the complainant was cited. The officer articulated probable cause for the citation; running a red light. The named member stated that he was not aware of the complainant's or his passengers' race until he made contact with them at their vehicle. The officer denied requesting the passenger step out of the vehicle because of his race. The officer denied making contact with the passenger because of the way he was dressed and could not recall his clothing. The officer denied pat searching the passenger because of his race and denied treating the passenger with a bias because of his race. There is insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF OCC ADDED ALLEGATION #1:** The officer failed to issue a Certificate of Release.

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

**FINDINGS OF FACT:** The complainant alleged the officer took her keys from the ignition during the traffic stop. The officer denied the allegation. He did not issue a Certificate of Release for the traffic stop because it lasted a reasonable amount of time (17 minutes), no one was handcuffed or moved and the car keys were not taken from the vehicle. The witness stated he was not handcuffed or moved, the detention lasted 10-15 minutes and he did not observe the officer take the keys. Another witness from the complainant's vehicle had a vague but scattered recollection of an officer taking the keys from the car. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
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**DATE OF COMPLAINT:** 08/03/10    **DATE OF COMPLETION:** 04/27/11    **PAGE#** 1 of 3

**SUMMARY OF ALLEGATION #1-3:** The officers used unnecessary force during arrest.

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

**FINDINGS OF FACT:** The complainant alleged that the officers used force during his arrest. The complainant stated that the officers threw him to the ground, kicked his back, and held him to the ground with a knee on his back. The complainant stated one of the officers punched him twice in the face. The officers denied the allegation. The evidence shows that the officers arrested the complainant for possession of a controlled substance and parole violation. The evidence shows that the complainant ran away from the officers who were forced to chase the complainant down the street. When the officers caught up with the complainant, he resisted and defended himself against the officers, forcing the officers to physically control the complainant to the ground. The evidence was insufficient to prove or disprove the allegation.

**SUMMARY OF ALLEGATION #4:** The officers used unnecessary force during arrest.

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

**FINDINGS OF FACT:** The complainant stated that while on the ground, two uniformed officers picked him up and twisted his wrist. The officers then threw him into a patrol car and transported him to Tenderloin Station. The officers were never identified. No witnesses came forward. The evidence was insufficient to either prove or disprove the allegation.

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**DATE OF COMPLAINT:** 08/03/10 **DATE OF COMPLETION:** 04/27/11 **PAGE#** 2 of 3

**SUMMARY OF ALLEGATION #5-7:** The officers failed to identify themselves as police officers.

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

**FINDINGS OF FACT:** The complainant alleged that the officers failed to identify themselves as police officers. The officers denied the allegation, stating that their badges were properly displayed outside their shirts. No witnesses came forward. The evidence was insufficient to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #8:** The officers failed to take the complainant to a hospital.

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

**FINDINGS OF FACT:** The complainant stated that the officers who transported him to Tenderloin Station asked him if he wanted to be taken to a hospital. When he agreed, the officers refused and told him that it would be a long wait. The officers were never identified. No witnesses came forward. The evidence was insufficient to either prove or disprove the allegation.



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**DATE OF COMPLAINT:** 08/03/10 **DATE OF COMPLETION:** 04/27/11 **PAGE#** 3 of 3

**SUMMARY OF ALLEGATION #9:** The officer used profanity.

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

**FINDINGS OF FACT:** The complainant alleged that one of the arresting officers used profanity. The officers that were questioned denied the allegation. No witnesses came forward. The evidence was insufficient to either prove or disprove the allegation.

**SUMMARY OF ADDED ALLEGATION #1:** The officer failed to comply with the provisions of DGO 5.01.

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

**FINDINGS OF FACT:** The officer allegedly failed to comply with the provisions of DGO 5.01 regarding use of force entry in the Use of Force Log. The evidence shows that the complainant complained of pain to the officer and therefore claimed to have been injured. The evidence shows that the officer, who wrote and reviewed the incident report, did not enter the use of force in the Use of Force Log. A preponderance of evidence therefore proved that the officer failed to comply with the provisions of DGO 5.01, and using as standard the applicable provisions of the Department, the officer's conduct was improper.

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**DATE OF COMPLAINT:** 08/06/10    **DATE OF COMPLETION:** 04/15/11    **PAGE#** 1 of 2

**SUMMARY OF ALLEGATION #1:** The officer failed to follow proper procedures concerning search warrant service.

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

**FINDINGS OF FACT:** The complainant stated that the officer conducted a search at his parents' home pursuant to a search warrant, but did not provide the occupants with a copy of the warrant until after they had completed their search. The complainant's parents stated that the officers gave them a copy of the search warrant after conducting the search. Officers are not required to present an occupant a copy of the search warrant prior to conducting the search. 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 damaged property without cause.

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

**FINDINGS OF FACT:** The complainant stated that the officer conducted a search at his parents' home pursuant to a search warrant and broke the front door of the home without cause. The complainant's mother stated that approximately one minute elapsed from the time the officers announced their presence and when they forced the door open. The complainant's father stated that he moved from the kitchen to the front door, a distance of approximately twenty feet, in several seconds but that the officers forced open the door just as he was about to open it. Officers involved with the entry stated that they announced their presence more than once in English and Spanish and waited a reasonable period of time before forcing entry, although none of them could specify the time that elapsed between their first announcement and the forcing of the door. No other witnesses were identified. There is insufficient evidence to determine whether the officers waited a reasonable period of time before forcing entry. Therefore, there is insufficient evidence to prove or disprove the allegation.

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**DATE OF COMPLAINT:** 08/06/10    **DATE OF COMPLETION:** 04/15/11    **PAGE#** 2 of 2

**SUMMARY OF ALLEGATION #3:** The officer pointed a firearm at the complainant's father without justification.

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

**FINDINGS OF FACT:** The complainant's father stated that one of the officers who entered his home pointed a firearm at him until he was handcuffed. The complainant's mother confirmed that an officer pointed a firearm at her husband until he was handcuffed. The named officer stated that he pointed his firearm at the complainant's father, who was standing in the hallway several feet from the front door because of the high risk involved with executing a search warrant. A witness officer stated that he saw the complainant's father standing in the hallway next to a rifle. None of the other officers who entered and searched the home mentioned the presence of a rifle in the hallway. No other witnesses were identified. There is insufficient evidence to prove or disprove the allegation.

**SUMMARY OF ALLEGATION #4:** The officer made an inappropriate statement.

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

**FINDINGS OF FACT:** The complainant stated that his father was handcuffed while officers executed a search warrant at his parents' home, and that an officer threatened to handcuff his mother. The complainant's father stated that when he repeatedly stated that he was going to sue the officers, an officer threatened to handcuff his wife if did not shut up. The complainant's mother stated that the while she and her husband were seated in the kitchen, the officer who was watching them threatened to handcuff her. The named officer stated that he stayed with the complainant's parents in the kitchen during the search. He stated that the complainant's father asked that his handcuffs be removed, but denied threatening to handcuff the complainant's mother. Witness officers stated that they did not hear this interaction. No other witnesses were identified. There is insufficient evidence to prove or disprove the allegation.

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**DATE OF COMPLAINT:** 08/05/10      **DATE OF COMPLETION:** 04/11/11      **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1-3:** The officers failed to make an arrest.

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

**FINDINGS OF FACT:** The complainant reported her daughter missing and when she showed up with the boyfriend the officers did not arrest him. The officers stated that there was no crime because the daughter was not held against her will, she was not injured or assaulted sexually. The officers said they were there doing a found persons report and a copy was forwarded to the Juvenile Division. Witness, complainant's daughter, stated she was not held against her will. The officers performed their duties per DGO 2.01 Rule 5. Performing Duties. 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 #4:** The officer engaged in biased policing due to race and/or language.

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

**FINDINGS OF FACT:** The complainant stated the officer made her feel bad because she did not speak English and told her that if a similar type of incident occurred in Mexico that the police would not even be involved. The complainant was also upset that the officer was telling her daughter that she could leave anytime she wanted and that her leaving was not a crime. The officer denied the allegation. The witness stated that she did not hear comments that could be construed as inappropriate or discriminatory by the officer toward the complainant while the witness was present. Another witness did not respond to OCC request for an interview. There is insufficient evidence to prove or disprove the allegation.

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COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/10/10 **DATE OF COMPLETION:** 04/08/11 **PAGE#** 1 of 2

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

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

**FINDINGS OF FACT:** The complainant alleged that the officer arrested him without justification. The officer denied the allegation and stated that the complainant violated the provisions of the California Health and Safety Code. No witnesses came forward. The complainant failed to come forward and provide additional evidence. There is insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #2:** The officer used profanity.

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

**FINDINGS OF FACT:** The complainant alleged that the officer used profanity. The officer denied the allegation. No witnesses came forward. The complainant failed to come forward and provide additional evidence. There is insufficient evidence to either prove or disprove the allegation.

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**DATE OF COMPLAINT:** 08/10/10    **DATE OF COMPLETION:** 04/08/11    **PAGE#** 2 of 2

**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 officer denied the allegation. No witnesses came forward. The complainant failed to come forward and provide additional evidence. There is 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:** 08/13/10    **DATE OF COMPLETION:** 04/20/11    **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant stated she stopped her car, waited for passengers to cross in front of her, and then she continued driving once the train doors closed. The complainant said an officer effected a traffic stop on her and issued a citation for not yielding to a Light Rail Vehicle (LRV) and its passengers. The officer said he observed the complainant fail to stop her vehicle for passengers getting on and off the LRV's front door area, which were open along with activated amber safety lights. A witness said the complainant's car moved forward when the LRV's rear doors were closed. The witness stated she did not see the front doors on the LRV nor its amber safety lights. There was insufficient evidence to prove or disprove the allegation made in the complaint.

**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 stated the officer punched her car and was aggressive and yelled at her during the traffic stop. The officer said she thought the complainant was fleeing the scene so she needed to get her attention to stop her car by placing her palm on complainant's car. The officer said the intersection was busy with traffic and there was a lot of traffic noise, so she raised her voice to get the complainant's attention and to overcome traffic noise. The officer denied being aggressive with the complainant. The officer said the complainant appeared confused and upset about the citation. The witness stated the officer banged the complainant's car to get her attention and sort of yelled at the complainant. The witness said the traffic was moderate in the area. There was insufficient evidence to prove or disprove the allegation made in the complaint.

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**DATE OF COMPLAINT:** 08/26/10      **DATE OF COMPLETION:** 04/11/11      **PAGE #1** of 2

**SUMMARY OF ALLEGATION #1-2:** The officers were inattentive to their duties.

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

**FINDINGS OF FACT:** The officers denied the allegation. They responded to a call for service from the manager of a club regarding a pending disturbance inside the club. The witness corroborated he flagged the officers down to request a police presence to stabilize the situation. The dispatch record corroborates the officers responded to a call for service.

**SUMMARY OF ALLEGATION #3:** The officers' comments and behavior were inappropriate.

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

**FINDINGS OF FACT:** The officer denied the allegation. The officer stated that he had light conversation with the bouncers while in the club during the call for service. The officer denied calling the complainant names or laughing at him. The witness corroborated the officers were extremely professional and very hospitable to the complainant, who was not cooperative during their contact.



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**DATE OF COMPLAINT:** 08/26/10      **DATE OF COMPLETION:** 04/11/11      **PAGE #2** of 2

**SUMMARY OF ALLEGATION #4:** The officers' comments and behavior were inappropriate.

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

**FINDINGS OF FACT:** The officer denied the allegation. The officer acknowledged the complainant asked why they were in the club and he replied that they were working. The officer denied calling the complainant names or laughing at him. The witness corroborated the officers were extremely professional and very hospitable to the complainant, who was not cooperative during their contact.

**SUMMARY OF ALLEGATION #5-6:** The officers issued an invalid order.

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

**FINDINGS OF FACT:** The officers explained to the complainant that the manager of the club had the right and discretion to refuse entry to individuals. Once the manager disallowed the complainant's entry, the officers advised the man he was not welcomed in the club and would have to leave the premises in order to avoid the situation from escalating. The manager corroborated he requested the officers assistance with the complainant's issue of non-entry due to an invalid pass.

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**DATE OF COMPLAINT:** 08/27/10    **DATE OF COMPLETION:** 04/08/11    **PAGE#** 1 of 3

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

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

**FINDINGS OF FACT:** The complainant alleged that the officer issued him a citation without cause. The officer denied the allegation. The officer stated the complainant failed to stop at a stop sign, failed to yield right-of-way to oncoming traffic, and had positioned himself improperly in turning left across traffic. No witnesses came forward. The evidence was insufficient to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #2:** The officer was rude and aggressive.

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

**FINDINGS OF FACT:** The complainant alleged that the officer was rude and aggressive. The officer denied the allegation. The officer stated she had to raise her voice in order for the complainant to hear her. No witnesses came forward. The evidence was insufficient to either prove or disprove the allegation.

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**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 officer asked for his driver's license but failed to provide him the reason why. The officer denied the allegation. No witnesses came forward. The evidence was insufficient to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #4:** The officer intentionally damaged the complainant's property.

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

**FINDINGS OF FACT:** The complainant alleged that the officer damaged his driver's license. The officer denied the allegation. No witnesses came forward. The evidence was insufficient to either prove or disprove the allegation.

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**SUMMARY OF ALLEGATION #5:** The officer behaved inappropriately.

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

**FINDINGS OF FACT:** The complainant alleged that the officer behaved inappropriately. The officer denied the allegation. No witnesses came forward. The evidence was insufficient 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 ALLEGATION #1:** The officer conducted a search beyond the scope of authority.

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

**FINDINGS OF FACT:** The complainant stated that he was a passenger in a car that was stopped for a traffic violation. When the officer learned the driver was on probation, he summoned two backup officers, who had all the occupants exit the vehicle. One of the backup officers conducted a pat search of the complainant, then reached inside his pockets and removed items including a knife with a folding blade, a tube of lip balm, his wallet and two cellular phones and keys. The named officer said he saw that one passenger from the vehicle had a folding knife protruding from his pocket, so he pat-searched him for other weapons. The named officer said he smelled marijuana on this individual's person, and when he asked the man if he had marijuana, he said he did. The officer patted this passenger's pockets and removed bulky items and an empty plastic bag that smelled of marijuana. The complainant stated that he had a plastic bag with him that had contained fruit, but denied that there had ever been marijuana in it. The complainant stated that he thinks the officer asked him if he had any marijuana in his possession. Two witness officers stated they did not pay attention to the interaction between the complainant and the named officer. There is insufficient evidence to prove or disprove the allegation.

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

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

**FINDINGS OF FACT:** The complainant stated that the officer told him to exit the car he was a passenger in, then grabbed his arm and pulled him out of the car. After conducting a search, the officer led him by the arm to a spot where he was instructed to sit. The complainant stated he believed this physical contact constituted excessive force. One of the complainant's friends, who were also a passenger in the car, stated that the officer pulled the complainant out of the car but did not yank him. Another one of the complainant's friends stated that he was not paying attention as the complainant was removed from the car. The named officer stated that he asked one of the passengers in the car to exit and he complied, and that he did not recall grabbing this passenger as he exited the car. The named officer denied using any force. Two witness officers stated they did not pay attention to the interaction between the complainant and the named officer. There is insufficient evidence to prove or disprove the allegation.

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**DATE OF COMPLAINT:** 09/27/10 **DATE OF COMPLETION:** 04/06/11 **PAGE #1** of 2

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

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

**FINDINGS OF FACT:** The complainant alleged that the officer stopped and cited him without cause. The officer could not recall the incident in question. No other witnesses were identified. There was insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #2:** The officer failed to take required action.

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

**FINDINGS OF FACT:** The basis for this allegation is that the officer gave the complainant the Court Copy of the citation, causing substantial delays and unnecessary burden on the complainant when he attempted to resolve the violations. The evidence proved that the officer did provide the complainant the wrong copy of the citation. A preponderance of the evidence proved that the act complained of did occur, and that using as a standard the applicable regulations of the Department, the conduct was improper.

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**DATE OF COMPLAINT:** 09/27/10   **DATE OF COMPLETION:** 04/06/11   **PAGE #2 of 2**

**SUMMARY OF OCC ADDED ALLEGATION #1:** The officer failed to make the required E585 data entry.

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

**FINDINGS OF FACT:** During the OCC investigation, the OCC determined that the officer failed to document the complainant's traffic stop, as required by Department Bulletin No. 08-268 (Additional Traffic Stop Data Collection Program Information). A preponderance of the evidence proved that the conduct complained of did occur, and that using as a standard the applicable regulations of the Department, the conduct was improper.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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**DATE OF COMPLAINT:** 10/04/10    **DATE OF COMPLETION:** 04/28/11    **PAGE#** 1 of 2

**SUMMARY OF ALLEGATIONS #1-3:** The officers detained the complainant without justification.

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

**FINDINGS OF FACT:** The complainant stated he was the victim of an altercation. The complainant flagged the officers for help. The officers said they detained the complainant because they were investigating the altercation and determined the complainant was the aggressor and that he was publicly intoxicated. The witnesses did not provide their statements. The evidence proves that the act, which provided the basis for the allegation, occurred however lawful, justified, and proper.

**SUMMARY OF ALLEGATION #4:** The officer failed to write an incident report.

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

**FINDINGS OF FACT:** The complainant stated he requested a police report from the officer, but the officer refused. The officer stated the complainant was determined to be under the influence of alcohol and was unable to safely care for himself, therefore a Public Intoxication Report was made in accordance with Department Bulletin #08-137. The witnesses did not provide their statements. The evidence proves that the act, which provided the basis for the allegation, occurred however lawful, justified, and proper.



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**SUMMARY OF ALLEGATIONS #5:** The officer used force during the detention of the complainant.

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

**FINDINGS OF FACT:** The complainant stated the officer pushed him to the ground and slapped his head. The complainant stated there were no visible injuries and he did not complain of pain or any injuries. The officer said he arrived on scene as back up and the complainant refused verbal commands to leave the scene. The officer said the complainant's friend tried to get him to leave, but he refused. The officer grabbed the complainant's arm and conducted a leg sweep to gain control of him. The officer said he did not see any visible injuries on the complainant and he did not complain of any pain or injuries on scene. The witnesses did not provide their statements. There is 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:** 09/29/10    **DATE OF COMPLETION:** 04/28/11    **PAGE #1** of 2

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

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

**FINDINGS OF FACT:** The complainant alleged that he was cited for using a cell phone when he did not have one. The complainant did not respond to requests for interview. The officer denied the allegation, stating that he had reasonable suspicion that the complainant was sending text messages on a cell phone while operating his car. There was insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #2:** The officer made an inappropriate comment.

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

**FINDINGS OF FACT:** The complainant said the named officer told him he would impound his car and harassed him. The named officer denied the allegation. There were no witnesses. There was insufficient evidence to either prove or disprove the allegation.

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**DATE OF COMPLAINT:** 09/29/10    **DATE OF COMPLETION:** 04/28/11    **PAGE #2** of 2

**SUMMARY OF OCC-ADDED ALLEGATION #1:** The officer failed to log E585 Traffic Stop Data as required by Department regulation.

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

**FINDINGS OF FACT:** The named officer acknowledged he did not log the traffic stop data as required by the Department regulation. He offered no explanation. A preponderance of the evidence proved that the conduct complained of did occur and, using as a standard the applicable regulations of the Department, the conduct was improper.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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**DATE OF COMPLAINT:** 10/06/10    **DATE OF COMPLETION:** 04/11/11    **PAGE #1** of 2

**SUMMARY OF ALLEGATION #1:** The officer's behavior was condescending and inappropriate.

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

**FINDINGS OF FACT:** The complainant alleged that the officer behaved inappropriately. The complainant said the officer was agitated and his tone was condescending during the contact. The officer denied the allegation. No witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #2:** The officers 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. No witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

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COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 10/06/10    **DATE OF COMPLETION:** 04/11/11    **PAGE #2** of 2

**SUMMARY OF ADDED ALLEGATION #1:** The officer allegedly failed to record E585 Traffic Stop data as required.

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

**FINDINGS OF FACT:** The evidence shows that the contact was not a traffic stop. The evidence proved that the act alleged did not occur.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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**DATE OF COMPLAINT:** 10/13/10    **DATE OF COMPLETION:** 04/21/11    **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant alleged that the officer failed to take required action by failing to reprimand the person who filed a false report against him. The evidence shows that the person reported the incident because he felt threatened by the conduct of the complainant. The evidence further shows that after the officer explained to the person that the conduct of the complainant did not amount to a crime; the person understood and was satisfied with the officer's explanation. The evidence therefore proved that the act, which provided the basis for the allegation, occurred. However, such act was justified, lawful, and proper.

**SUMMARY OF ALLEGATION #2:** 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 officer denied the allegation and stated that his statements were meant to be an advice applicable to both the complainant and to the person who reported the incident. No witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 10/18/10      **DATE OF COMPLETION:** 04/28/11      **PAGE #1** of 3

**SUMMARY OF ALLEGATIONS #1-2:** The officers used force during the detention of the complainant.

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

**FINDINGS OF FACT:** The complainant stated the officers grabbed and pulled her arms. The complainant said one of the officers threw his arm onto her chest area. The officers said they grabbed the complainant's arms in order to place her into custody for being not cooperative and belligerent. One of the officers did not recall if he threw his arm out to strike the complainant's chest area. The witnesses did not provide their statements. There is insufficient evidence to either prove or disprove the allegation made in the complaint.

**SUMMARY OF ALLEGATIONS #3-4:** The officers searched complainant's personal property.

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

**FINDINGS OF FACT:** The complainant stated the officers searched her purse while at the scene. The complainant admitted she did not tell the officers they could not search her purse. The complainant said she provided her name and date of birth to the officers. One of the officers did not recall searching the complainant's purse. However, the other officer said he searched the complainant's purse at the station in order to look for any identification. The officers stated the complainant was not cooperative in providing her information in order to properly identify her. The witnesses did not provide their statements. The search of the complainant's personal property was lawful, justified and proper.

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COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 10/18/10      **DATE OF COMPLETION:** 04/28/11      **PAGE #2 of 3**

**SUMMARY OF ALLEGATION #5:** The officer issued a citation to the complainant.

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

**FINDINGS OF FACT:** The complainant stated she provided her name and date of birth to the officer and admitted she was upset during the contact. There is no dispute the complainant did not have proof of payment to ride public transportation. The officer said he was conducting a fare inspection aboard a Muni train and that the complainant did not provide any proof of payment and she was not cooperative and belligerent, therefore she was in violation of 127(d) Traffic Code (TC) for no proof of payment and 148(A) Penal Code (PC) for delaying a peace officer. The issuance of a citation was lawful, justified, and proper.

**SUMMARY OF ALLEGATION #6-7:** The officers detained the complainant without justification.

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

**FINDINGS OF FACT:** The complainant said she exited the train and attempted to walk past an officer before she was stopped by him. There is no dispute the complainant did not have proof of payment and the officers conducted a fare inspection of the Muni train. The officers said they conducted a fare inspection investigation and the complainant was detained for being a fare evader. The detention of the complainant was lawful, justified, and proper.



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**DATE OF COMPLAINT:** 10/18/10      **DATE OF COMPLETION:** 04/28/11      **PAGE #3 of 3**

**SUMMARY OF ALLEGATIONS #8-9:** The officers handcuffed the complainant without justification.

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

**FINDINGS OF FACT:** The complainant stated she should not have been handcuffed, because she exited the train. The complainant admitted she was upset with the primary officer on scene. The officers stated the complainant was upset, belligerent, and not cooperative. The officers handcuffed the complainant, because she did not have proof of payment and was not cooperative with them. The handcuffing of the complainant was lawful, justified, and proper.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 10/20/10      **DATE OF COMPLETION:** 04/12/11      **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 the officer had no right to detain him as he had paid for the jacket he was wearing. The complainant admitted that he did not have a bag, he was tearing off the tags, and he refused to show his receipt to the officer. The officer was conducting an investigation into the possible theft on the jacket and had reasonable suspicion to detain the complainant for suspicion of the theft. The officer verified through a store employee that the complainant had in fact purchased the jacket. The complainant was briefly detained and issued a Certificate of Release.

**SUMMARY OF ALLEGATION #2:** The officer used force at the scene.

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

**FINDINGS OF FACT:** The complainant stated the officer grabbed his left arm and twisted it behind his back and pushed him against a concrete wall for no reason. The officer denied the allegation. The officer stated the complainant attempted to walk away as he was conducting his investigation into the possible theft of a jacket. The officer stated he used a control hold to handcuff him against a wall. There were no witnesses during this part of the incident per complainant and officer. There is insufficient evidence to prove or disprove that the push to the wall was necessary force or not.

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COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 10/20/10    **DATE OF COMPLETION:** 04/11/11    **PAGE** #1 of 1

**SUMMARY OF ALLEGATION #1:** The officer failed to prepare an incident report.

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

**FINDINGS OF FACT:** The complainant stated she wanted the officer to prepare a police report because the suspect had repeatedly hit her vehicle, which she considered to be road rage and assault. The officer denied that the complainant requested a police report. The officer stated because there were no injuries he was not required to prepare a report and only assisted with the exchange of information. The witness admitted hitting the complainant's car twice as he attempted to back out of his garage. There were no other witnesses. Although per DGO 9.02 Section II H. officers are not required to investigate and prepare an incident report for non-injury accidents, there is insufficient evidence to determine that the complainant was intentionally hit or that it was definitely an accident.

**SUMMARY OF ALLEGATION #2:** The officer exhibited inappropriate behavior and made inappropriate comments.

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

**FINDINGS OF FACT:** The complainant stated the officer was siding with the other party and was condoning his behavior by dismissing her claims that she was hit intentionally. The officer denied the allegation. The witness heard the complainant tell the officer that he was taking his side and that he would have called a tow truck to tow her car, but said the officer was professional. The other officer came in the middle of the incident and stated he assisted with the exchange of information. There were no other witnesses. There is insufficient evidence to prove or disprove the allegation.

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COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 11/02/10    **DATE OF COMPLETION:** 04/05/11    **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officer acted in an inappropriate manner.

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

**FINDINGS OF FACT:** The complainant alleged that the officer acted in an inappropriate manner during a call for service to her residence. The complainant stated that while she spoke with one officer with a report, a second officer ignored her and spent his entire time texting on his cellular phone. The officer denied the allegation. He stated he was professional in his demeanor. The officer admitted he used his phone to send text messages during the call for service, but denied this activity impeded him from providing police services. There was insufficient evidence to prove or disprove the allegation made in the complaint.

**SUMMARY OF ALLEGATION #2:** The complainant stated the officer acted in an inappropriate manner during a call for service to her residence.

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

**FINDINGS OF FACT:** The officer is no longer available and subject to Department discipline.

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**DATE OF COMPLAINT:** 11/04/10      **DATE OF COMPLETION:** 04/28/11      **PAGE #1** of 1

**SUMMARY OF ALLEGATION #1:** The officer's behavior and comments were inappropriate.

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

**FINDINGS OF FACT:** The complainant stated the officer was disrespectful and used foul language. The officer and his partner denied the allegation. The officer stated the complainant was belligerent and verbally abusive toward him at the scene. There were no other witnesses. There is 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:** 11/17/10 **DATE OF COMPLETION:** 04/11/11 **PAGE #1** of 1

**SUMMARY OF ALLEGATION #1:** The officer's behavior and comments were inappropriate.

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

**FINDINGS OF FACT:** The complainant said the officer made several inappropriate remarks in front of a patient and staff in relation to an involuntary detention for psychiatric evaluation at a local medical facility. Two witnesses on scene gave conflicting statements regarding the conversations at this facility. The complainant refused to identify or provide contact information to attempt to interview the patient. 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:** 12/07/10 **DATE OF COMPLETION:** 04/14/11 **PAGE# 1 of 1**

**SUMMARY OF ALLEGATION #1:** The officer engaged in racially biased policing.

**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 March 17, 2011.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 12/07/10 **DATE OF COMPLETION:** 04/27/11 **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant stated the officer cited her without cause. The named and witness officers stated that the complainant crossed the street against a red light. There were no independent witnesses to this incident. 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:** 12/13/10 **DATE OF COMPLETION:** 04/14/11 **PAGE#** 1 of 1

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

**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 4, 2011.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 12/22/10      **DATE OF COMPLETION:** 04/21/11      **PAGE #1** of 1

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

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

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

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 01/06/11 **DATE OF COMPLETION:** 04/26/11 **PAGE#** 1 of 2

**SUMMARY OF ALLEGATION #1:** The officer demonstrated biased policing.

**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 15, 2011.

**SUMMARY OF ALLEGATION #2:** 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 April 15, 2011.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 01/06/11 **DATE OF COMPLETION:** 04/26/11 **PAGE #2** of 2

**SUMMARY OF ALLEGATION #1:** The officer failed to properly complete the citation.

**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 15, 2011.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 01/05/11      **DATE OF COMPLETION:** 04/14/11      **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant failed to provide additional requested evidence.

**SUMMARY OF ALLEGATION #2:** The officer harassed the complainant.

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

**FINDINGS OF FACT:** The complainant failed to provide additional requested evidence.

**OFFICE OF CITIZEN COMPLAINTS  
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**DATE OF COMPLAINT:** 01/06/11      **DATE OF COMPLETION:** 04/19/11      **PAGE #1** of 1

**SUMMARY OF ALLEGATIONS #1:** The officer made a traffic stop without cause.

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

**FINDINGS OF FACT:** The complainant stated that although the officer did not cite him, the officer stopped him for failing to use his left turn blinker at a busy intersection before the complainant made a left turn. The complainant was absolutely certain he activated the left turn blinker on his car, because, as he stated, he always signals before making a left turn. The officer stated that while riding in the patrol car with her partner, she stopped the complainant because the complainant was driving erratically. The officer described the complainant was weaving in and out of traffic and changing lanes without signaling. The officer gave the complainant a verbal warning instead of a citation. The officer's partner corroborated the named officer's account. No independent witnesses were developed to corroborate the complainant's allegation. There is insufficient evidence to either prove or disprove the allegation .

**SUMMARY OF ALLEGATIONS #2:** The officer harassed the complainant.

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

**FINDINGS OF FACT:** The complainant accused the officer of stopping him at the behest of community residents and other district police officers who dislike him. The officer explained that she stopped the complainant on the basis of traffic infractions she saw the complainant commit, and denied stopping the complainant to harass him. The officer also rejected the complainant's allegation of targeting him because of prior knowledge either she or her partner had on the complainant. The officer indicated she did not know who the complainant was prior to stopping him. The officer's partner corroborated the named officer's account. No independent witnesses were developed to corroborate the complainant's allegation. There is insufficient evidence to either prove or disprove the allegation .

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**DATE OF COMPLAINT:** 01/07/11    **DATE OF COMPLETION:** 04/20/11    **PAGE #1** of 2

**SUMMARY OF ALLEGATIONS #1-2:** The officers failed to accept a private person's arrest.

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

**FINDINGS OF FACT:** The complainant told the OCC that he was assaulted by a man in a suit in the Mission District. The complainant said he asked the officers to arrest the suspect, but the officers refused. The officers said that the complainant walked away, preventing them from acting on his request. The alleged suspect could not be located. No other witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATIONS #3-4:** The officers threatened the complainant.

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

**FINDINGS OF FACT:** The officers denied the allegation. No other witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

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**DATE OF COMPLAINT:** 01/07/11    **DATE OF COMPLETION:** 04/20/11    **PAGE #2 of 2**

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

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

**FINDINGS OF FACT:** The officer and his partner denied the allegation. 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:**