

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/17/06 **DATE OF COMPLETION:** 08/13/06 **PAGE#** 1 of 2

SUMMARY OF ALLEGATION #1-4: The officers detained the complainant without justification.

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

FINDINGS OF FACT: The complainant stated that he was committing no crime and should not, therefore, have been contacted by police officers. San Francisco Police Department records confirmed that the officers responded to a call from a municipal employee who said that the complainant was loitering, appeared to be stalking an employee, and refused to leave the premises when asked to. The evidence proves that the act, which provided the basis for the allegation, occurred. However, the act was justified, lawful and proper.

SUMMARY OF ALLEGATION #5: The officer searched the complainant without justification.

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

FINDINGS OF FACT: The complainant stated that he was engaging in no criminal activity and, therefore, should not have been pat searched by the officer. The officer stated that he made a cursory weapons search of the complainant for reasons of officer safety and stated that the complainant's irrational behavior and the fact that he was accused of a stalking crime, supported the decision. The evidence proves that the act, which provided the basis for the allegation, occurred. However, the act was justified, lawful and proper.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/17/06 **DATE OF COMPLETION:** 08/13/06 **PAGE# 2 of 2**

SUMMARY OF ALLEGATION #6: The officer used unnecessary force during the detention.

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

FINDINGS OF FACT: The complainant stated that the officer directed him to put his hands on his head and to interlace his fingers, which he was physically unable to do without pain. He said that the officer grabbed him and forced his fingers together. The officer stated that he directed the complainant to put his hands on his head and interlace his fingers and then placed his own hand on top of the complainant's hands for the time it took to perform a cursory weapons search with his other hand, a technique he was trained to employ. The evidence proves that the act, which provided the basis for the allegation, occurred. However, the act was justified, lawful and proper.

SUMMARY OF ALLEGATION #7: The officers issued an invalid order.

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

FINDINGS OF FACT: The complainant stated that he was told by SFPD officers that he had to leave the Muni platform where he was waiting to speak to a Muni driver about whom he wished to complain. He stated that he was breaking no laws, and that the officers had no legal authority to order him to leave. The officers at the scene recalled that the complainant had been directed either to get on a train or go out of the station, though they were not certain which officer had told him this. The officers stated that the station agent wanted the complainant to leave and called San Francisco Police Department to assist in getting him to leave. San Francisco Police Department records support that reason for the officers' response. California law permits an officer to remove an individual for trespassing under these circumstances. The evidence proves that the act, which provided the basis for the allegation, occurred. However, the act was justified, lawful and proper.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/23/05 **DATE OF COMPLETION:** 08/29/06 **PAGE#** 1 of 2

SUMMARY OF ALLEGATIONS #1, 2: The officers detained the complainant at gunpoint without justification.

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

FINDINGS OF FACT: The named officers denied the allegations, stating that they stopped the car the complainant was driving because they thought he was a man who had a warrant outstanding. One named officer stated that he drew his gun because the complainant refused to exit his car when instructed to. Two witness officers stated they saw the car drive past them and saw the driver refuse to stop when told to. No other witnesses came forward. There is insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #3: The officer handcuffed the complainant without justification.

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

FINDINGS OF FACT: The complainant said he was handcuffed by an officer he could not identify. Eight officers who were at the scene said they did not know who handcuffed the complainant. No other witnesses came forward. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/23/05 **DATE OF COMPLETION:** 08/29/06 **PAGE#** 2 of 2

SUMMARY OF ALLEGATION #4: The officer issued a citation without cause.

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

FINDINGS OF FACT: The complainant stated that he did not have a license plate displayed on his car. The named officer denied the allegation, stating that he issued a citation for failure to have a license plate on the car. Two witness officers stated they did not see a license plate on the car, and one stated he did not see a license plate on either front or rear of the vehicle. The evidence proved that the actions complained of did occur; however, such actions were justified, lawful and proper.

SUMMARY OF ALLEGATION #5: The officer detained the complainant improperly after determining the complainant had no warrant.

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

FINDINGS OF FACT: The named officer stated that he detained the complainant after determining the complainant was not the subject of a suspected warrant, but only long enough to issue a citation to the complainant. Seven witness officers stated they did not know if the complainant was detained beyond the time needed to determine if he had a warrant. No other witnesses came forward. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/27/06 **DATE OF COMPLETION:** 08/31/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATIONS #1-3: The officers failed to properly process the complainant's property.

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

FINDINGS OF FACT: The named and witness officers either had no recollection of, or denied, that the property in question was with the complainant at the time of his arrest. There were no other identified witnesses. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/27/06 **DATE OF COMPLETION:** 08/31/06 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1-2: The officers failed to take required action

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

FINDINGS OF FACT: The officer denied the allegation stating that he did complete and file a report related to the incident. The department had no report on file. The investigation was unable to identify the unknown officer. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/03/05 **DATE OF COMPLETION:** 08/31/06 **PAGE#** 1 of 3

SUMMARY OF ALLEGATIONS #1, 2: The officers inappropriately investigated the complainant's First Amendment activities.

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

FINDINGS OF FACT: The complainant gave conflicting statements about her perceptions of the named officers' actions. A co-complainant stated that she did not hear the entire conversation between the complainant and the named officers. The named officers denied the allegations, stating that they had been ordered to get information by a superior officer, and only recalled asking how they could facilitate the group's planned event. No other witnesses came forward. There is insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #3: The officer inappropriately investigated the complainant's First Amendment activities.

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

FINDINGS OF FACT: The complainant stated that she spoke to the named officer on the telephone and he acknowledged ordering two officers to contact her and ask about her group's activities. The named officer acknowledged speaking to the complainant but denied the allegation, stating that he did not suspect or investigate any criminal behavior; that his intention in reaching the complainant was to request information on a planned event he had been told of for the purpose of facilitating any public demonstration or disruption in traffic. He stated he could not specifically recall the conversation he had with the complainant. There were no witnesses. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/03/05 **DATE OF COMPLETION:** 08/31/06 **PAGE# 2 of 3**

SUMMARY OF ALLEGATIONS #4-6: The officers failed to comply with DGO 8.10.

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

FINDINGS OF FACT: The complainant gave conflicting statements about her perceptions of the named officers' actions. A co-complainant stated that she did not hear the entire conversation among the complainant and the named officers. The named officers denied the allegations, stating that they did not investigate suspected criminal activity. No other witnesses came forward. There is insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATIONS #7-9: The officers displayed an intimidating manner.

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

FINDINGS OF FACT: The complainant gave conflicting statements about her perceptions of the named officers' actions. A co-complainant stated that she did not hear the entire conversation between the complainant and two named officers. The named officers denied the allegations. No other witnesses came forward. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/03/05 **DATE OF COMPLETION:** 08/31/06 **PAGE#** 3 of 3

SUMMARY OF ALLEGATIONS #10, 11: The officers made inappropriate comments.

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

FINDINGS OF FACT: The complainant gave conflicting statements about her perceptions of the named officers' actions. A co-complainant stated that she did not hear the entire conversation between the complainant and the named officers. The named officers denied the allegations. No other witnesses came forward. There is insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #12: The officer made inappropriate comments.

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

FINDINGS OF FACT: The complainant stated that during a phone conversation, the named officer made inappropriate comments. The named officer stated that he did not recall the specific comments he made to the complainant. There were no witnesses. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/21/06 **DATE OF COMPLETION:** 08/13/06 **PAGE# 1 of 1**

SUMMARY OF ALLEGATIONS #1 and 2: The officers mishandled the complainant's property.

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

FINDINGS OF FACT: There was insufficient evidence to identify any officer involved in the contact with the complainant.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/21/06 **DATE OF COMPLETION:** 08/13/06 **PAGE# 1 of 1**

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

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

FINDINGS OF FACT: The complainant stated the officer called him on the telephone and asked inappropriate questions about the complainant's mental health. The officer stated he asked the complainant questions in connection with an ongoing investigation into whether the complainant posed a threat to public officials. The officer's questions were appropriate. 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:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/27/06 **DATE OF COMPLETION:** 08/30/06 **PAGE#** 1 of 2

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

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

FINDINGS OF FACT: The parties agreed to mediate this complaint. A mediation was successfully conducted on 08/23/06.

SUMMARY OF ALLEGATION #2-3: The officers conducted a traffic stop without justification.

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

FINDINGS OF FACT: The parties agreed to mediate this complaint. A mediation was successfully conducted on 08/23/06.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/27/06 **DATE OF COMPLETION:** 08/30/06 **PAGE# 2 of 2**

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

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

FINDINGS OF FACT: The parties agreed to mediate this complaint. A mediation was successfully conducted on 08/23/06.

SUMMARY OF ALLEGATION #5-6: The officers engaged in racial profiling.

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

FINDINGS OF FACT: The parties agreed to mediate this complaint. A mediation was successfully conducted on 08/23/06.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/28/06 **DATE OF COMPLETION:** 08/24/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer behaved inappropriately and threatened the complainant.

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

FINDINGS OF FACT: The complainant stated that the officer, in a telephone conversation, raised his voice, threatened to “put a lien” on her property, and hung up on her. The officer denied the allegation. No civilian witnesses came forward. There was insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/01/06 **DATE OF COMPLETION:** 08/13/06 **PAGE# 1 of 1**

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

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

FINDINGS OF FACT: The officer denied the allegation, stating the he never had contact with the complainant and never spoke to the complainant. The complainant failed to cooperate with OCC in the investigation, after numerous contacts. At one point, the complainant stated the alleged officer might have been a security type of officer. The evidence proved that the acts alleged in the complaint did not occur, or that the named member was not involved in the acts alleged.

SUMMARY OF ALLEGATION # :

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/17/06 **DATE OF COMPLETION:** 08/24/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer used unnecessary force.

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

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

SUMMARY OF ALLEGATION:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/17/06 **DATE OF COMPLETION:** 08/13/06 **PAGE # 1 of 1**

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

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

FINDINGS OF FACT: The complainant requested the withdrawal of her complaint from OCC investigation.

SUMMARY OF ALLEGATION #2: The officer engaged in selective enforcement.

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

FINDINGS OF FACT: The complainant requested the withdrawal of her complaint from OCC investigation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

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

SUMMARY OF ALLEGATION #1: The officer exhibited inappropriate attitude and/or demeanor.

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

FINDINGS OF FACT: The complainant stated the officer was discourteous and disrespectful of both her and the mother of one of the juveniles the officer had detained. The officer denied the allegation. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/06/06 **DATE OF COMPLETION:** 08/17/06 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: This complaint raises matters outside OCC's jurisdiction. It has been forwarded to: Emergency Communications Department
1011 Turk Street
San Francisco, CA 94102

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/09/06 **DATE OF COMPLETION:** 08/24/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1-2: The officers failed to follow proper procedures as detailed in Department General Orders.

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

FINDINGS OF FACT: The complainant stated his belief that, in spite of what was reported, the officers failed to follow proper pursuit procedures, thereby causing an individual's death. There was no evidence to support the complainant's belief, and a review of SFPD communication records, both audio and print, validated what was reported by the officers. The evidence proves that the act, which provided the basis for the allegation, did not occur.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/09/06 **DATE OF COMPLETION:** 08/13/06 **PAGE#** 1 of 1

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

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

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

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/14/06 **DATE OF COMPLETION:** 08/17/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer used force during the contact.

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

FINDINGS OF FACT: The complainant failed to provide essential and necessary information to further the investigation.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/26/06 **DATE OF COMPLETION:** 08/23/06 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The parties agreed to mediate this complaint. A mediation was successfully conducted on 08/08/06.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/14/06 **DATE OF COMPLETION:** 08/17/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer used force during the contact.

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

FINDINGS OF FACT: The complainant failed to provide essential and necessary information to further the investigation.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/27/06 **DATE OF COMPLETION:** 08/13/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer exhibited inappropriate behavior.

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

FINDINGS OF FACT: The complainant stated the officer spoke rudely to her when advising her on how to park at the airport. The officer denied the allegation. No witnesses came forward. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/30/06 **DATE OF COMPLETION:** 08/29/06 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: The officer harassed the complainant.

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

FINDINGS OF FACT: 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:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/07/06 **DATE OF COMPLETION:** 08/17/06 **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 stated the officer should have cited a vehicle that made an illegal turn. The complainant could not state that the officer observed the violation occur. The complainant stated the officer told him that the officer had not observed the violation occur. The officer stated that he advised the complainant on the date of the incident that he had not observed the violation occur. The officer further stated to OCC in his Member Response Form that he had not observed the violation occur. San Francisco Police Department General Order 9.01 states in relevant part that officers take action on violations they witness. The officer did not observe the violation occur and pursuant to department regulations and policies could not issue a citation. Therefore the officers course of action was proper pursuant to current department policies and procedures.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/28/05 **DATE OF COMPLETION:** 08/13/06 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant stated that the officer threatened her with enforcement actions. The named member did not recall this incident. One witness stated that he saw this police contact but could not hear what was said at the scene. The second witness provided only partial corroboration of the complainant's statement. The available evidence was insufficient to either prove or disprove the allegation.

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

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

FINDINGS OF FACT: The complainant, a homeless individual, stated that the officer harassed her by numerous arrests and by contacting the complainant's out of state mother in an attempt to arrange the complainant's return to her family. The named member stated that as a district homeless coordinator she indeed spoke with the complainant and with her mother about the complainant's return to her family. According to the officer, her actions were within the Department guidelines and in accordance with the Department instituted Homeless Family Reunification program. The officer admitted having numerous contacts with the complainant but denied ever harassing her or using any pressure to get the complainant to return home. The available evidence was insufficient to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/19/06 **DATE OF COMPLETION:** 08/13/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: This allegation raises matter not rationally within OCC's jurisdiction.

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

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

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/24/06 **DATE OF COMPLETION:** 08/13/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: This allegation raises matter outside OCC's jurisdiction.

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

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

Chief Of Administration Department
San Francisco General Hospital.
1001 Potrero Avenue
San Francisco, Ca 94110

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/25/06 **DATE OF COMPLETION:** 08/13/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: This allegation raises matter not rationally within OCC's jurisdiction.

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

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

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/25/06 **DATE OF COMPLETION:** 08/13/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: This allegation raises matter outside OCC's jurisdiction.

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

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

Lt. Al Kennedy

Internal Affairs

San Francisco Sheriff's Office.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/26/06 **DATE OF COMPLETION:** 08/13/06 **PAGE#** 1 of 1

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

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

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

Chief Roskowski
University of California at San Francisco
1855 Folsom Street, Room #145
San Francisco, CA 94107-1225

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/27/06 **DATE OF COMPLETION:** 08/13/06 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: This allegation raises matter outside OCC's jurisdiction.

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

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

Judge McBride

San Francisco Superior Court

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/27/06 **DATE OF COMPLETION:** 08/24/06 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: The officer failed to provide required information.

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

FINDINGS OF FACT: The complainant stated the officer issued her a traffic citation with an appearance date on the citation. The complainant stated she told the officer that she could not appear on the date written on the citation. The complainant stated that the officer told her to read the back of the citation and to telephone the number on the citation for further information. The complainant stated that the officer did not provide her sufficient assistance in dealing with this citation and the appearance date. Pursuant to Department General Order 9.01, the officer acted appropriately pursuant to Department policy and procedures.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/02/06 **DATE OF COMPLETION:** 08/29/06 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant was cited for parking in a bus zone. The complainant stated he stopped and exited his vehicle to pick up a pizza. He stated that that he didn't realize he was in a bus zone until he saw the officer writing him a ticket. The complainant stated he apologized to the officer and told him he would move his car. By parking his vehicle in a bus zone, the complainant violated Vehicle Code §21458(a)(1.) The officer's action was proper.

SUMMARY OF ALLEGATION #2: The officer behaved inappropriately and made inappropriate comments.

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

FINDINGS OF FACT: The officer behaved inappropriately and made inappropriate comments. There were no available witnesses. There was no additional evidence to further prove or disprove this allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/01/06 **DATE OF COMPLETION:** 08/29/06 **PAGE#** 1 of 1

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

CATEGORY OF CONDUCT:

FINDING: IO1

DEPT. ACTION:

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

San Francisco Sheriff's Department
25 Van Ness Ave. Room 350
San Francisco, CA 94102
(415) 554-2380

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT:

FINDING:

DEPT. ACTION:

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/03/06 **DATE OF COMPLETION:** 08/31/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer used unnecessary force.

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

FINDINGS OF FACT: The complainant stated that an officer used unnecessary force during an arrest but could not identify the officers present. A search of department records yielded no incident that matched the description given by the complainant. There is insufficient evidence to identify the officers involved or 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 stated that an officer made an inappropriate comment during an arrest but could not identify the officers present. A search of department records yielded no incident that matched the description given by the complainant. There is insufficient evidence to identify the officers involved or to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/03/06 **DATE OF COMPLETION:** 08/13/06 **PAGE#** 1 of 1

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

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

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

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/04/06 **DATE OF COMPLETION:** 08/17/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The Department deployed officers to the complainant's vicinity without justification.

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

FINDINGS OF FACT: The complainant stated that officers were deployed to her vicinity over an extended period of time. The Department deployed officers to the complainant's vicinity in conformance with Chapter 10B of the San Francisco Administrative Code and Department policy, which provide for deployment of uniformed officers for security and traffic control.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/09/06 **DATE OF COMPLETION:** 08/29/06 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: The officer failed to write a required incident report.

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

FINDINGS OF FACT: The incident report was in fact written by the officer, but had not been entered into the computer when the complainant requested a copy, leading her to believe that a report had not been written. The computer records now show a report on file about this incident, which is what the complainant requested. The evidence shows that the act alleged in the complaint did not occur, in that the officer did not neglect his duty and did write an incident report.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/10/06 **DATE OF COMPLETION:** 08/29/06 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The officer retired effective 05/17/06.

SUMMARY OF ALLEGATION #2: The officer prepared an inaccurate citation.

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

FINDINGS OF FACT: The officer retired effective 05/17/06.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/14/06 **DATE OF COMPLETION:** 08/17/06 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: This complaint raises matters outside OCC's jurisdiction. This complaint has been referred to: Chief Joanne Hayes-White
San Francisco Fire Department

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/16/05 **DATE OF COMPLETION:** 08/13/06 **PAGE #1** of 4

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

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

FINDINGS OF FACT: The complainant stated he left a residence to smoke a cigarette when the officer detained him at gunpoint. The officer admittedly detained the complainant, subject to an outstanding warrant, which was confirmed by this OCC investigation; however, the officer denied drawing his firearm during this incident. There is insufficient evidence to establish the officer's necessity to draw his firearm to effect the detention of the complainant.

SUMMARY OF ALLEGATION #2-3: The officers failed to identify themselves to the complainant.

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

FINDINGS OF FACT: The complainant stated the plainclothes officers approached him without identifying themselves as police officers. However, the complainant stated he immediately recognized one officer, whom he knew on a first name basis, and was too distracted to recall if the officers displayed their stars. The officers denied the allegation, stating they did announce themselves, displayed their stars, and called out to the complainant by name, as the officers and the complainant knew each other well. As the complainant knew the men to be police officers and he did not specifically ask for their identification (name, star and assignment), the officers did not fail to announce their police presence.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/16/05 **DATE OF COMPLETION:** 08/13/06 **PAGE #2** of 4

SUMMARY OF ALLEGATION #4-5: The officers used unnecessary force on the complainant.

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

FINDINGS OF FACT: The complainant alleged the officers choked, stomped, kicked, and pistol-whipped him when taking him into custody on an outstanding traffic warrant. The officers denied the complainant's allegation, although they stated the use of force (i.e., Yuwara stick, knee strikes) was necessary to take the complainant into custody, as the complainant mightily resisted his arrest. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #6: 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 is insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/16/05 **DATE OF COMPLETION:** 08/13/06 **PAGE #3 of 4**

SUMMARY OF ALLEGATION #7-8: The officer conducted an improper search.

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

FINDINGS OF FACT: The complainant stated officers lowered his pants in public and conducted a body cavity search. The officers denied the allegation, stating they were unable to search the complainant at the scene due to the complainant's resistance and the gathering hostile crowd. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #9-10: The officers arrested the complainant without cause.

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

FINDINGS OF FACT: The complainant stated he had done nothing illegal at the time the officers detained and arrested him; however, the complainant admitted to there being traffic warrants out for his arrest. The officers denied the allegation, stating they knew the complainant well, including his having an outstanding warrant. The OCC investigation confirmed the warrant's existence and determined it more likely than not the officers knew of the outstanding warrant for the complainant's arrest. As such, the officers had lawful and proper authority to arrest the complainant and were justified in doing so.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/16/05 **DATE OF COMPLETION:** 08/13/06 **PAGE #**4 of 4

SUMMARY OF ALLEGATION #11: The officer harassed the complainant.

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

FINDINGS OF FACT: The complainant stated the officer had harassed him for the last five years and this arrest was proof of such harassment. The officer denied the allegation, stating he arrested the complainant for an existing traffic warrant and took no action for purposes of harassment. There is 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: 11/04/05 **DATE OF COMPLETION:** 08/29/06 **PAGE#** 1 of 2

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

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

FINDINGS OF FACT: The officer stated he arrested the complainant for battery after she kicked him and struck him several times with her cell phone. She was also arrested for resisting arrest. A witness stated that she saw the complainant strike the officer twice with her fist and then kick the officer after he removed the complainant from her vehicle. The officer's action was proper.

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

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

FINDINGS OF FACT: The officer denied using any force on the complainant. A witness stated that the complainant kicked and punched the officer and the officer did not use any force on the complainant. This allegation is unfounded.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/04/05 **DATE OF COMPLETION:** 08/29/06 **PAGE#** 2 of 2

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

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

FINDINGS OF FACT: The officer denied behaving inappropriately and denied making inappropriate comments. A witness who was present at the scene but not during the complainant's transport to the station stated that it was the complainant, not the officer, who behaved inappropriately and made inappropriate comments, including racial slurs. There were no witnesses during the complainant's transport to the station. There was no additional witnesses or evidence to further prove or disprove the allegation.

SUMMARY OF ALLEGATION #4: The officer used profanity.

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

FINDINGS OF FACT: The officer denied using profanity. He stated that the complainant repeatedly used profanity during their contact. A witness who was present at the scene but not during the complainant's transport to the station stated that it was the complainant, not the officer, who used profanity. There were no witnesses during the complainant's transport to the station. There was no additional witnesses or evidence to further prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/17/05 **DATE OF COMPLETION:** 08/13/06 **PAGE#** 1 of 4

SUMMARY OF ALLEGATION #1-3: The officers arrested the complainant without cause.

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

FINDINGS OF FACT: The complainant stated that he was not engaged in criminal activity when he was contacted and arrested by plainclothes officers. The officers stated that the complainant was the object of a surveillance by one of them and was seen to be mixing something with water in a bottle. The observing officer stated that his training and experience caused him to believe that the complainant was mixing heroin with water. The officer directed his arrest team to contact the complainant and take him into custody. The other officers seized the bottle described by the first officer and arrested the complainant. The contents of the bottle were examined and found to be heroin. The evidence proves that the act, which provided the basis for the allegation, occurred. However, the act was justified, lawful and proper.

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

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

FINDINGS OF FACT: The officers could not recall which of them searched the complainant but stated that the complainant was searched prior to transport. Department regulations specify that individuals be searched for weapons prior to transport and/or arrest. The evidence proves that the act, which provided the basis for the allegation, occurred. However, the act was justified, lawful and proper.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/17/05 **DATE OF COMPLETION:** 08/13/06 **PAGE# 2 of 4**

SUMMARY OF ALLEGATION #5: The officers used unnecessary force during the arrest.

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

FINDINGS OF FACT: The complainant stated that his face was burned with a cigarette by an officer and that he was slapped and handcuffed too tightly. The officers denied that force was used by any officer. Medical records failed to establish the source of any pain or injury mentioned by the complainant. No civilian witnesses were located. There was insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #6: The officers used profanity during the arrest.

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

FINDINGS OF FACT: The officers denied that they used or heard profanity used by any officer during the complainant's arrest. No civilian witnesses were located. There was insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/17/05 **DATE OF COMPLETION:** 08/13/06 **PAGE#** 3 of 4

SUMMARY OF ALLEGATION #7: The officers failed to provide names/badge numbers upon request.

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

FINDINGS OF FACT: The complainant stated that he asked various officers for their names and badge numbers while he was in custody. The officers denied that the complainant asked for names or numbers. No civilian witnesses were located. There was insufficient evidence to prove or disprove the allegation or to establish the identity of the alleged officers.

SUMMARY OF ALLEGATION #8: The officers failed to properly process property.

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

FINDINGS OF FACT: The complainant stated that he had three twenty-dollar bills in his possession at the time of his arrest that were never returned to him. Officers stated they did not remember seizing or processing the complainant's property but said they would have booked it with him, as is their normal routine. SFPD records showed that a sum of money less than ten dollars was booked with the complainant and his clothing at the county jail. No witnesses were located. There was insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/17/05 **DATE OF COMPLETION:** 08/13/06 **PAGE# 4 of 4**

SUMMARY OF ALLEGATION #9: The officers failed to take required action.

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

FINDINGS OF FACT: The complainant stated that he asked various officers to loosen his handcuffs while in custody and that he told an unidentified officer at the police station that other officers had used excessive force, but no action was taken by any officer. The officers who arrested the complainant denied that he asked them to loosen his handcuffs and no officers were located who recalled being told by the complainant that his cuffs were too tight or that he had been subjected to force by any officer. No civilian witnesses were located. There was insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #10: The complainant was subjected to excessive force at County Jail.

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

FINDINGS OF FACT: This allegation raises matters outside OCC's jurisdiction and has been referred to San Francisco Sheriff's Department.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/28/05 **DATE OF COMPLETION:** 08/17/06 **PAGE#** 1 of 2

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

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

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

SUMMARY OF ALLEGATION # 2: The officer engaged in racially motivated enforcement of the law

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

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

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/28/05 **DATE OF COMPLETION:** 08/17/06 **PAGE# 2 of 2**

SUMMARY OF ALLEGATION # 3: The officer issued an unjustified citation

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

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

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

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

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

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/01/05 **DATE OF COMPLETION:** 08/13/06 **PAGE# 1 of 1**

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

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

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

Lieutenant A. Kennedy
Sheriff's Department
25 Van Ness Avenue, Third Floor
San Francisco, CA 94102

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/23/05 **DATE OF COMPLETION:** 08/13/06 **PAGE#** 1 of 3

SUMMARY OF ALLEGATION #1: The officer failed to accept a citizen's arrest.

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

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

SUMMARY OF ALLEGATION #2: The officer threatened the complainant.

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

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

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/23/05 **DATE OF COMPLETION:** 08/13/06 **PAGE#** 2 of 3

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

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

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

SUMMARY OF ALLEGATION #4: The officer made inappropriate comments and behaved inappropriately.

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

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

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/23/05 **DATE OF COMPLETION:** 08/13/06 **PAGE#** 3 of 3

SUMMARY OF ALLEGATIONS #5-6: The officers failed to properly investigate.

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

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

SUMMARY OF ALLEGATION #7: 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.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/23/05 **DATE OF COMPLETION:** 08/31/06 **PAGE#** 1 of 2

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

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

FINDINGS OF FACT: The named member said the complainant was intoxicated and not able to care for his own safety. The complainant denied that he was intoxicated to the point of being unable to care for his own safety and had merely exited his home to speak to the officer who was parked on the street with his bar lights ignited. Transporting witness officers stated that the complainant smelled of alcohol. There were no other identified witnesses. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #2: The officer placed handcuffs on the complainant unnecessarily tight.

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

FINDINGS OF FACT: The officer denied the allegation. Witness officer denied hearing any complaint of tight cuffs by the complainant. There were no other identified witnesses. There is insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/23/05 **DATE OF COMPLETION:** 08/31/06 **PAGE#** 2 of 2

SUMMARY OF ALLEGATION #3: The officer conducted himself in a rude and intimidating manner toward the complainant.

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

FINDINGS OF FACT: The officer denied the allegation. Witness officer denied hearing or observing any rude or intimidating behavior by the named member. There were no other identified witnesses. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #4: The officer entered the complainant's residence without cause.

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

FINDINGS OF FACT: The complainant stated that he told the officer that he may have left something cooking on the stove in his residence, but that he did not give the officer permission to enter his residence. The officer stated that he entered the complainant's residence after the complainant had been transported to the station because the complainant had told him that there was something cooking on the stove. Pursuant to the "caretaking" doctrine, the officer's conduct may have been proper under the exigent circumstances. Because there is conflicting evidence as to the reasonableness of the detention, there is an irresolvable question as to whether the officer created the exigency.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/26/06 **DATE OF COMPLETION:** 08/21/06 **PAGE# 1 of 1**

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

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

FINDINGS OF FACT: The complainant said he told the officer the arrestee was wearing his coat. The officer denied that the arrestee was wearing the complainant's coat or that the complainant reported that he was. There is no Property Receipt for the arrestee whom the officer said was because no property was seized. There were no available witnesses. There is insufficient evidence to reach a definitive finding.

SUMMARY OF ALLEGATION #2: The officer filed an inaccurate or incomplete report.

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

FINDINGS OF FACT: The complainant said he told the officer the arrestee was wearing his coat and failed to document this in the report. The officer denied that the arrestee was wearing the complainant's coat or that the complainant reported that he was. There is no Property Receipt for the arrestee whom the officer said was because no property was seized. There were no available witnesses. There is insufficient evidence to reach a definitive finding.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/26/06 & 01/30/06 **DATE OF COMPLETION:** 08/17/06 **PAGE# 1 of 2**

SUMMARY OF ALLEGATIONS #1-2: The officers used excessive force against the complainants.

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

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

SUMMARY OF ALLEGATION #3: The officer failed to follow the Juvenile Detention policy.

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

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

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/26/06 & 01/30/06 **DATE OF COMPLETION:** 08/17/06 **PAGE# 2 of 2**

SUMMARY OF ALLEGATION #4: The officer behaved inappropriately and made inappropriate comments.

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

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

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/03/06 **DATE OF COMPLETION:** 08/24/06 **PAGE#** 1 of 1

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

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

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

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/08/06 **DATE OF COMPLETION:** 08/13/06 **PAGE#** 1 of 2

SUMMARY OF ALLEGATIONS #1: The officer made an inappropriate comment to the complainant.

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

FINDINGS OF FACT: The named officer denied the allegation. No other witnesses came forward during the investigation. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #2: The officer selectively enforced the law against the complainant.

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

FINDINGS OF FACT: The officer denied the allegation. No witnesses came forward during the investigation. There is insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/08/06 **DATE OF COMPLETION:** 08/13/06 **PAGE#** 2 of 2

SUMMARY OF ALLEGATIONS #3: The officer issued an invalid order.

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

FINDINGS OF FACT: The officer stated that after he issued a citation to the complainant, the complainant became very irate and confrontational. The officer stated that he banned the complainant from the airport for the remainder of the days for safety reasons. As an agent of the Director, the officer is permitted by airport rules and regulations to deny the use of the airport to a person who disobeys or refuses to comply with the any of the Airport Rules or Regulations or any lawful order issued pursuant to Airport Rules and Regulations. The conduct complained of did occur, however said conduct was proper and lawful under Airport Rules, Regulations, practices and policy.

SUMMARY OF ALLEGATION:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/17/06 **DATE OF COMPLETION:** 08/29/06 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant admitted to walking outside the cross-walk. The citing of the complainant was justified, lawful and proper.

SUMMARY OF ALLEGATION #2: The officer behaved inappropriately and made inappropriate comments.

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

FINDINGS OF FACT: The officer denied the allegation. There are no known witnesses. There is insufficient evidence to reach a definitive finding.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/23/06 **DATE OF COMPLETION:** 08/13/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATIONS #1-2: The complainant alleged the officers failed to take required action.

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

FINDINGS OF FACT: The complainant stated the officers failed to document the incident complained of. The officers denied the allegation, stating that the incident complained of did not amount to criminal conduct. The complainant stated to the Office of Citizen Complaints that he had been overcharged by a taxi cab driver. He also claimed he felt physically threatened. The Office of Citizen Complaints interviewed several expert witnesses, who agreed that if the complainant insists that an Incident Report or memorandum be written, officers must do so. The witness said one of the officers provided the complainant with paperwork. One of the officers stated that he provided the complainant with the Computer Aided Dispatch number of the incident, along with paperwork so that he could report the driver to the Taxi Commission. There was sufficient evidence to prove that the officers provided the complainant with sufficient information to document the incident that was not criminal conduct.

SUMMARY OF ALLEGATIONS #3-4: The complainant alleged the officers failed to properly investigate.

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

FINDINGS OF FACT: The complainant alleged that the officers failed to speak to the witnesses at the scene regarding the actions of a cab driver he complained of. The complainant was brought to his destination in front of four witnesses. The Office of Citizen Complaints was only able to identify and speak with one of the witnesses. The witness interviewed could only corroborate the portion of the incident when the cab driver contacted the complainant in her presence. What she saw tended to support the allegation. She witnessed a loud altercation between the complainant and the driver regarding the complainant and his service animal. There was no report or memorandum. The officers denied the allegation, claiming the incident was not of a criminal nature. There was insufficient evidence to prove or disprove the allegation made by the complainant.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/24/06 **DATE OF COMPLETION:** 08/29/06 **PAGE#** 1 of 4

SUMMARY OF ALLEGATIONS #1-2: The officers arrested the complainant without cause.

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

FINDINGS OF FACT: The complainant was arrested based on a private person's arrest. The evidence proved that that act, which provided the basis for the allegation, occurred. However, the act was justified, lawful and proper.

SUMMARY OF ALLEGATIONS #3-4: The officer failed to properly investigate.

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

FINDINGS OF FACT: The complainant alleged that the officers failed to interview his roommate. One of the named officers denied seeing the complainant's roommate. The other officer stated that he spoke with a person who denied witnessing the incident in question. The complainant did not provide contact information of his roommate. No witnesses came forward. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/24/06 **DATE OF COMPLETION:** 08/29/06 **PAGE#** 2 of 4

SUMMARY OF ALLEGATIONS #5-6: The officers failed to receive a private person's arrest.

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

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

SUMMARY OF ALLEGATIONS #7-8: The officers made sexually derogatory comments.

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

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

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/24/06 **DATE OF COMPLETION:** 08/29/06 **PAGE#** 3 of 4

SUMMARY OF ALLEGATIONS #9-10: The officers behaved inappropriately and made inappropriate comments.

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

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

SUMMARY OF ALLEGATION #11: The officer searched the complainant's residence without cause.

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

FINDINGS OF FACT: Records indicate that the complainant signed a Permission to Search form. The complainant alleged that he was coerced into signing the form. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/24/06 **DATE OF COMPLETION:** 08/29/06 **PAGE#** 4 of 4

SUMMARY OF ALLEGATION #12: The officer failed to maintain proper care and custody of a prisoner.

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

FINDINGS OF FACT: The officer and another officer denied the allegation. No other witnesses came forward. There is insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #13: The officer wrote an incomplete and/or inaccurate report.

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

FINDINGS OF FACT: The basis for the allegation is that the officer wrote a kidnapping report. The complainant told the OCC that this was a case of trespassing. SFPD records indicate that the complainant was arrested under private person's arrest. The evidence proved that the act, which provided the basis for the allegation, occurred. However, the act was justified, lawful and proper.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/15/06 **DATE OF COMPLETION:** 08/13/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer failed to write an Incident Report.

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

FINDINGS OF FACT: The named officer stated that he wrote a report but acknowledged that he could not find the report some time later. He could not explain the absence of the report. While the evidence does establish that a clerical error was made, there is no evidence that the error constituted sustainable misconduct. There is 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: 03/10/05 **DATE OF COMPLETION:** 08/31/06 **PAGE#** 1 of 2

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

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

FINDINGS OF FACT: The complainant stated the officer threatened to book him and his assistant and tow the complainant's vehicle. The officer stated that she advised the complainant that, if he continued to operate in violation of his permit, he could be booked for a continuing misdemeanor offense and have his vehicle towed pursuant to arrest. The officer's warnings were lawful and justified.

SUMMARY OF ALLEGATION #2: The officer issued citations without cause

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

FINDINGS OF FACT: The complainant stated that the officer cited him and his assistant for permit violations, but that he was operating in a manner that he believed to be in compliance. The officer stated that the complainant parked his catering truck in an unauthorized location at an unauthorized time, that the truck was not the vehicle that was authorized to operate under the complainant's permit, and that the complainant's assistant did not have a proper permit. The investigation disclosed that the complainant's vehicle was parked near the authorized location, but was there too early, and was not the vehicle that was authorized under the permit. The complainant's assistant was not properly authorized. The officers' actions were lawful and justified.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/10/05 **DATE OF COMPLETION:** 08/31/06 **PAGE # 2 of 2**

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

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

FINDINGS OF FACT: The complainant stated that he was informed by other officers that the named officer should have provided him with additional options to resolve his permit issues and should have given him a written warning before citing him. The officer stated that the complainant was afforded due process and was issued a permit that included specific times and places where he could operate, and that the officer warned him about his failure to comply rather than seek to have his permits revoked. There is no requirement that such a warning be written, rather than oral.

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

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

FINDINGS OF FACT: The complainant stated that the officer was prejudiced against his type of catering operation, so she obstructed his permit application. The complainant said that other officers agreed with his conclusions. The officer stated that she followed the regulations and was bound at all times in her enforcement actions by the conditions of the complainant's permit, but the complainant violated those conditions.