

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/22/08 **DATE OF COMPLETION:** 10/25/08 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant was stabbed by an acquaintance. She stated the officer mishandled the case, leading to the District Attorney refusing to prosecute her assailant. The evidence disclosed that the complainant told the officer she would not cooperate in a prosecution, which he reported to the District Attorney. The officer properly investigated the incident.

SUMMARY OF ALLEGATION:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/22/07 **DATE OF COMPLETION:** 10/31/08 **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 said he passed a bus because the bus had its hazard lights flashing and did not appear to be un/loading passengers. A passenger in the car with the complainant corroborated the statement of the complainant. Officers said the bus was loading and unloading passengers at the time and therefore the complainant was in violation of the traffic code. No other witnesses responded to the OCCs request for an interview. There is insufficient evidence to reach a definitive finding.

SUMMARY OF ALLEGATIONS #2 and #3: The officers harassed the complainant.

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

FINDINGS OF FACT: The complainant said he felt singled out by the detaining officers because he was not the only vehicle that went around the bus, yet he was the only vehicle stopped. The complainant misidentified the offending officer. The evidence proved that the named member was not involved in the acts alleged.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/22/07 **DATE OF COMPLETION:** 10/31/08 **PAGE#** 2 of 2

OCC ADDED ALLEGATION

SUMMARY OF ALLEGATION #1: The officer failed to make an E585 entry into the database.

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

FINDINGS OF FACT: The officer said his partner made the entry, which was corroborated by the partner. There is no documented evidence that the entry was made. Although the officer was not primarily responsible it did not release him from responsibility to have caught the missing entry when he submitted his paperwork at the end of his shift, therefore a proper conduct finding cannot be reached.

OCC ADDED ALLEGATION

SUMMARY OF ALLEGATION #2: The officer failed to make an E585 entry into the database.

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

FINDINGS OF FACT: The officer said he personally made the E585 entry at the scene of the traffic stop. There is no evidence that the entry was made. Department Bulletin 07-049 Additional Traffic Stop Data Collection Program Information, requires members to make E585 entries in 916 vehicle stop. Examination of the Unit History Detail for the entire watch documents another 916 traffic stop in which the E585 was not made. Officers have the option of filling out the E585 data at the station if the data was not properly entered at the time of the incident. This was not done. By a preponderance of the evidence the officer failed to enter the required data into the system.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/22/08 **DATE OF COMPLETION:** 10/24/08 **PAGE#** 1 of 2

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

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

FINDINGS OF FACT: By a preponderance of the evidence the force admittedly used by the officers was reasonable and necessary. Neither the complainant or the witness were present at the commencement of the incident leading up to the use of force. None of the other witnesses responded to the OCC's requests for an interview.

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 and witness were unable to identify which of the officers at the scene made the alleged comment. The officers at the scene all denied saying or hearing the alleged comment. There is insufficient evidence to identify a specific officer and therefore reach a definitive finding.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/22/08 **DATE OF COMPLETION:** 10/24/08 **PAGE# 2 of 2**

OCC ADDED ALLEGATION

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

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

FINDINGS OF FACT: The evidence proved that the required act did in fact occur, e.g. an entry was made into the Use of Force Log.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/25/08 **DATE OF COMPLETION:** 10/01/08 **PAGE#** 1 of 2

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

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

FINDINGS OF FACT: The complainant said the officer slammed her onto the ground. The officer said while trying to take the resistant complainant into custody he was grabbed from behind by a person with the complainant causing all three to fall to the ground. The complainant admitted that she was involved in a physical confrontation with another person outside a bar at the time of the police contact. Witnesses said they were restraining the complainant at the time of the police contact. The co-complainant said the officer ordered the complainant to the ground before the physical contact. A witness officer also said that he saw a bystander jump on the back of the officer and grab him around the neck. No other witnesses came forward. There is insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #2: The officer behaved in an inappropriate manner and made an inappropriate comment.

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

FINDINGS OF FACT: The officer denied making the alleged comment. A witness officer denied hearing the alleged comment. There were no other identified witnesses to the alleged comment. The complainant and co-complainant said the officer placed his knee in the back of the complainant's neck while she lay on the ground. The officer and witness officer denied the alleged act by the officer. Other officers on the scene denied seeing the alleged act. No other witnesses came forward. There is insufficient evidence to reach a definitive finding.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/25/08 **DATE OF COMPLETION:** 10/01/08 **PAGE# 2 of 2**

SUMMARY OF ALLEGATION #3: The officer used a sexual slur.

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

FINDINGS OF FACT: The two transporting officers denied making the comment or hearing another officer make the comment. The complainants both heard the comment while in the back of the patrol wagon but could not see who made the comment there were no other identified witnesses. The investigation was unable to identify any member. There is insufficient evidence to reach a definitive finding.

SUMMARY OF ALLEGATION:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/16/08 **DATE OF COMPLETION:** 10/25/08 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer towed the complainant's vehicle without justification.

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

FINDINGS OF FACT: The complainant alleges that the officer towed his vehicle without justification. The complainant said the officer failed to record the vehicle's mileage at the time it was removed as required under Section 22850 of the California Vehicle Code. The officer stated that she towed the complainant's vehicle for violation of Section 37A of the San Francisco Traffic Code, which provides that no vehicle shall be parked or left standing upon any street for a period exceeding 72 hours. The officer said she was unable to read the mileage because the vehicle was secured, and the odometer reading was not visible from the outside. The evidence shows that the complainant's vehicle had not been moved as required by the foregoing San Francisco traffic law. The evidence 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 failed to take required action.

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

FINDINGS OF FACT: The complainant alleges that the officer failed to take required action by failing to act and respond to his written request for supervisory review. The officer denied the allegation and stated that he reviewed the complainant's case and found the tow legal. The officer stated that he notified the complainant about the denial of his case when he talked to the complainant twice on the phone. The evidence, however, shows that no phone log or any documentation was maintained to validate the notification. The evidence further shows that the officer was not acquainted and had never been trained with the Department's Summary Outline For Tow Hearing Procedure, which contains procedure on how to conduct tow hearings and supervisory reviews. The evidence proved that the action complained of was the result of inadequate or inappropriate training.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/28/08 **DATE OF COMPLETION:** 10/18/08 **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 a woman came into his apartment without his permission, so he called the police, but the officer did not arrest the woman. The officer stated he saw the woman leaving the apartment and detained her. The officer stated he and the complainant discussed whether or not the complainant wanted to press charges, but that the complainant ultimately declined to do so. There were no 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: 02/04/08 **DATE OF COMPLETION:** 10/25/08 **PAGE#** 1 of 2

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

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

FINDINGS OF FACT: The preponderance of the evidence established that the complainant was driving under the influence of alcohol beyond the levels allowed by law, and fled the scene after hitting a parked vehicle. Evidence consisting of blood drawn, three witnesses statements, and the officers' observations confirm the complainant was driving a vehicle while intoxicated, and fled the scene of a traffic collision. The officers' actions were lawful and proper.

SUMMARY OF ALLEGATIONS #3-4: The officers caused blood to be drawn involuntarily.

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

FINDINGS OF FACT: The preponderance of the evidence established that the complainant drank six beers in a five-hour span, then drove his vehicle, collided into a parked vehicle, and then fled the scene. The officers documented the complainant failed a field sobriety test, was unable to produce a testable sample on the breathalyzer machine, and involuntarily administered a blood draw pursuant to DGO 9.03 and DB 05-147. A supervisor approved the transport and was present during the required involuntary blood draw as part of this DUI arrest and booking. The officers' actions were within Department procedure, lawful and proper.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/04/08 **DATE OF COMPLETION:** 10/25/08 **PAGE# 2 of 2**

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

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

FINDINGS OF FACT: The complainant stated the officer made inappropriate comments in response to the complainant's remark that he would be filing an OCC complaint and notify a San Francisco Supervisor. The officer, and a supervisor inside the assembly room denied the allegation. Two witnesses, at times in the assembly room, could not verify or deny the allegation. There is insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #6: The officer used excessive force while in custody.

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

FINDINGS OF FACT: The complainant said the officer applied a forceful front bent wristlock in order to re-handcuff him. The officer, and his supervisor denied the allegation. One witness in the assembly room as well as another witness minimally in the assembly room could not verify or deny the allegation. There were no noticeable signs of trauma in the complainant's arm consistent with the alleged force three days after the incident. The complainant did not provide OCC with a medical release in order to obtain a copy of the objective diagnosis from a hospital where he was treated. There were no other witnesses who could either prove or disprove the allegation. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/04/08 **DATE OF COMPLETION:** 10/18/08 **PAGE# 1 of 4**

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

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

FINDINGS OF FACT: The officer denied the allegation. The named officer said he did not threaten the complainant, but rather, advised him he was under arrest and would have to place him in handcuffs for their safety if the complainant did not calm down. The named officer affirmed he told the complainant that based on his observation of an incomplete DMV permit and the complainant's failure to produce the appropriate DMV documentation, he believed the DMV temporary operating permit to be false. The officer denied having any conversation or interaction with the complainant's daughter.

Three witness officers denied hearing the named officer threaten the complainant or make a derogatory statement to the complainant's daughter. Two witnesses (complainant's daughters) stated they heard the named officer make the derogatory statement. During the OCC interview, another witness (complainant's co-worker) denied hearing the officer make the statement, then recanted her denial when she was reminded of her initial written statement. There were no independent witnesses. There is insufficient evidence to either prove or disprove the allegation made in the complaint.

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

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

FINDINGS OF FACT: The officer denied the allegation. The named officer stated he observed the complainant's parked vehicle with expired registration over six months. The officer said the complainant entered his vehicle and drove off, whereby he affected a traffic stop for the expired registration. The officer informed the complainant of the reason for the stop and the complainant advised the named officer of a DMV temporary operating permit located on his rear heavily tinted window. The named officer stated he was unaware of the complainant's temporary permit, until the complainant pointed it out. The complainant stated DMV records corroborated the registration to be expired over six months. The officer said the DMV permit had an incomplete vehicle identification number and the complainant was unable to produce the appropriate DMV documentation to show proof of the issuance of the permit.

The complainant corroborated the vehicle had heavily tinted windows to the rear and the requested DMV documents could not be produced for the named officer. The DMV investigator assigned to the complainants' vehicle registration corroborated the registration was not paid, nor was it registered in the complainant's names. The evidence proved that the acts which provided the basis for the allegation occurred; however, such acts were justified, lawful, and proper.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/04/08 **DATE OF COMPLETION:** 10/18/08 **PAGE# 2 of 4**

SUMMARY OF ALLEGATION #3: The officer pat searched the complainant without cause.

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

FINDINGS OF FACT: The officer denied the allegation. The named officer said the complainant was placed under arrest (cite & release) for a misdemeanor violation and pat searched for weapons for their safety once the complainant stepped out of his vehicle. The San Francisco Police Department Booking & Detention Manual states the arresting officer shall conduct a field arrest search of the arrestee. The complainant provided OCC with his signed copy of his Notice to Appear for a misdemeanor violation of 4462.5 VC on his vehicle. 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 #4-5: The officer's searched a vehicle without cause.

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

FINDINGS OF FACT: The officers denied the allegation. The arresting officer said the vehicle was inventoried prior to towing for the Vehicle Code section. 4462.5. The assisting officer stated he inventoried the vehicle prior to the vehicle being towed. The San Francisco Police Department Inventory of Towed Vehicle listed the arresting officer's name, yet the complainant's vehicle was searched and inventoried by the assisting officer. Two witnesses observed the assisting officer inventory search the complainant's vehicle.

San Francisco Police Department General Order 9.06 states, "When towing a vehicle, officers shall inventory the contents of the vehicle..."

The evidence proved that the acts which provided the basis for the allegation occurred; however, such acts were justified, lawful, and proper.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/04/08 **DATE OF COMPLETION:** 10/18/08 **PAGE#** 3 of 4

SUMMARY OF ALLEGATION #6: The officer towed a vehicle without justification.

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

FINDINGS OF FACT: The officer denied the allegation. The officer said based on his DMV investigation, he determined the vehicle had expired registration over six months. The officer stated he confirmed the expired registration through DMV records. The named officer said he towed the vehicle under the authority of Vehicle Code section 22651(o)(1). The sergeant on scene corroborated the account of the named officer and approved the tow of the complainant's vehicle.

The DMV investigator assigned to the complainants' vehicle registration corroborated the registration on the complainant's vehicle had expired past six months, fees had not been paid, and the vehicle had not been registered in the names of the complainants. The witness officers corroborated the account of the named officer and observed the expired registration tabs. 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 #7: The officer failed to properly supervise.

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

FINDINGS OF FACT: The officer denied the allegation. The officer said the complainant never advised him of the arresting officer's actions or inappropriate actions that allegedly occurred at the scene. The officer said he did not hear the arresting officer make the alleged inappropriate statement to the complainant's daughter.

The complainant alleged the supervising officer was present when the derogatory remark was made to his daughter. However, the effected daughter said the supervising officer did not hear the arresting officer make the remark because the supervising officer was standing in the street further away from her location. There were no independent witnesses. There is insufficient evidence to either prove or disprove the allegation made in the complaint.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/04/08 **DATE OF COMPLETION:** 10/18/08 **PAGE#** 4 of 4

SUMMARY OF ALLEGATION #8: The officer used unnecessary force.

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

FINDINGS OF FACT: The officer denied the allegation. The named officer denied pushing the complainant at any time during the incident. The officer denied pushing or using any force on the complainant during the incident. Three witness officers denied observing the named officer push the complainant during the traffic stop.

The complainant and his witness juvenile daughters provided inconsistent statements in regards to the manner in which the complainant was pushed and when the push occurred. The complainant alleged the named officer pushed him against the car immediately after exiting his vehicle. One witness stated she saw officers “putting their hands on him.” The witness explained the officer was kind of shoving her dad and telling him he had limited time to find his paperwork. Later, the same witness said it seemed the officers were shoving her father to get him away from the car.

The second witness recalled two officers pushing and shoving her father. The second witness explained further, “Like, they were pushing and shoving him...but they wasn’t doing it hard-they were trying to get the car on the platform.”

The third witness said she went outside, saw the complainant had been pulled over and observed the officers make the complainant get out of the car. She walked over to the incident and the complainant’s daughters joined her shortly thereafter. However, the third witness denied seeing any officer ever put their hands on the complainant while she was present. There were no independent witnesses. There is insufficient evidence to either prove or disprove the allegation made in the complaint.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/31/08 **DATE OF COMPLETION:** 10/09/08 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant filed a civil claim with the City of San Francisco, which provided a copy of the claim to the OCC. The complainant failed to respond to contact attempts. An investigation was not opened.

SUMMARY OF ALLEGATION:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/13/08 **DATE OF COMPLETION:** 10/25/08 **PAGE#** 1 of 2

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

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

FINDINGS OF FACT #1: The complainant stated he was operating his taxicab when he terminated and then discharged his fare in the number one lane of a busy street while the traffic light was green. The complainant stated he did could pull over to the curb to discharge his fare due to traffic conditions. The named officer cited him for impeding the flow of traffic and performance of an unsafe stop. As a licensed taxi driver, the complainant is deemed to know all Taxi Commission Regulations as well as applicable Vehicle Code Sections. 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: The officer made threatening comments.

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

FINDINGS OF FACT : The complainant stated the officer made threatening comments and acted in a threatening manner. The complainant said the officer performed a traffic stop and during the stop, banged repeatedly with his fist on the right front window of his cab, demanding that the complainant roll down his window before he “broke it” open. The complainant’s fare had already left his cab and were unavailable. No other witnesses came forward. The officer denied the allegation. There was insufficient evidence to prove or disprove the allegation made in the complaint.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/13/08 **DATE OF COMPLETION:** 10/25/08 **PAGE#** 2 of 2

SUMMARY OF ALLEGATION #3: The officer used profanity.

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

FINDINGS OF FACT : The complainant stated the officer asked him if he was “fucking stupid” to have stopped his taxicab in the intersection as alleged. The officer cited the complainant for stopping in the number one lane of a busy street. The complainant’s fare had already left his cab and were unavailable. No other witnesses came forward. The officer denied the allegation. 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 :

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/19/08 **DATE OF COMPLETION:** 10/25/08 **PAGE#** 1 of 2

SUMMARY OF ALLEGATION #1: The officer punched and kicked the complainant.

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

FINDINGS OF FACT: The complainant stated the officer punched him on the side of the face and kicked his leg. The officers stated they did not use any force on the complainant. The witness did not provide a statement. There is insufficient evidence to prove or disprove the allegation made in the complaint.

SUMMARY OF ALLEGATION #2: The officer used profanity.

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

FINDINGS OF FACT: The complainant stated the officer used profanity. The officers stated they did not use any profanity toward the complainant. The witness did not provide a statement. There is insufficient evidence to prove or disprove the allegation made in the complaint.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/19/08 **DATE OF COMPLETION:** 10/25/08 **PAGE #** 2 of 2

SUMMARY OF ALLEGATION #3: The officer inappropriately seized property from the complainant.

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

FINDINGS OF FACT: The complainant accused the officer of taking his personal property. The officers denied the allegation. The officers stated they did not process the complainant's property. The witness did not provide a statement to date. There is insufficient evidence to 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: 02/26/08 **DATE OF COMPLETION:** 10/28/08 **PAGE#** 1 of 2

SUMMARY OF ALLEGATION #1: The officer made inappropriate comments

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

FINDINGS OF FACT: The complainant stated the officer questioned him about his mental health status, medications, personal history, and housing status, which offended him. The questions the officer asked were necessarily within the officer's assigned duties. The officer's conduct was proper.

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

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

FINDINGS OF FACT: The evidence established that the officer had probable cause to arrest the complainant.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/26/08 **DATE OF COMPLETION:** 10/28/08 **PAGE #** 2 of 2

SUMMARY OF ALLEGATION #3-4: The officers used unnecessary force during his arrest.

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

FINDINGS OF FACT: The officers stated the complainant was combative, and that they used Department-approved holds to subdue the complainant. The complainant stated he did not resist. There were no civilian witnesses. There is insufficient evidence to establish the level of force necessary to subdue the complainant.

SUMMARY OF ALLEGATION #5: The officers used unnecessary force at the jail

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

FINDINGS OF FACT: This allegation is against San Francisco Sheriff's Department personnel.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/28/08 **DATE OF COMPLETION:** 10/18/08 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer failed to properly process the complainant's property

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

FINDINGS OF FACT: The complainant stated that his property inventory at the County Jail did not include certain items, so he alleged that the officer had misplaced the items. The officer denied the allegation and provided Sheriff's records proving that the alleged missing items were in fact accounted for. The allegation is unfounded.

SUMMARY OF ALLEGATION:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/27/08 **DATE OF COMPLETION:** 10/09/08 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1-2: The officers used excessive force against the complainant.

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

FINDINGS OF FACT: The complainant stated that the officers hit her with a fist on her face and side, pulled her hair, pushed her to the ground, and kicked her. The officers denied the allegation. The complainant has not been cooperative and failed to submit signed medical release and witness information, which was requested on at least three occasions. 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: 03/01/08 **DATE OF COMPLETION:** 10/28/08 **PAGE #1 of 2**

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

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

FINDINGS OF FACT: The named and one witness officer denied the allegation. One witness reported seeing no use of force, but gave a different account of the incident than the officers and the complainant. No other witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

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

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

FINDINGS OF FACT: The named and one witness officer denied the allegation. One witness reported hearing no conversation like that described by the complainant. No other witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/01/08 **DATE OF COMPLETION:** 10/28/08 **PAGE #2 of 2**

SUMMARY OF ALLEGATION #1: The officer used profanity.

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

FINDINGS OF FACT: The named and one witness officer denied the allegation. One witness reported hearing no conversation as alleged by the complainant, but could not corroborate other aspects of the contact on which the complainant and the officers agreed. No other witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/07/08 **DATE OF COMPLETION:** 10/29/08 **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 complainant said he was handcuffed during the incident. The officers denied the allegation. The Glide security potential witnesses did not respond to OCC request for interview. There is insufficient evidence to prove or disprove the allegation.

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

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

FINDINGS OF FACT: The complainant said he was told that Glide church staff did not want him selling his street newspapers at their location and flagged down police. The complainant said he was told to leave the area or he would be arrested. The officers denied ordering the complainant to leave. The Glide security did not respond for an interview. There is insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/07/08 **DATE OF COMPLETION:** 10/29/08 **PAGE # 2 of 2**

SUMMARY OF ALLEGATION #3-5: The officers exhibited inappropriate behavior and made inappropriate comments.

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

FINDINGS OF FACT: The complainant said the officers threatened him and made comments. The officers denied the allegation. The Glide security potential witnesses did not respond for an interview. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #6: The officer used force against the complainant at the scene.

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

FINDINGS OF FACT: The complainant stated that every time he attempted to tell his side of the story the officer would yank the handcuffs. The officers denied the allegation. The Glide security potential witnesses did not respond for an interview. There is insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/12/08 **DATE OF COMPLETION:** 10/18/08 **PAGE#** 1 of 2

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

CATEGORY OF CONDUCT: UA

FINDING: PC

DEPT. ACTION:

FINDINGS OF FACT: The officer denied the allegation. The officer stated he had prior knowledge of an assault that occurred at a fast food restaurant. The officer said he was aware of the description and identity of the main suspect, direction of travel, a male accomplice, and the possible use of a weapon. The officer stated he located the main suspect on a city bus. The officer said while removing the main suspect, he observed and heard the complainant and the main suspect verbally communicating with one another on the same bus. The officer stated the complainant and suspect were in close proximity of one another. The officer stated he was justified in detaining the complainant based on reasonable suspicion that the complainant was involved in the criminal assault.

Three witness officers corroborated the account of the officer's knowledge of the assault, the suspects, and the possible weapon. The complainant admitted he was at the fast food restaurant when the assault occurred. The complainant admitted he is an acquaintance of the suspect and was on the same bus as the suspect. The complainant stated the suspect spoke to him on the bus while the police were present. The complainant admitted he had a loaded weapon hidden in his waistband. The evidence proved that the acts, which provided the basis for the allegations occurred; however, such acts were justified, lawful, and proper.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/12/08 **DATE OF COMPLETION:** 10/18/08 **PAGE#** 2 of 2

SUMMARY OF ALLEGATION #2: The officer pat searched the complainant without cause.

CATEGORY OF CONDUCT: UA

FINDING: PC

DEPT. ACTION:

FINDINGS OF FACT: The officer denied the allegation. The officer stated he had prior knowledge of an assault that occurred at a fast food restaurant. The officer said he was aware of the description and identity of the main suspect, direction of travel, a male accomplice, and the possible use of a weapon. The officer stated he located the main suspect on a city bus. The officer said while removing the main suspect, he observed and heard the complainant and the main suspect verbally communicating with one another on the same bus. The officer stated the complainant and suspect were in close proximity of one another. The officer stated he pat searched the complainant for officer's safety. The officer stated he was justified in performing a pat search on the complainant based on reasonable suspicion that the complainant was involved in the criminal assault. The witness officers corroborated the account of the officer's knowledge of the assault, the suspects, and the possible weapon.

Three witness officers corroborated the account of the officer's knowledge of the assault, the suspects, and the possible weapon. The complainant admitted he was at the fast food restaurant when the assault occurred. The complainant admitted he is an acquaintance of the suspect and was on the same bus as the suspect. The complainant stated the suspect spoke to him on the bus while the police were present. The complainant admitted he had a loaded weapon hidden in his waistband. The evidence proved that the acts, which provided the basis for the allegations occurred; however, such acts were justified, lawful, and proper.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/17/08 **DATE OF COMPLETION:** 10/18/08 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The officer denied the allegation. The named officer said the assisting officer completed the SFPD Inventory of Towed Vehicle. The assisting officer stated he properly completed the inventory of towed vehicle of the stolen/recovered vehicle. The named officer said the complainant made contact with him a few days after the incident, and he advised her to contact the auto detail regarding her alleged personal property in the stolen vehicle. The complainant stated she understood that the officers would have to verify whether the alleged personal property in the stolen/recovered vehicle belonged to her.

The OCC investigation found the named officer followed San Francisco Police Department General Order 9.06 and the property located in the recovered stolen vehicle was properly documented. 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: 03/17/08 **DATE OF COMPLETION:** 04/30/08 **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 25, 2008.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/11/07 **DATE OF COMPLETION:** 10/12/08 **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 complainant stated that he was carrying a beer inside a paper bag when the officer stopped and detained him without any legitimate reason. The named member stated that he was able to ascertain that the complainant had an open beer bottle within the paper bag in violation of Section 25620(s) B&P. The officer's partner supported this statement. A witness told the OCC that, at the time of this police contact, the complainant had slurred speech indicative of being under the influence of alcohol and he was carrying a paper bag as if there was indeed an open bottle of liquor inside. There were no other identifiable witnesses to the occurrence. A preponderance of the evidence showed that, given the circumstances of this incident, the officer's decision to stop and detain the complainant was justified, lawful and proper.

SUMMARY OF ALLEGATIONS #2-3: The officers handcuffed the complainant without justification.

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

FINDINGS OF FACT: The named members stated that they handcuffed the complainant since he refused to stop when asked to do so. An independent witness supported the officers' statement regarding this aspect of the incident. In his OCC interview, the complainant acknowledged that he, indeed, did not comply with the officers' commands and resisted their attempts to place him in handcuffs. Given the circumstances of this incident, the officers' decision to handcuff the complainant was justified, lawful and proper.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/11/07 **DATE OF COMPLETION:** 10/12/08 **PAGE#** 2 of 3

SUMMARY OF ALLEGATIONS #4-5: The officers used excessive force against the complainant and placed him in tight handcuffs.

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

FINDINGS OF FACT: The named members denied acting in the alleged manner during this police contact. A statement from an eyewitness was inconclusive regarding this aspect of the incident. There were no other identifiable witnesses to the occurrence. The available evidence was insufficient to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #6: The officer used uncivil language and made an inappropriate comment.

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

FINDINGS OF FACT: The named member denied making the alleged comment. A statement from an eyewitness was inconclusive regarding this aspect of the incident. There no other identifiable witnesses to the occurrence. The available evidence was insufficient to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/11/07 **DATE OF COMPLETION:** 10/12/08 **PAGE#** 3 of 3

OCC ADDED ALLEGATIONS

SUMMARY OF ALLEGATIONS #1-2: The officers failed to comply with Department General Order 5.01.

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

FINDINGS OF FACT: The complainant told the OCC that, as a result of excessive force used by the officers he sustained an injury. Use of unnecessary or excessive force resulting in injury requires members to take certain procedural steps, which were lacking in this case. When questioned by the OCC, the officers could not recall whether any force was used during this incident and/or whether the complainant sustained any injuries during this police contact. A statement from an eyewitness to the occurrence was inconclusive regarding this aspect of the occurrence. There were no other identifiable witnesses to the incident. The available evidence was insufficient to either prove or disprove the allegation.

OCC ADDED ALLEGATIONS

SUMMARY OF ALLEGATIONS #3-4: The officers misrepresented the truth.

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

FINDINGS OF FACT: The complainant's version of this police contact significantly differed from the officers' account of the occurrence, which they entered at the time in the related CAD. When questioned by the OCC, the named members stated that they both made the said CAD entry and insisted that it was an accurate description of the incident. A statement from a person who was present at the scene during this police contact was inconclusive as to which version of the occurrence (the complainant's or the officers') was more truthful. There were no other identifiable witnesses to this incident. The available evidence was insufficient to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/07/08 **DATE OF COMPLETION:** 10/10/08 **PAGE#** 1 of 3

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

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

FINDINGS OF FACT: The complainant alleges that the officer committed an unwarranted action by detaining him at gunpoint. The evidence shows that the officer responded to an "A" priority call for battery of an elderly person committed by four to five juveniles. The evidence shows that the complainant tried to escape by running away from the officer, and placing himself to the ground only when he saw the officer holding his firearm. The evidence proved that the act, which provided the basis of for the allegation, occurred; however, such act was justified, lawful, and proper.

SUMMARY OF ALLEGATION #2: The officer used unnecessary force during the complainant's detention.

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

FINDINGS OF FACT: The complainant alleges that the officer used unnecessary force during his detention. The officer 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: 04/07/08 **DATE OF COMPLETION:** 10/10/08 **PAGE#** 2 of 3

SUMMARY OF ALLEGATION #3: The officer placed the complainant in tight handcuffs.

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

FINDINGS OF FACT: The complainant alleges that the officer committed an unwarranted action by placing him in tight handcuffs. The officer stated the complainant's cuffs were loose because he checked its degree of tightness when he put it on the complainant. No witnesses came forward. There is insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #4: The officer seized the complainant's property.

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

FINDINGS OF FACT: The complainant alleges that the officer unlawfully seized his property. The officer 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: 04/07/08 **DATE OF COMPLETION:** 10/10/08 **PAGE#** 3 of 3

SUMMARY OF ALLEGATION #5: The officer failed to document property.

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

FINDINGS OF FACT: The complainant alleges that the officer committed an unwarranted action by taking his recorder without issuing a property receipt. The officer denied taking the recorder from the complainant. No witnesses came forward. There is insufficient evidence to either prove or disprove the allegation.

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

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

FINDINGS OF FACT: The complainant alleges that the officer made inappropriate comments and/or displayed inappropriate behavior during the contact. The officer 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: 04/07/08 **DATE OF COMPLETION:** 10/31/08 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant stated the officer should have taken a report of an accident that occurred when a Recreational Vehicle (RV) collided with her bicycle. The RV had driven away until complainant caught up with it, called 911 and spoke to a dispatcher. The complainant told the dispatcher it was a hit and run accident. The complainant informed the dispatcher that she had a scraped face but that she did not need an ambulance. An officer was dispatched to a "519" call (vehicle collision involving injury) and spoke with the parties on the scene but changed the call to a "518" (vehicle collision, no injury) and did not prepare an incident report.

Department General Order 9.02 states that it is the policy of the San Francisco Police Department to investigate and report vehicle accidents resulting in death and injury. The officer stated the complainant had no visible injuries. He stated that she said she had been hit in the chin but that she did not want medical attention. The complainant was seen by a physician who determined that she had a right lower chin abrasion, swelling and tenderness in her right hand, and bruises in her right thigh and pubic areas.

DGO 9.02 requires that an incident report be generated when there is an injury. The complainant was injured, as confirmed by her medical report. Accordingly, the officer should have prepared a report and the allegation is therefore, SUSTAINED.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/22/08 **DATE OF COMPLETION:** 10/28/08 **PAGE#** 1 of 2

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

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

FINDINGS OF FACT: The officers said the force used was necessary because the complainant was obstructing their entry into the building preventing them from responding to a 911 A priority call. The complainant admitted to attempting to prevent the officer's entry by shutting the door but did so only after she told them that the incident was in another building. The complainant denied pushing an officer. There were no witnesses. There is insufficient evidence to reach a definitive finding.

SUMMARY OF ALLEGATIONS #3 and 4: The officers entered the building lobby without permission or cause.

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

FINDINGS OF FACT: Officers entered the building lobby in response to a 911 A priority call regarding a possible domestic violence incident. It was necessary to go through the lobby, a common area of the building, to get to the room of the reported domestic violence incident. The complainant said she told the officers the fighting had stopped and that, in any case, it had taken place in another building. The officers said the report they had was for the building where they made contact with the complainant in the lobby. The officers had probable cause to enter the building.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/22/08 **DATE OF COMPLETION:** 10/28/08 **PAGE#** 2 of 2

SUMMARY OF ALLEGATIONS #5 and 6: The officer arrested the complainant without cause.

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

FINDINGS OF FACT: The officers said the complainant interfered and was intoxicated. The complainant admitted to trying to shut the officers out but denied pushing an officer or being intoxicated. There were no witnesses. The attempt to deny the officers entry into the building lobby was sufficient grounds for probable cause to arrest.

SUMMARY OF ALLEGATIONS #7 and 8: The officers behaved in an inappropriate manner.

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

FINDINGS OF FACT: The officers denied stopping for a smoke. There were no witnesses. There is insufficient evidence to reach a definitive finding.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/21/08 **DATE OF COMPLETION:** 10/18/08 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officers used inappropriate behavior toward the complainant.

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

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

SUMMARY OF ALLEGATION #2: The officers used a sexually derogatory comment.

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

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

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/02/07 **DATE OF COMPLETION:** 10/01/08 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The named member denied the alleged misconduct. The complainant has a documented history of making terrorist threats to law enforcement personnel. The complainant acknowledged on tape that the incident for which this OCC complaint was generated that he had been drinking. The complainant's account lacks credibility.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/01/08 **DATE OF COMPLETION:** 10/12/08 **PAGE#** 1 of 5

SUMMARY OF ALLEGATIONS #1-3: The officer's behavior and profane comments were inappropriate.

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

FINDINGS OF FACT: The complainants stated three officers engaged in profane comments and inappropriate behavior during this incident. The officers denied the allegation and stated the co-complainant who became immediately uncooperative, used profane and uncivil language toward them until the complainant intervened to calm the co-complainant. There were no independent witnesses to either prove or disprove the allegation. There was insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #4: The officer detained the co-complainant without justification.

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

FINDINGS OF FACT: The complainants stated the co-complainant is a tenant of the apartment complex, who did not have his keys with him and jumped a gated fence in order to gain access into the complex. The officers stated they saw the co-complainant jump the gate into the apartment complex without a key and believed the co-complainant was either trespassing or about to commit one of the crimes normally reported from that complex. The information initially provided by the co-complainant to the officers in order to determine whether or not he was a resident of the complex is in dispute. There were no independent witnesses to either prove or disprove the allegation. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/01/08 **DATE OF COMPLETION:** 10/12/08 **PAGE#** 2 of 5

SUMMARY OF ALLEGATION #5: The officer handcuffed the co-complainant without justification.

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

FINDINGS OF FACT: The complainants stated the co-complainant denied three officers access onto private property until the complainant opened an entry gate. The complainants said shortly thereafter, the officer handcuffed the co-complainant without justification. The officers denied the co-complainant was handcuffed during his brief detention. There were no independent witnesses to either prove or disprove the allegation. There is insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #6: The officer used excessive force during the co-complainant's detention.

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

FINDINGS OF FACT: The complainants said the officer applied a rear bent wristlock and pushed the co-complainant against a wall to handcuff him for this investigative detention. The officers denied the allegation. There were no independent witnesses to either prove or disprove the allegation. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/01/08 **DATE OF COMPLETION:** 10/12/08 **PAGE#** 3 of 5

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 named officer physically detained her in a rear bent wristlock. The co-complainant confirmed the complainant's detention by physical contact, but could not confirm the officer's identity. The three officers on scene denied the allegation and stated no one touched the complainant throughout this incident. There were no independent witnesses to prove or disprove the allegation. There is insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #8: The officer used excessive force during the complainant's detention.

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

FINDINGS OF FACT: The complainant stated the officer physically detained her in a rear bent wristlock after she verbally objected over the use of force to the co-complainant. The co-complainant confirmed the complainant's detention by physical contact, but could not confirm the officer's identity. The officers denied the allegation and stated no one touched the complainant throughout this incident. There were no witnesses to prove or disprove the allegation. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/01/08 **DATE OF COMPLETION:** 10/12/08 **PAGE#** 4 of 5

SUMMARY OF ALLEGATIONS #9-11: The officers failed to promptly provide their names and/or star numbers.

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

FINDINGS OF FACT: The complainant stated she asked three officers for their names near the end of this contact. The complainant said one officer gave partial information, a second one delayed his response, and the third never answered her. The co-complainant stated he was inattentive of their conversations because he was attempting to get their attention to loosen the handcuffs on him. The officers gave conflicting statements regarding who and what kind of information each officer gave the complainant about their identity. There were no independent witnesses to either prove or disprove the allegation. There is insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATIONS #12-14:The officers failed to loosen tight handcuffs.

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

FINDINGS OF FACT: The complainants stated the officers neglected to loosen the co-complainant's handcuffs upon request. The officers denied the co-complainant was handcuffed to entertain such a request. There were no independent witnesses to either prove or disprove the allegation. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/01/08 **DATE OF COMPLETION:** 10/12/08 **PAGE#** 5 of 5

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 evidence established that the complainants were detained for a brief period of time, that the subjects were not moved a significant distance, but there is a dispute over whether or not the officer handcuffed the co-complainant during his detention. DGO 5.03 requires officers to issue a Certificate of Release when a subject is detained physically for a brief period of time. There were no independent witnesses to either prove or disprove the allegation. 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: 05/02/08 **DATE OF COMPLETION:** 10/24/08 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant alleges that the officer used unnecessary force during her companion's arrest. While inside the Muni bus, the complainant stated the officer grabbed and choked her companion. The complainant said the officer further slammed her companion's face on to the bus' window. The officer denied the allegation and stated that he applied physical control hold on the complainant's companion. The evidence shows that the complainant's companion resisted and failed to follow the officer's verbal commands. The evidence shows that aside from physical control hold the officer did not use any other force. The evidence 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 issued an invalid order.

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

FINDINGS OF FACT: The complainant alleges that the officer committed an unwarranted action by issuing an invalid order. The complainant stated the officer ordered them to get off the Muni bus despite having their bus passes with them and their pet dog properly leashed. Muni rules provide that a muzzled and leashed dog may be allowed to ride during permitted hours. The evidence shows that the complainant's pet dog did not have a muzzle at the time they boarded the Muni bus. The evidence proved that the act, which provided the basis of for the allegation, occurred; however, such act was justified, lawful, and proper.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/22/08 **DATE OF COMPLETION:** 10/09/08 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1-2: The officer failed to properly process property.

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

FINDINGS OF FACT: The complainant alleges the officers failed to properly process her property. The officers denied the allegation. No witnesses came forward. There is insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #3-4: The officers detained the complainant without justification.

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

FINDINGS OF FACT: The complainant alleges the officers detained her without justification. The officers stated they detained and later arrested the complainant for violation of 653.22(a) PC – loitering for the purpose of prostitution. 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: 05/21/08 **DATE OF COMPLETION:** 10/28/08 **PAGE#** 1 of 3

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

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

FINDINGS OF FACT: The complainant stated the officers should not have entered her apartment. The complainant stated she waived a knife at the officers. The complainant said she left her apartment door open and would not comply with the officers' orders to drop the knife. The officers stated the complainant was mentally unstable, making threats, Bi-Polar, and off her medications. The officers corroborated the complainant had a knife and would not comply with advisement to drop the knife. A preponderance of the evidence showed the officers acted lawfully when they entered the complainant's residence.

SUMMARY OF ALLEGATION # 5: The officer failed to provide a name upon request.

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

FINDINGS OF FACT: The complainant stated the officer did not provide his name. The officer denied the allegation and said he provided his name and star number to her. The witnesses were not present during the officers' contact with the complainant at her apartment. There is insufficient evidence to prove or disprove the allegation made in the complaint.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/21/08 **DATE OF COMPLETION:** 10/28/08 **PAGE#** 2 of 3

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

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

FINDINGS OF FACT: The complainant stated the officers should not have detained her. The complainant admitted she refused to put down a knife when ordered by the officers to do so. The officers stated they detained the complainant because she was a danger to herself and others. Witnesses stated the complainant was upset and had made threats to them and their agency. The evidence proved that the acts, which provided the basis for the allegations, occurred; however, such acts were justified.

SUMMARY OF ALLEGATION #8: The officer used force during the detention.

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

FINDINGS OF FACT: The complainant stated the officer used force and brutality against her. The officer denied the allegation. The witnesses were not present during the officers' contact with the complainant at her apartment. There is insufficient evidence to prove or disprove the allegation made in the complaint.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/21/08 **DATE OF COMPLETION:** 10/28/08 **PAGE#** 3 of 3

SUMMARY OF ALLEGATIONS #9: The officers failed to process the complainant's property.

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

FINDINGS OF FACT: The complainant stated the officers lost her sunglasses and cash from her purse. The complainant discovered this discrepancy when she was released from the hospital. The officers stated they did not process the complainant's property. The officers further stated the hospital was responsible for processing the complainant's property. There were no witnesses to the incident. There is insufficient evidence to 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: 05/14/08 **DATE OF COMPLETION:** 10/02/08 **PAGE #** 1 of 2

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

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

FINDINGS OF FACT: The complainant was cited for unauthorized solicitation in violation of airport regulations. One witness corroborated the account of the officer and acknowledged he provided a significant piece of evidence cited by the officer. The evidence proved that the act, which provided the basis for the allegation, occurred. However, the act was justified, lawful, and proper.

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

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

FINDINGS OF FACT: The named officer denied the allegation. One witness said he heard no threat but acknowledged he was not concentrating on the conversation between the complainant and the officer. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/14/08 **DATE OF COMPLETION:** 10/02/08 **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 alleged that he asked the officer to have his supervisor come to the scene. The officer has no obligation to summon a supervisor to the scene unless the officer intended to tow the vehicle (Department General Order 9.06) and arrest the complainant.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/16/08 **DATE OF COMPLETION:** 10/24/08 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1-2: The officers failed to properly process the complainant's property.

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

FINDINGS OF FACT: The complainant stated that when he was released from jail, he went to retrieve his property at the airport. The complainant said he was missing one bag that had a plastic bag with his papers and \$250.00. The complainant said that the property form states all his property was returned but it is not so. The officers' denied the allegation. There were no witnesses. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #3: The officer arrested the complainant without cause.

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

FINDINGS OF FACT: The complainant stated that he has been sleeping at the airport for seven months on the third floor with the permission of the chief of security. The complainant stated that the acting chief does not like him and had the officer arrest him. The officers stated that the complainant had been cited for PC 602 Trespassing on separate occasions and had been advised by airport duty managers not to trespass or sleep on airport property. The airport duty manager had given the complainant advice and resource contacts for complainant to obtain shelter away from the airport, but the complainant ignored this advice and resources. Due to the complainants on-going offense the, SFO duty manager signed a citizens arrest form and requested that complainant be taken into custody. The incident report documents the incident and citizen arrest from by the duty manager. The officers have a duty to accept private person's arrest per DGO 5.04.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/27/08 **DATE OF COMPLETION:** 10/25/08 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer neglected 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 October 23, 2008.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/27/08 **DATE OF COMPLETION:** 10/08/08 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant stated the officer made inappropriate comments and acted in an inappropriate manner toward her daughter. 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: 05/28/08 **DATE OF COMPLETION:** 10/16/08 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant stated someone tried to burglarize her home so the alarm went off and the alarm company notified police. The complainant stated that no one responded so her niece called 911 and still no one responded. The CAD Audio documents that the call was placed at 11:34 AM and officers cleared the call at 12:41 PM. The CAD documents that a report number was assigned and documents that a report was written. The investigation concluded that officers performed their duties per department rules of conduct.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/28/08 **DATE OF COMPLETION:** 10/12/08 **PAGE#** 1 of 1

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

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

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

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

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

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

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/02/08 **DATE OF COMPLETION:** 10/25/08 **PAGE#** 1 of 2

SUMMARY OF ALLEGATION #1: The officer used force while making an arrest.

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

FINDINGS OF FACT: The complainant alleges that the officer used force during her daughters' arrest. The complainant said the officer choked and slammed her daughter to the ground. The complainant said the officer pepper sprayed her other daughter and two companions. The evidence shows that the officer had to use physical control because the complainant's daughter resisted during her arrest. The evidence shows that the complainant's other daughter physically intervened by attempting to free her sister from the officer's control. The evidence further shows that aside from the complainant's daughters, two male individuals intervened and surrounded the officer. The evidence 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 arrested the complainant's daughters without cause.

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

FINDINGS OF FACT: The complainant alleges that the officer arrested her daughters without cause. The evidence shows that the complainant's daughter pushed the officer and resisted during her arrest. The evidence further shows that the complainant's other daughter physically intervened by attempting to free her sister from the officer's control. The evidence proved that the act, which provided the basis for the allegation, occurred. However, such act was justified, lawful and proper.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/02/08 **DATE OF COMPLETION:** 10/25/08 **PAGE#** 2 of 2

SUMMARY OF ALLEGATION #3: The officer used racially derogatory comments.

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

FINDINGS OF FACT: The complainant alleges that the officer used racially derogatory comments by using the “N-word” in talking to her daughters. The officers that were questioned regarding this allegation denied making such comments. One witness said the officers did not use the “N-word.” No other witnesses came forward. There is insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #4: The officer engaged in inappropriate behavior and/or comments.

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

FINDINGS OF FACT: The complainant alleges that the officer made inappropriate behavior and/or comments to her daughters during their custody. One witness said the officers referred to the complainant’s daughters as “fat bitches.” The officers that were questioned denied the allegation. No other witnesses came forward. The officers were never identified. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

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

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

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

FINDINGS OF FACT: The complainant alleged that the named officer made inappropriate comments and engaged in inappropriate behavior. The officer denied the allegation. No witnesses came forward. There was insufficient evidence to prove or disprove the allegation.

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

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

FINDINGS OF FACT: The complainant alleged that the officer enforced the law selectively. The officer denied the allegation. No witnesses came forward. There was insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/03/08 **DATE OF COMPLETION:** 10/09/08 **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 that he was issued a citation for running a stop sign when he in fact had made the stop. The officer maintains the complainant did not stop before entering the intersection as required by California Vehicle Code. The witness officer states that he observed the complainant fail to come to a complete stop as required. No other witnesses have come forward. There is insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #2: The officer behaved in an intimidating manner during the contact.

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

FINDINGS OF FACT: The complainant stated that the officer issued his directives in a threatening manner and that he was “treated like a criminal.” The named officer denies this allegation. The witness officer does not recall any threatening or intimidating behavior. No other witnesses have come forward. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

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

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

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

FINDINGS OF FACT: The complainant stated she called police because a man was throwing rocks at cars. The officers arrived, but failed to arrest the man. The officers denied the allegation, stating they found no evidence to support the complainant's account. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #3-4: The officers behaved inappropriately and made inappropriate comments.

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

FINDINGS OF FACT: The complainant stated the officers did not take her complaint seriously and made rude and insulting remarks to her. The officers denied the allegation, stating they explained their actions to the complainant, who was irate and insulting to them. There is insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/24/08 **DATE OF COMPLETION:** 10/25/08 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant admitted he is actively involved in a chronic, irresolvable dispute with a merchant next door to him. A jury convicted the complainant for aggravated assault against the aforementioned merchant. Both the complainant and the merchant have restraining orders to stay away from each other. As a practical matter, the restraining orders are difficult to enforce based on the parties' ownership of businesses next door to each other. The named officer observed the complainant and the merchant in a verbal altercation. The named officer separated the parties. In his taped interview with the OCC, the witness furnished by the complainant and arguably biased in his favor stated the named officer remained polite during his contact with the complainant. The party with whom the complainant has a dispute also stated the officer was polite, behaved in an appropriate manner and made no improper remarks. The officer denied the allegation. The evidence proved that the acts alleged in the complaint did not occur.

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

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

FINDINGS OF FACT: The complainant stated the named officer failed to handle a heated encounter between himself and another person in a fair and reasonable manner. The complainant stated the police contact occurred when he engaged in a verbal argument with a merchant with whom he admitted being the subject of a court order. The named officer intervened. The complainant has a restraining order requiring the men to stay 15 feet apart. On the date of the incident, the merchant stated he was on foot when he encountered the complainant. They argued. The merchant witness said the officer intervened and separated them. The complainant said nothing further. The parties went their separate ways. The officer denied the allegation. He confirmed the complainant and the merchant have been involved in an intractable dispute for many years. The officer said he was walking on a nearby street with two members of another law enforcement agency when they heard two men screaming at each other. The officer recognized the complainant and the second man as the subjects of the ongoing feud and restraining order. He separated them. The officer said neither man said anything or sought enforcement action. He and his colleagues left the area. The evidence proved that the acts, which provided the basis for the allegations, occurred; however such acts were justified, lawful and proper.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/24/08 **DATE OF COMPLETION:** 10/04/08 **PAGE#** 1 of 2

SUMMARY OF ALLEGATIONS #1-2: The officers affected a traffic stop based on racial bias.

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

FINDINGS OF FACT: The complainant stated the officers stopped him because of his ethnicity. The officers denied the allegation and stated they both saw that the complainant failed to make a complete stop in violation of Section 22450(a) of the California Vehicle Code. There were no witnesses to either prove or disprove the allegation. There is insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #3: The officer issued the complainant a citation for violation of 22450 C.V.C.

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

FINDINGS OF FACT: The complainant stated he made a complete stop at the intersection in question. The officers denied the allegation and stated the complainant failed to make a complete stop in violation of Section 22450(a) of the California Vehicle Code. There were no witnesses to either prove or disprove the allegation. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/24/08 **DATE OF COMPLETION:** 10/04/08 **PAGE#** 2 of 2

SUMMARY OF ALLEGATION #4: The officer used inappropriate and threatening behavior and comments.

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

FINDINGS OF FACT: The complainant stated the officer intervened after the complainant refused to provide his driver's license to another officer and questioned why he was being stopped. The complainant further stated the officer threatened to take him to jail, reached inside the passenger compartment, turned off the engine, removed his seat belt, ordered the complainant to step out of the vehicle, and moved the patrol vehicle in order to box in his vehicle. The officer and his partner denied the allegation and stated the officer merely advised the complainant of the law and Department regulations, which required him to provide his driver's license, to sign the citation, and the specific consequences for failure to comply. There were no witnesses to either prove or disprove the allegation. 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: 06/24/08 **DATE OF COMPLETION:** 10/25/08 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant alleged a police car struck her juvenile son during a foot pursuit of her son. The complainant stated her son was not injured and did not seek medical attention. The complainant stated her son was on a home detention program and had a 10-35 search condition. The complainant said her son was in possession of a firearm. The complainant failed to provide essential requested documents to conduct an OCC investigation.

SUMMARY OF ALLEGATION #2-3: The officers harassed the complainant's son.

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

FINDINGS OF FACT: The complainant alleges the named officers have prior knowledge of her son from a previous arrest. The complainant alleges the named officers are "geographically profiling" her son because of the location of his residence and because of the criminal history of her son's biological father. At the time of this incident, the complainant stated her son was on a home detention program, had a 10-35 search condition and was in possession of a firearm. The complainant failed to provide essential requested documents to conduct an OCC investigation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06-25-08 **DATE OF COMPLETION:** 10-24-08 **PAGE#** 1 of 1

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

CATEGORY OF CONDUCT: ND **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: 06/25/08 **DATE OF COMPLETION:** 10/28/08 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer failed to properly process the complainant's property.

CATEGORY OF CONDUCT: ND

FINDING: NS

DEPT. ACTION:

FINDINGS OF FACT: The named 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 #:

CATEGORY OF CONDUCT:

FINDING:

DEPT. ACTION:

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/26/08 **DATE OF COMPLETION:** 10/29/08 **PAGE#** 1 of 1

SUMMARY OF ALLEGATIONS #1-2: The officers used harsh language.

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

FINDINGS OF FACT: The officers denied using harsh language. They stated the complainant used profane language and refused to obey police orders. A witness supported the officers' statements. The witness stated the complainant and her sister used profane language and refused to obey police orders. The complainant admitted she refused to obey a police order and also stated her sister was a "hothead." The allegation is unfounded.

SUMMARY OF ALLEGATIONS #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/01/08 **DATE OF COMPLETION:** 10/25/08 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: The unknown officer(s) entered the complainant's residence without cause.

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

FINDINGS OF FACT: The complainant failed to respond to numerous OCC contacts for an OCC interview and essential requested documents involving her juvenile son. The complainant stated her son was arrested prior to this incident. The complainant stated at the time of her son's arrest he was on a Home Detention Program, had a 10-35 search condition and was in possession of a firearm. The complainant failed to provide essential requested documents to conduct an OCC investigation.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/08/08 **DATE OF COMPLETION:** 10/04/08 **PAGE#** 1 of 4

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

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

FINDINGS OF FACT: The complainant withdrew the complaint.

SUMMARY OF ALLEGATION #2: The officer handcuffed the complainant without justification.

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

FINDINGS OF FACT: The complainant withdrew the complaint.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/08/08 **DATE OF COMPLETION:** 10/04/08 **PAGE# 2 of 4**

SUMMARY OF ALLEGATION #3: The officer searched the complainant's residence without cause.

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

FINDINGS OF FACT: The complainant withdrew the complaint.

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

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

FINDINGS OF FACT: The complainant withdrew the complaint.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/08/08 **DATE OF COMPLETION:** 10/04/08 **PAGE#** 3 of 4

SUMMARY OF ALLEGATION #5: The officer failed to take a required action.

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

FINDINGS OF FACT: The complainant withdrew the complaint.

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

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

FINDINGS OF FACT: The complainant withdrew the complaint.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/08/08 **DATE OF COMPLETION:** 10/04/08 **PAGE# 4 of 4**

SUMMARY OF ALLEGATION #7: The officer entered a residence without cause.

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

FINDINGS OF FACT: The complainant withdrew the complaint.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/09/08 **DATE OF COMPLETION:** 10/17/08 **PAGE#** 1 of 2

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

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

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

SUMMARY OF ALLEGATION #2: The complainant alleged an officer used unnecessary force at the scene.

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

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

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/09/08 **DATE OF COMPLETION:** 10/17/08 **PAGE#** 2 of 2

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

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

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

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/11/08 **DATE OF COMPLETION:** 10/30/08 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: The officer drove improperly.

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 October 3, 2008.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/16/08 **DATE OF COMPLETION:** 10/08/08 **PAGE#** 1 of 2

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

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

FINDINGS OF FACT: The complainant acknowledged that she was involved in a large street fight involving guns and other weapons. She stated she was fighting with another girl when she was detained. She also stated that she hit an officer by accident while she was involved in the fight. The officer's conduct was proper.

SUMMARY OF ALLEGATION #2: The officer used unnecessary force during the complainant's detention.

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

FINDINGS OF FACT: The complainant was involved in a large street fight and was trying to punch a girl when a supervising officer got in the way and she punched him. Another officer took the complainant to the ground and handcuffed her. The complainant alleged this officer punched and kicked her but she could not identify him. The complainant acknowledged that she was badly beaten the day before by a large group of teenagers. The supervising officer stated the complainant punched him in the face three times while he was trying to pull her off the other girl. The named officer stated he pulled the complainant away from the supervising officer and took the complainant to the ground. He stated the complainant tried to kick him. He denied punching the complainant. In her medical records, the complainant stated that she did not know her assailant and did not say a police officer hit her. A witness stated she saw the complainant fighting with another girl and an officer got in the middle. This witness stated she saw an officer who matched the description of the supervising officer punch the complainant in the face. There were no other available witnesses and no additional evidence to further prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/16/08 **DATE OF COMPLETION:** 10/08/08 **PAGE#** 2 of 2

SUMMARY OF ALLEGATION #3: The officer used profanity.

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

FINDINGS OF FACT: The complainant's mother stated that an unidentified officer used a profane word during the complainant's detention. The complainant's mother was in another state when this incident occurred. The two officers involved in the complainant's detention denied using profanity. There were no other available witnesses and no additional evidence to further prove or disprove the allegation.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/16/08 **DATE OF COMPLETION:** 10/28/08 **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 complainant was arrested for attempting to sexually assault a woman. The woman identified the complainant as the suspect in a line-up. The officer had probable cause to arrest the complainant; his conduct was proper.

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

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

FINDINGS OF FACT: The complainant alleged that, during the booking process, the officer made an inappropriate remark. The officer denied making the remark. The booking officer stated he did not hear the officer make this remark. There were no other witnesses and no additional evidence to further prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/16/08 **DATE OF COMPLETION:** 10/28/08 **PAGE#** 2 of 2

SUMMARY OF ALLEGATIONS #3-4: The officers booked the complainant for an incorrect Penal Code violation.

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

FINDINGS OF FACT: The complainant was arrested for PC §288a(a), which was properly noted on the incident report and the Field Arrest Card, prepared by the arresting officer. This officer acknowledged that he initially wrote an incorrect penal code violation on the Field Arrest Card and later corrected it before he gave the Field Arrest Card to the booking officer. The booking officer stated he prepared the booking slip based on the (inaccurate) Field Arrest Card. Without a witness who actually saw the two officers writing the arrest card and the booking slip, it is not possible to prove which officer is responsible for the error.

SUMMARY OF ALLEGATIONS #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/21/08 **DATE OF COMPLETION:** 10/01/08 **PAGE#** 1 of 2

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

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

FINDINGS OF FACT: The complainant stated he called the police after witnessing a crime in progress. The complainant stated that when the police arrived on the scene, the suspect had already left the scene. The complainant alleged that the responding officers failed to properly investigate. The officers stated that according to a witness, two men were possibly involved in a fight. The officers stated that the two men had already left the scene. No other witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

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

CATEGORY OF CONDUCT: CRD **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.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/21/08 **DATE OF COMPLETION:** 10/01/08 **PAGE#** 2 of 2

SUMMARY OF ALLEGATION #4: Officers at the Tenderloin Station failed to properly respond to calls for service.

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

FINDINGS OF FACT: The evidence in this case failed to support the complainant's allegation. There was insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/22/08 **DATE OF COMPLETION:** 10/25/08 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: Officer arrested complainant without cause.

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

FINDINGS OF FACT: The complainant stated to the OCC Mediator that he wanted to withdraw his complainant. This statement was not recorded. The complainant has failed to respond to multiple OCC contacts.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/24/08 **DATE OF COMPLETION:** 10/25/08 **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 he witnessed an accident from beginning to end and said the officer refused to accept any additional information from him because she already had 18 statements. The officer stated she was busy taking statements and conducting the investigation. The officer said the complainant was disruptive and never told her that he witnessed the incident from beginning to end. Per DGO 2.01 Rule 5. Performing duties, the incident report documents that the officer took nine witness/passenger statements

SUMMARY OF ALLEGATION #2: The officer behaved inappropriately.

CATEGORY OF CONDUCT: CRD

FINDING: NS

DEPT. ACTION:

FINDINGS OF FACT: The complainant said the officer was very rude and in a raised voice told him that this was an emergency and had already taken numerous statements documenting the traffic collision. The complainant said he was only trying to provide information that he thought might be useful. The officer denied the allegation. The officer stated the complainant was saying obscenities and being disruptive while she was trying to conduct her investigation. The complainant admitted that he cursed at the officer after she told him that she already documented the incident and that other officers heard him. There is insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/20/08 **DATE OF COMPLETION:** 10/17/08 **PAGE#** 1 of 2

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

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

FINDINGS OF FACT: The complainant alleges the officer issued her a citation without cause. The officer stated he issued a citation to the complainant for vending without a permit. There is no dispute that the complainant does not have a permit to peddle her wares as is required under 869 MPC.

SUMMARY OF ALLEGATION #2: The officer made inappropriate comments and/or displayed harassing behavior.

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

FINDINGS OF FACT: The complainant alleges the officer made inappropriate comments and/or displayed harassing behavior. The officer 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: 07/20/08 **DATE OF COMPLETION:** 10/17/08 **PAGE#** 2 of 2

SUMMARY OF ALLEGATION #3: The officer failed to provide his badge number to the complainant.

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

FINDINGS OF FACT: The complainant alleges the officer failed to provide his badge number when asked. The officer denied the allegation. No 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:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/29/08 **DATE OF COMPLETION:** 10/04/08 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant alleges that the officer detained him without cause. 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 officer behaved inappropriately.

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

FINDINGS OF FACT: The complainant alleges that the officer behaved inappropriately. The officer denied the allegation. 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: 07/30/08 **DATE OF COMPLETION:** 10/18/08 **PAGE #** 1 of 1

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

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

FINDINGS OF FACT: The complainant withdrew the complaint.

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

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

FINDINGS OF FACT: The complainant withdrew the complaint.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/01/08 **DATE OF COMPLETION:** 10/09/08 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The incident took place during a traffic stop. The co-complainant the driver stated the officer cited her without justification for running a stop sign. She said she had already stopped and proceeded when some pedestrians suddenly appeared in the crosswalk and waved her on. The co-complainant could not have been proceeding at a sufficiently safe speed to be unaware of the pedestrians' appearance. The co-complainant was also cited for failure to produce proof of insurance. The co-complainant stated she had proof of insurance in her possession. She produced an out of state proof of insurance document to the officer that only had an effective date, but no expiration date. California Vehicle Code Sec 4000.37 requires drivers to provide proof of insurance demonstrating both dates. 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 made inappropriate comments and acted in an inappropriate manner.

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

FINDINGS OF FACT: The complainant stated the officer made inappropriate comments and challenged him to a fight. The incident took place during a traffic stop of the co-complainant, who drove the vehicle. During the investigation, the officer had started to elaborate on the inadequacy of the co-complainant's out of state proof of insurance. The complainant began to speak for the co-complainant. The officer told him to be quiet, and that he was not speaking to him. The complainant interrupted again and the officer allegedly told the complainant to "shut up." The complainant then said he was ordered out of the car and the officer would not allow him to speak in the car. The complainant admitted being upset. The officer said he told the complainant to be quiet but denied telling the complainant to shut up. The officer said the complainant lunged at him from across the passenger seat toward the driver side window. The officer denied making inappropriate remarks. In an ascending order of gravity, the officer had the right to use verbal persuasion to silence the complainant during his investigation. The officer rightfully ordered the complainant out of the vehicle for officer safety purposes. The officer denied challenging the complainant to a fight. The co-complainant did not see or hear the contact between the parties outside the car. There was insufficient evidence to prove or disprove the allegation made in the complaint.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/04/08 **DATE OF COMPLETION:** 10/25/08 **PAGE#** 1 of 2

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

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 October 21, 2008.

SUMMARY OF ALLEGATION #2: The officer issued a citation 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 October 21, 2008.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/04/08 **DATE OF COMPLETION:** 10/25/08 **PAGE#** 2 of 2

SUMMARY OF ALLEGATION #3: The officer made inappropriate comments and 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 October 21, 2008.

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

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 October 21, 2008.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/06/08 **DATE OF COMPLETION:** 10/25/08 **PAGE#** 1 of 2

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

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

FINDINGS OF FACT: The complainant alleged the named officer forcefully pushed the complainant off the elevator for no reason. The officer denied ever having any contact with the complainant. The officer further denied shoving anyone or even being in the elevator that day. The complainant did not identify any witnesses and none were developed. There is insufficient evidence either prove or disprove the allegation.

SUMMARY OF ALLEGATION #2: The officer engaged in conduct reflecting discredit for inappropriate statements/profanity.

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

FINDINGS OF FACT: The complainant alleged that after the officer pushed the complainant, the officer made a derogatory statement using profanity and denied being a police officer. The officer denied the entire incident and this allegation. No witnesses were identified or developed. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/06/08 **DATE OF COMPLETION:** 10/25/08 **PAGE#** 2 of 2

SUMMARY OF ALLEGATION #1: The officer failed to provide his badge number when requested.

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

FINDINGS OF FACT: The complainant alleged the officer failed to furnish his badge number when requested by the complainant. The officer denied this entire incident and this allegation. No witnesses were identify or developed. There is insufficient evidence either prove or disprove the allegation.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/13/08 **DATE OF COMPLETION:** 10/15/08 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer was discourteous.

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 October 13, 2008.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/13/08 **DATE OF COMPLETION:** 10/28/08 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant was intoxicated at the time he made the complaint. He failed to respond to repeated contact attempts. A proper investigation could not be conducted without the complainant's cooperation.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/18/07 **DATE OF COMPLETION:** 10/08/08 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The named officer acknowledged that he detained the subject, after an officer identified the subject as matching the description of his assailant. A witness officer who identified the suspect acknowledged that he believed the suspect was the individual who tried to run over him and told the named officer that. The evidence proved that the acts, which formed the basis of 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: 08/20/08 **DATE OF COMPLETION:** 10/17/08 **PAGE#** 1 of 1

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

CATEGORY OF CONDUCT: ND **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: 08/21/08 **DATE OF COMPLETION:** 10/28/08 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer behaved in an uncivil, threatening, and intimidating manner.

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

FINDINGS OF FACT: The complainant said the officer drove up to five street vendors and proceeded to mistreat them by yelling, threatening and acting in an intimidating manner. The complainant also said the officer acted in a similar fashion with an unrelated civilian across the street. The officer denied the allegation. A witness near the scene of these occurrences partially denied the allegation, but was unable to account for all events in question. Five other critical witnesses on scene would not cooperate with this OCC investigation. The preponderance of the evidence established that the inconsistency of the statements gathered neither proves or disproves the allegation. There is insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #2: The officer used excessive force during the contact.

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

FINDINGS OF FACT: The complainant said the officer kicked cans from the possession of elderly Asian females on one location, grabbed and shook another civilian unrelated to the street vendors. The officer denied the allegation. A witness near the scene of these occurrences partially denied the allegation, but was unable to account for all events in question. Five other critical witnesses on scene would not cooperate with this OCC investigation. The preponderance of the evidence established that the inconsistency of the statements gathered neither proves or disproves the allegation. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/24/07 **DATE OF COMPLETION:** 10/31/08 **PAGE#** 1 of 5

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

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

FINDINGS OF FACT: The complainant alleged that in numerous incidents, she was handcuffed for no reason. The named officer acknowledged handcuffing the complainant at least once, and did not recall if the complainant was handcuffed on several other occasions. The named officer supplied no valid reason for handcuffing the complainant. A preponderance of the evidence proved that the conduct complained of did occur, and that using as a standard the regulations of the Department, the conduct was improper.

SUMMARY OF ALLEGATION #2: The officer failed to issue a Certificate of Release.

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

FINDINGS OF FACT: The complainant alleged that she was handcuffed, and given no paper or notice of the detention when she was released. The named officer acknowledged he handcuffed the complainant at least once, and did not issue a Certificate of Release. Department regulations dictate that if a person is detained and physically restrained, the detaining officer is to issue a Certificate of Release. A preponderance of the evidence proved that the conduct complained of did occur, and that using as a standard the regulations of the Department, the conduct was improper.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/24/07 **DATE OF COMPLETION:** 10/31/08 **PAGE# 2 of 5**

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

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

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

SUMMARY OF ALLEGATION #4: The officer used profanity in speaking to the complainant.

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

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

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/24/07 **DATE OF COMPLETION:** 10/31/08 **PAGE#** 3 of 5

SUMMARY OF ALLEGATION #5: The officer used unnecessary force during a detention.

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

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

SUMMARY OF ALLEGATION #6,7: The officers made inappropriate comments and displayed inappropriate behavior.

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

FINDINGS OF FACT: The named and one witness officer denied the allegation. Several officers whose names were similar to those complained of by the complainant denied being present at detentions of the complainant. No other witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/24/07 **DATE OF COMPLETION:** 10/31/08 **PAGE#** 4 of 5

SUMMARY OF ALLEGATION #8: The officer searched the complainant without cause.

CATEGORY OF CONDUCT: UA

FINDING: NS

DEPT. ACTION:

FINDINGS OF FACT: The named officer denied being present when the complainant alleged the officer searched her. One witness officer said he did not recall who searched the complainant. No other witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

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

CATEGORY OF CONDUCT: UA

FINDING: NS

DEPT. ACTION:

FINDINGS OF FACT: The complainant said she was searched by several different female officers. The officers whose names were alleged by the complainant denied the allegations. Department records did not definitively place the officers at the scene of detentions. One witness officer did not recall who searched the complainant. No other witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/24/07 DATE OF COMPLETION: 10/31/08 PAGE #5 of 5

SUMMARY OF ALLEGATION #10: The officer harassed the complainant without justification.

CATEGORY OF CONDUCT: CRD

FINDING: NS

DEPT. ACTION:

FINDINGS OF FACT: The officers named by the complainant denied the allegation. There were no definitive Department records to corroborate the actions of the officers she named. Several officers interviewed regarding the incidents denied harassing the complainant. No other witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT:

FINDING:

DEPT. ACTION:

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/27/08 **DATE OF COMPLETION:** 10/24/08 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The SFPD conducted an operation without regard to public safety.

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

FINDINGS OF FACT: The complainant stated that the SFPD deployed a SWAT team which he considered to be an “overkill” of manpower to get a family of three, (husband, wife, child), out of an apartment thereby jeopardizing the safety of the other tenants in the building. An Inspector with the Homicide Detail stated that the SFPD had a search warrant and said the SWAT team was necessary because it was a high-risk entry. The search warrant gives officers’ the authority to make the entries. There are no guidelines that limit the amount of manpower that the SFPD deploys in any operation.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/27/08 **DATE OF COMPLETION:** 10/15/08 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer exhibited a rude 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 October 14, 2008.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/23/08 **DATE OF COMPLETION:** 10/01/08 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainants allege the officer displayed inappropriate behavior. The officer was not identified. No witnesses came forward. There is 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:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The complainants allege the officer failed to take required action. The officer was not identified. 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: 09/04/08 **DATE OF COMPLETION:** 10/18/08 **PAGE#** 1 of 2

SUMMARY OF ALLEGATION #1: The officer displayed his firearm without justification.

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

FINDINGS OF FACT: The complainant stated the officer pointed his department issued handgun at the suspect. The officer stated he responded to a felony incident in which the suspect did not respond to his verbal commands and appeared to be under the influence. The officer further said the suspect had his arm hidden from view. A witness stated he did not see the officer display and point his gun at the suspect. The witness said the suspect was not responsive, uncooperative and part of his body was hidden from view. There is insufficient evidence to prove or disprove the allegation made in the complaint.

SUMMARY OF ALLEGATION #2: The officer used force during the contact.

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

FINDINGS OF FACT: The complainant said the officer appeared to have used excessive force upon the suspect. The officer stated the suspect was not responsive, uncooperative, and resisted. The officer said he attempted to wake the suspect and used physical control on him. The officer further stated he attempted to strike the suspect with his baton but no contact was made with him. The witness stated the suspect was not cooperative to the officer's verbal orders and resisted him. The witness stated the officer used minimal force on the suspect who resisted. There is insufficient evidence to prove or disprove the allegation made in the complaint.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/04/08 **DATE OF COMPLETION:** 10/18/08 **PAGE# 2 of 2**

SUMMARY OF ALLEGATION #3: The officer used profanity.

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

FINDINGS OF FACT: The complainant stated the officer used profanity during his contact with the suspect. The officer denied the allegation. A witness did not recall any profanity used by the officer. There is insufficient evidence to 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: 09/04/08 **DATE OF COMPLETION:** 10/24/08 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer towed the complainant's vehicle without cause.

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

FINDINGS OF FACT: The complainant's vehicle was towed for an expired registration, a violation of California Vehicle Code §4000a. The complainant acknowledged that the registration was expired. The officer has the authority, under California Vehicle Code §22651, as well as the Department's STOP Program, to tow vehicles with registrations that have been expired for more than six months and one day. The officer's conduct was proper.

SUMMARY OF ALLEGATION #2: The officer was discourteous to the complainant.

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

FINDINGS OF FACT: The officer denied being discourteous. There were no witnesses and no additional evidence to further prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/05/08 **DATE OF COMPLETION:** 10/24/08 **PAGE#** 1 of 4

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

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

FINDINGS OF FACT: The complainant alleges that the officer committed unwarranted action by issuing him a citation without cause. The complainant stated that aside from citing him for having no front license plate, the officer also cited him for driving a motor vehicle without a driver's license issued. The complainant stated he is a resident of Montana. He contends that his Montana license, which he provided to the officer during the contact, permits him to drive in California for short durations.

The officer stated he issued a citation to the complainant for violation of sections 5200 and 12500(a) of the California Vehicle Code. The evidence shows that the complainant did not have a front license plate on his vehicle when he got pulled over by the officer. Prima facie evidence shows that the complainant's visits and activities indicate that his presence in California was more than temporary or transient. He failed to provide the officer with a valid California driver's license. The evidence 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 searched the complainant without justification.

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

FINDINGS OF FACT: The complainant alleges that the officer searched his person without justification. The officer stated he searched the complainant as an incident to arrest. The evidence shows that the complainant was arrested although he was later cited and released at the scene. The evidence proved that the act, which provided the basis for the allegation, occurred. However, such act was justified, lawful and proper.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/05/08 **DATE OF COMPLETION:** 10/24/08 **PAGE#** 2 of 4

SUMMARY OF ALLEGATION #3: The officer towed the complainant's vehicle without justification.

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

FINDINGS OF FACT: The complainant alleges that the officer towed his vehicle without justification. The evidence shows that the complainant was cited for driving without a California driver's license issued. DGO 9.06(II)(A)(2) allows an officer to tow a vehicle being driven by a person not having been issued with a California driver's license. The evidence proved that the act, which provided the basis for the allegation, occurred. However, such act was justified, lawful, and proper.

SUMMARY OF ALLEGATION #4-5: The officers searched the complainant's vehicle without justification.

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

FINDINGS OF FACT: The complainant alleges that the officers searched his vehicle without justification. The officers stated that an inventory search was conducted on the complainant's vehicle at the scene. The evidence shows that the complainant's vehicle was legally towed. DGO 9.06(III)(B) allows officers to conduct inventory search on vehicles that are legally towed. The evidence proved that the acts, which provided the basis for the allegations, occurred. However, such acts were justified, lawful and proper.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/05/08 **DATE OF COMPLETION:** 10/24/08 **PAGE#** 3 of 4

SUMMARY OF ALLEGATION #6: The officer wrote an inaccurate report.

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

FINDINGS OF FACT: The complainant alleges that the officer committed neglect of duty by writing an inaccurate report. The officer denied the allegation. No witnesses came forward in reference to this allegation. There is insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #7: The officer displayed rude and inappropriate behavior.

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

FINDINGS OF FACT: The complainant alleges that the officers displayed rude and inappropriate behavior by trying to force the issue that he worked in California. The complainant said the officer did not listen to his answers and kept asking him if he works in San Francisco. The complainant's girlfriend corroborated this contention. She further said the officer was aggressive during the contact. Another witness said the officer was aggressive but could not describe the kind of aggressiveness that the officer had allegedly showed. The evidence shows that the officer's conduct did not rise to a level of misconduct. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/05/08 **DATE OF COMPLETION:** 10/24/08 **PAGE#** 4 of 4

SUMMARY OF ALLEGATION #8: The officer displayed inappropriate behavior.

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

FINDINGS OF FACT: The complainant alleges that the officer displayed inappropriate behavior by flirting with his female companions. The officer denied the allegation. 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: 09/09/08 **DATE OF COMPLETION:** 10/17/08 **PAGE#** 1 of 2

SUMMARY OF ALLEGATION #1: The officer displayed a firearm without justification.

CATEGORY OF CONDUCT: UA

FINDING: NF/W

DEPT. ACTION:

FINDINGS OF FACT: The complainant withdrew the complaint.

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

CATEGORY OF CONDUCT: UA

FINDING: NF/W

DEPT. ACTION:

FINDINGS OF FACT: The complainant withdrew the complaint.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/09/08 **DATE OF COMPLETION:** 10/17/08 **PAGE #** 2 of 2

SUMMARY OF ALLEGATION #3: The officer failed to properly process property.

CATEGORY OF CONDUCT: ND

FINDING: NF/W

DEPT. ACTION:

FINDINGS OF FACT: The complainant withdrew the complaint.

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

CATEGORY OF CONDUCT: UA

FINDING: NF/W

DEPT. ACTION:

FINDINGS OF FACT: The complainant withdrew the complaint

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/05/07 **DATE OF COMPLETION:** 10/07/08 **PAGE#** 1 of 2

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

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

FINDINGS OF FACT: The complainant stated that the officer did not properly investigate the incident when a stranger scared his wife so that she fell and broke her wrist. The complainant's wife, in essence, corroborated this statement. The named member told the Office of Citizen Complaints that he handled this incident as an "injured person" type of case, which essentially represented a civil matter between the involved parties. According to the officer, he spoke with the involved individuals, ensured that they exchanged their personal information and documented the occurrence in a police report. Given the circumstances of this incident, the officer's handling of the incident was reasonable, proper and justified.

SUMMARY OF ALLEGATION #2: The officer failed to take enforcement actions.

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

FINDINGS OF FACT: The complainant stated that the officer should have arrested or cited the person who scared his wife, cause her to fall and break her wrist. The complainant, who filed this complaint two months after the incident, acknowledged that he did not ask for such enforcement actions at the scene. The complainant's wife corroborated this statement. The named member told the Office of Citizen Complaints that he handled this request for police assistance as "an injured person" type of incident, which was, essentially, a civil matter between the complainant and the man who scared his wife. According to the officer, both parties exchanged their personal information at the scene and the man agreed to pay for the medical expenses arising from the complainant's wife's injury. Given the nature of this incident, the officer's decision not to take the any enforcement actions at the scene was proper and justified.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/05/07 **DATE OF COMPLETION:** 10/07/08 **PAGE#** 2 of 2

SUMMARY OF ALLEGATION #3: The officer wrote an incomplete and inaccurate report.

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

FINDINGS OF FACT: The complainant stated that the officer inaccurately and incompletely documented this incident in his report. The named member denied the alleged misconduct. The available evidence was insufficient to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #4: The Department failed to establish a policy to enforce a local ordinance.

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

FINDINGS OF FACT: The complainant stated that the San Francisco Police Department failed to ensure that all street performers operating in the tourist sections of the city are properly licensed. The Office of Citizen Complaints found that the city ordinance does not require licensing of each and every street performer who interacts with the visitors in the tourist sections of the city.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/08/08 **DATE OF COMPLETION:** 10/24/08 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officers entered the complainant's home without justification.

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 October 23, 2008.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/29/08 **DATE OF COMPLETION:** 10/12/08 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer(s) damaged the complainant's property.

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

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

SUMMARY OF ALLEGATION #2: The officer made an arrest without cause.

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

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

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/10/08 **DATE OF COMPLETION:** 10/18/08 **PAGE#** 1 of 1

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 stated that he was arrested on a “false warrant” from another county. The Department records showed that, the officers’ query at the scene revealed an outstanding “no-bail” warrant on the complainant’s name from another jurisdiction. A subsequent check with the Central Warrant Bureau confirmed that the warrant was active. Given the circumstances of this incident, the officers’ decision to take the complainant into police custody was justified, lawful and proper.

SUMMARY OF ALLEGATION #3: The officer failed to properly process property.

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

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

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/10/08 **DATE OF COMPLETION:** 10/17/08 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant withdrew his complaint.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09-08-08 **DATE OF COMPLETION:** 10-10-08 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant alleged the officers detained him without justification. The officers denied the allegation, stating the contact between the complainant and police constituted a consensual contact. No witnesses came forward. There was insufficient evidence to prove or disprove the allegation made in the complaint.

SUMMARY OF ALLEGATIONS #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/01/08 **DATE OF COMPLETION:** 10/28/08 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1-2: The officers used unnecessary force on the complainant.

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

FINDINGS OF FACT: The complainant said the officers grabbed his arm and maintained control of him as they took him to the ground where upon they handcuffed him. The officers denied the allegation of excessive force. The witness stated the complainant was thrashing about on the ground. The witness stated no officer struck the complainant. The witness stated officers took the complainant to the ground using only the force necessary to bring the complainant to the ground. 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 #3: The officer used a racial slur towards the complainant

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

FINDINGS OF FACT: The complainant was unable to identify which officer made the alleged comment. The officers at the scene denied saying or hearing the alleged comment. A witness at the scene did not hear anyone make the alleged comment. There is insufficient evidence to either prove or disprove the allegation made in the complaint.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/16/08 **DATE OF COMPLETION:** 10/02/08 **PAGE #1 of 1**

SUMMARY OF ALLEGATION #1: The officer was discourteous to the complainant.

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

FINDINGS OF FACT: The complainant brought forward issues that are outside the jurisdiction of the OCC. This complaint was forwarded to the San Francisco Department of Parking and Traffic.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/16/08 **DATE OF COMPLETION:** 10/04/08 **PAGE# 1 of 1**

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

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

FINDINGS OF FACT: The complainant withdrew his complaint.

SUMMARY OF ALLEGATION:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/22/07 **DATE OF COMPLETION:** 10/17/08 **PAGE#** 1 of 2

SUMMARY OF ALLEGATION #1: The officer ordered a forced entry without complying with a knock-notice requirement.

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

FINDINGS OF FACT: The related police report did not contain any indication whether the required announcement was made by police officers serving a search warrant at the complainant's residence. The named member stated that he did not recall whether a knock-notice warning was actually made prior to him ordering a breach of the metal screen leading to the entrance of the complainant's residence. 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 ALLEGATIONS #2-3: The officers kept the complainant in handcuffs for an excessively long period of time.

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

FINDINGS OF FACT: The named members stated that the complainant was detained and her hands were restrained with flex cuffs when the officers entered her apartment and those flex cuffs were removed after the warrant search of the residence was completed. The evidence obtained by the OCC showed that the officers acted on a valid warrant and the backgrounds of the subjects, including the complainant, necessitated "high risk" tactical entry due to increased concerns for officer safety. The OCC also found that, during this police operation, the involved members did not fully comply with the established guidelines concerning "forced entry," which tainted the legality of their subsequent actions. Given specific circumstances of this incident, the available evidence proved inconclusive and insufficient to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/22/07 **DATE OF COMPLETION:** 10/17/08 **PAGE#** 2 of 2

SUMMARY OF ALLEGATION #4: The officer damaged the complainant's personal property without justification.

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

FINDINGS OF FACT: The complainant stated that during the warrant search at her residence the officers damaged her chair, glasses and several other personal items. The complainant did not see which officer did that. Two members interviewed in connection with this complaint stated that they did not damage the said property and they did not witness when/how it was done. The available evidence was insufficient to identify the member responsible for the alleged misconduct and to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #5: The officer made an inappropriate comment.

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

FINDINGS OF FACT: The complainant stated that one of the officers involved in the warrant search at her residence made an inappropriate comment at the scene. Two members questioned in connection with this incident denied making and/or hearing any such comments. The available evidence was insufficient to identify the officer responsible for the alleged misconduct and to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/22/08 **DATE OF COMPLETION:** 10/08/08 **PAGE #** 1 of 1

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

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

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

SUMMARY OF ALLEGATION #2: The officer invaded the complainant's privacy.

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

FINDINGS OF FACT: The complainant alleged the officer improperly tape-recorded her voice during a traffic stop. The named officer acknowledged that he tried to, but failed, to tape record the voice of the complainant during a traffic stop. There is no expectation of privacy in a public place. The evidence proved that the acts, which provided the basis for the allegations, occurred; however, such acts were justified, proper and lawful.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/23/08 **DATE OF COMPLETION:** 10/17/08 **PAGE#** 1 of 1

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 the officer detained him and had him cited for failure to wear his seatbelt by another unit. During his OCC interview, the complainant admitted the officer observed him not wearing a seatbelt as he drove. 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 cited the complainant without justification.

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

FINDINGS OF FACT: The complainant stated the officer cited him without justification. In his OCC interview, the complainant admitted another officer saw him driving without his seatbelt attached, detained him and then directed a second set of officers to conduct a traffic stop. A second officer cited the complainant for a violation of California Vehicle Code §27315 (d) (1). The evidence proved that the acts, which provided the basis for the allegations, occurred; however such acts were justified, lawful and proper.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/30/07 **DATE OF COMPLETION:** 10/01/08 **PAGE # 1 of 2**

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

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

FINDINGS OF FACT: The complainant was in violation of a restraining order when confronted by the officer on two separate occasions on the same day. On the initial contact the complainant was admonished and issued an 849b. The second contact led to the detention and subsequent arrest.

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

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

FINDINGS OF FACT: The complainant is known to the officers and was in violation of a restraining order, has a search condition and was searched incident to arrest.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/30/07 **DATE OF COMPLETION:** 10/01/08 **PAGE # 2 of 2**

SUMMARY OF ALLEGATION #3, 4: The officer used unnecessary force.

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

FINDINGS OF FACT: The two named officers acknowledged they had to struggle with the complainant to take him into custody, but denied unnecessary force. One witness officer also denied unnecessary force. No other witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

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

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

FINDINGS OF FACT: The named officer and two witness officers denied the allegation, saying the complainant was arrested for possession of drugs he swallowed, violating a restraining order, and resisting arrest. A citation issued by the named officer mentions only resisting arrest and is not signed by the complainant. No other witnesses came forward.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/25/08 **DATE OF COMPLETION:** 10/08/08 **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: the person complained about is not an San Francisco Police Department officer.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/31/07 **DATE OF COMPLETION:** 10/25/08 **PAGE #1 of 2**

SUMMARY OF ALLEGATIONS #1, 2: The officers failed to comply with Department General Order 5.05.

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

FINDINGS OF FACT: The complainant said the officers engaged in the pursuit of a car in an unsafe fashion, resulting in a collision. The named officers said stopping the car and eliminating further danger to the public outweighed the risk presented by the pursuit. One witness officer was not available for an interview. No other witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATIONS #3,4: The officers failed to take required action.

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

FINDINGS OF FACT: The complainant said that one of four police officers who passed immediately through the intersection where her car was struck should have stopped to tend to her. Department policy holds that the unit designated as secondary should stop the pursuit and tend to any accident victim. The named officers denied the allegation, saying they did not enter the pursuit until after the collision, that they did not know of it when they became the secondary unit, and by the time they were informed of it, other units were on the collision scene. Department records were inconclusive. One witness who was present at the time of the collision saw only one patrol car go through the intersection. Two witness officers said they did not know when the named officers entered the pursuit and did not know if they witnessed the collision. One witness officer was unavailable for an interview. No other witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/31/07 **DATE OF COMPLETION:** 10/25/08 **PAGE #2 of 2**

SUMMARY OF ALLEGATION #5: The officer failed to answer reasonable questions.

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

FINDINGS OF FACT: The named and one witness officer denied the allegation. Another witness said he did not recall if the officer answered the questions. No other witnesses came forward. There is insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #6: The officer engaged in inappropriate behavior.

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

FINDINGS OF FACT: The complainant alleged the officer ordered her to sign a form that was blank, to be filled out later. The named and one witness officer denied the allegation. Another witness said he did not recall if the officer finally offered a filled-out form. 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: 09/26/08 **DATE OF COMPLETION:** 10/08/08 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: An individual claiming to be a police officer threatened the complainant.

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

FINDINGS OF FACT: The complainant stated that as she was walking home late at night a man who had been seated at a bus stop began following her. The complainant asked the man, who had a pair of handcuffs and a flashlight hanging from his belt, if he was a police officer. The man said he was, but acted as though he was mentally disturbed, and claimed he left his gun at the police station. The man brandished a knife and the complainant fled on foot. Because there is no evidence that the man who followed and threatened the complainant is an SFPD officer, the matter is being referred to the police district in which the incident took place for possible criminal investigation.

SUMMARY OF ALLEGATION:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/02/08 **DATE OF COMPLETION:** 10/14/08 **PAGE #** 1 of 1

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

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

FINDINGS OF FACT: The complainant alleges the officer detained her without justification. According to the incident report, the complainant was placed on a 72-hour detention for evaluation and treatment. 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: 10/02/08 **DATE OF COMPLETION:** 10/25/08 **PAGE#** 1 of 2

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

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

FINDINGS OF FACT: The complainant failed to provide sufficient amount of information and/or evidence to investigate the complaint. The identity of the alleged officer has not been established.

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

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

FINDINGS OF FACT: The complainant failed to provide sufficient amount of information and/or evidence to investigate the complaint. The identity of the alleged officer has not been established.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/02/08 **DATE OF COMPLETION:** 10/25/08 **PAGE#** 2 of 2

SUMMARY OF ALLEGATION # 3: The officer failed to properly process the complainant's property.

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

FINDINGS OF FACT: The complainant failed to provide sufficient amount of information and/or evidence to investigate the complaint. The identity of the alleged officer has not been established.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

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

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

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

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

San Francisco Community College District Police Department (SFCCDPD)
50 Phelan Avenue
Cloud Hall 119 (1st Floor)
San Francisco, CA 94112

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/09/08 **DATE OF COMPLETION:** 10/25/08 **PAGE# 1 of 1**

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

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

FINDINGS OF FACT: This complaint raises matters not within the OCC's jurisdiction. The complaint has been referred to:

SF-MTA DPT Enforcement and Security Detail
505 7th Street
San Francisco CA 94103

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/17/08 **DATE OF COMPLETION:** 10/25/08 **PAGE# 1 of 1**

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

CATEGORY OF CONDUCT: **FINDING:** IO2 **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: 11/01/07 **DATE OF COMPLETION:** 10/07/08 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer towed the complainant's car without justification.

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

FINDINGS OF FACT: The complainant stated that he parked his vehicle in the vicinity of the Symphony Hall and when he came back after the concert his car had been towed. The officer who towed the complainant's car stated that the complainant's vehicle was towed because "no stopping" signs were posted in that location on the eve of the Gay Pride Parade. A preponderance of the evidence showed that, more likely than not, the "no parking/special event" signs were indeed posted in the location where the complainant parked his vehicle. Given the circumstances of this incident, the officer's decision to tow the car was 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: 10/16/08 **DATE OF COMPLETION:** 10/28/08 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: This complaint raises matters not rationally within the OCC's jurisdiction. This complaint has been referred to The San Francisco Sheriff's Dept.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/20/08 **DATE OF COMPLETION:** 10/24/08 **PAGE#** 1 of 2

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

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

FINDINGS OF FACT: The complainant withdrew the complaint.

SUMMARY OF ALLEGATION #2: The officer detained the complainant for involuntary psychiatric evaluation without cause.

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

FINDINGS OF FACT: The complainant withdrew the complaint.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/20/08 **DATE OF COMPLETION:** 10/24/08 **PAGE#** 2 of 2

SUMMARY OF ALLEGATION #3: The officer used excessive force against the complainant

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

FINDINGS OF FACT: The complainant withdrew the complaint.

SUMMARY OF ALLEGATION #4: The officer acted in an inappropriate manner and made inappropriate comments.

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

FINDINGS OF FACT: The complainant withdrew the complaint.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/23/08 **DATE OF COMPLETION:** 10/25/08 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: This complaint raises matters not within the OCC's jurisdiction.
The complaint has been referred to:

San Francisco Sheriff's Office
25 Van Ness Avenue
via facsimile 415 554-2392

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/02/07 **DATE OF COMPLETION:** 10/09/08 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant stated the officer engaged in an inappropriate conversation with the complainant's spouse. The officer denied the allegation. The statements of the complainant and his spouse contradicted each other. There are no other 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: 12/04/07 **DATE OF COMPLETION:** 10/10/08 **PAGE#** 1 of 2

SUMMARY OF ALLEGATION #1: The officers used unnecessary force during the detention.

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

FINDINGS OF FACT: The detaining officers denied using or seeing any officer use the alleged force. The complainant was unable to specifically identify any officer. Potential witnesses did not respond to the OCC's request for an interview. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATIONS #2 - 5: The officers detained the complainant without justification.

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

FINDINGS OF FACT: The officers stated they saw the complainant running from them in a high crime area. The complainant admitted that he ran when he saw the officers in the unmarked vehicle. There is insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/04/07 **DATE OF COMPLETION:** 10/10/08 **PAGE# 2 of 2**

SUMMARY OF ALLEGATION #6: The officer transported the complainant to the station without cause.

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

FINDINGS OF FACT: The complainant said he was taken to the station. All officers at the scene denied the complainant was taken to the station. The Event Unit History does not document transport. The complainant misidentified officers from the incident. Potential witnesses did not respond to the OCC's request for an interview. 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: 12/07/07 **DATE OF COMPLETION:** 10/09/08 **PAGE#** 1 of 2

SUMMARY OF ALLEGATION #1,2: The officer used unnecessary force during a detention.

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

FINDINGS OF FACT: The complainant said the named and other unidentified officers used force far beyond what was necessary and prudent for this situation, but acknowledged that he had resisted being handcuffed and resisted when officers were on his back, by lifting his body. The named officer denied the allegation, saying that he and other officers used only the force necessary to subdue a resistant arrestee. Two officers were listed in department records as having used force that injured the complainant. Five officers who were reported at the scene denied seeing or engaging in unnecessary force, or said they were otherwise engaged when the force was used. A witness at the scene stated that the complainant did not cooperate with the police. No other witnesses came forward. There was insufficient evidence to determine which account of the force used was accurate. There was insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #3, 4: The officer engaged in inappropriate behavior and made inappropriate comments.

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

FINDINGS OF FACT: The named officer denied the allegation. Five witness officers reported to be on the scene denied making or hearing inappropriate comments or engaging in or witnessing inappropriate behavior. No other witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/07/07 **DATE OF COMPLETION:** 10/09/08 **PAGE# 2 of 2**

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

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

FINDINGS OF FACT: The named and five witness officers 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:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/07/07 **DATE OF COMPLETION:** 10/24/08 **PAGE #** 1 of 3

SUMMARY OF ALLEGATION #1, 2: The officers detained the complainant without justification.

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

FINDINGS OF FACT: The named officers denied the allegations. Three witnesses said they did not see the initial contact of police with the complainant. No other witnesses to the detention came forward. There was insufficient evidence to either prove or disprove the allegations.

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, who was arrested for walking against a light, resisting arrest and was detained for being drunk acknowledged walking across a street against a light, failing to comply with an order by an officer, and admitted that he had been drinking at a holiday party for 5 hours when he was detained. The named officers denied the allegation. No other witnesses who saw the entire contact came forward. The evidence proved that the acts that formed the basis of the allegations occurred, however, such acts were justified, lawful and proper.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/07/07 **DATE OF COMPLETION:** 10/24/08 **PAGE #** 2 of 3

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

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

FINDINGS OF FACT: The complainant said the named officer failed to identify himself as a police officer on approaching him. The named and one witness officer denied the allegation. No other witnesses came forward who had seen the initial contact. There is insufficient evidence to either prove or disprove the allegation.

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

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

FINDINGS OF FACT: The named and one witness officer denied the allegation. Three witnesses said they did not see the actions that led to the injury of 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: 12/07/07 **DATE OF COMPLETION:** 10/24/08 **PAGE #** 3 of 3

SUMMARY OF ALLEGATION #7: The officer failed to answer reasonable questions.

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

FINDINGS OF FACT: The complainant said none of the officers on the scene would tell him why he was being arrested. The arresting officers denied the allegation. Four witness officers on the scene said they did not hear what the arresting officers said to the complainant. Three other witnesses said they did not hear what officers said to the complainant. No other witnesses came forward. There is insufficient evidence to identify which officer was asked to provide information and to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #8: The officer made inappropriate comments.

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

FINDINGS OF FACT: The named and one witness officer denied the allegation. Three witnesses said they did not hear what the officers said to 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: 12/11/07 **DATE OF COMPLETION:** 10/31/08 **PAGE#** 1 of 3

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

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

FINDINGS OF FACT: The complainant stated an undercover officer approached her, her sister, and her sister's boyfriend and solicited them to sell narcotics. The complainant admitted that she encouraged and assisted the sale. The undercover officer stated there was probable cause to arrest the complainant. The named officers, as supervisors of the arrest team, caused the complainant's arrest. The officers' conduct was lawful and proper.

SUMMARY OF ALLEGATIONS #3: The officer searched the complainant without cause.

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

FINDINGS OF FACT: The complainant stated the officer searched inside her pockets. The officer had probable cause to arrest the complainant and to search her pursuant to the arrest. The officer's conduct was lawful and proper.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/11/07 **DATE OF COMPLETION:** 10/31/08 **PAGE# 2 of 3**

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

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

FINDINGS OF FACT: The officer made a controlled buy of narcotics from the complainant, the complainant's sister, and the sister's boyfriend. By a preponderance of the evidence, the complainant's sister was involved in the transaction and she was contacted and released at the scene, but there is no mention of the complainant's sister in the incident report authored by the officer. The allegation is sustained.

SUMMARY OF OCC-ADDED ALLEGATION #2: The officer failed to take required action

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

FINDINGS OF FACT: The officer was a supervisor of the arrest team in a controlled buy of narcotics. By a preponderance of the evidence, the complainant's sister was involved in the transaction and that she was detained and released at the scene, but there is no mention of the complainant's sister in the incident report authored by one of the officers. It was the duty of the named officer to insure the completeness and accuracy of the report, which he approved. The allegation is sustained.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/11/07 **DATE OF COMPLETION:** 10/31/08 **PAGE#** 3 of 3

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

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

FINDINGS OF FACT: The officer was a supervisor in a “buy-bust” of narcotics. By a preponderance of the evidence, the complainant’s sister was involved in the transaction and she was contacted and released at the scene, but there is no mention of the complainant’s sister in the Incident Report authored by one of the officers. It was the duty of the named officer to insure the completeness and accuracy of the report, and to oversee the decision-making that led to the release of the sister. The allegation is sustained.

SUMMARY OF OCC-ADDED ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/18/07 **DATE OF COMPLETION:** 10/16/08 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complaint was also filed as a civil claim with the Controller's office and forwarded to OCC. The complainant did not contact the OCC in response to our request for contact, and failed to provide evidence to continue the investigation.

SUMMARY OF ALLEGATION #2: The officer[s] failed to properly process property of the complainant.

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

FINDINGS OF FACT: The complaint was also filed as a civil claim with the Controller's office and forwarded to OCC. The complainant did not contact the OCC in response to our request for contact, and failed to provide evidence to continue the investigation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/04/08 **DATE OF COMPLETION:** 10/31/08 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant stated the officer was unprofessional during the incident and grabbed and slammed his employee's phone on top of the car and intimidated him. The officer admitted to taking the phone but denied slamming the phone and intimidating the complainant's employee. The employee corroborated the complainant's version. One witness corroborated that the officer was aggressive with the employee from the beginning of the contact. Another witness corroborated the complainant's version. By a preponderance of evidence, it is more likely than not that the officer engaged in inappropriate behavior and violated DGO 2.01 Rule 9 Misconduct and Rule 14. Public Courtesy.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/09/08 **DATE OF COMPLETION:** 10/25/08 **PAGE #** 1 of 2

SUMMARY OF ALLEGATION #1,2: The officers detained the complainant without justification.

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

FINDINGS OF FACT: The named officers denied the allegations, saying they detained the complainant in relation to a report of a fight related to domestic violence. Department records indicated the woman the complainant acknowledged was his girlfriend called police and said the complainant threatened her safety. The evidence proved the acts that formed the basis of the allegations occurred, however, such acts were lawful, justified and proper.

SUMMARY OF ALLEGATION #3: The officer searched the complainant's car without cause.

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

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

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/09/08 **DATE OF COMPLETION:** 10/25/08 **PAGE #** 2 of 2

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

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

FINDINGS OF FACT: The named and one witness officer 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:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/07/08 **DATE OF COMPLETION:** 10/04/08 **PAGE#** 1 of 2

SUMMARY OF ALLEGATION #1-2: The officers detained and arrested the complainant without cause.

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

FINDINGS OF FACT: The complainant stated he was detained for no reason and subsequently arrested after an unlawful search of his premises. The officers stated they responded to a noise complaint and detained the complainant. The officers stated the complainant consented to a search, which revealed a stolen firearm. The complainant denied giving voluntary, informed consent to search. There were no witnesses to the nature of the consent. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #3-6: The officers conducted a search without cause.

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

FINDINGS OF FACT: The officers stated the complainant consented to a search, which revealed a stolen firearm. The complainant denied giving voluntary, informed consent to search. There were no witnesses to the nature of the consent. There is insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/07/08 **DATE OF COMPLETION:** 10/04/08 **PAGE#** 2 of 2

SUMMARY OF ALLEGATION #7: The officer seized the complainant's property without cause.

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

FINDINGS OF FACT: The officer seized property as evidence in an arrest for possession of a stolen firearm. The officers stated the complainant consented to a search, which revealed the stolen firearm. The complainant denied giving voluntary, informed consent to search. There were no witnesses to the nature of the consent. 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: 01/17/07 **DATE OF COMPLETION:** 10/07/08 **PAGE#** 1 of 2

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

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

FINDINGS OF FACT: The named members denied the alleged misconduct. No other witnesses came forward. The available evidence was insufficient to either prove or disprove the allegation.

SUMMARY OF ALLEGATIONS #3-4: The officers failed to tell the complainant about the reasons for his arrest.

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

FINDINGS OF FACT: The named members denied the alleged misconduct. No other witnesses came forward. The available evidence was insufficient to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/17/07 **DATE OF COMPLETION:** 10/07/08 **PAGE# 2 of 2**

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

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

FINDINGS OF FACT: The named members denied the alleged misconduct. No other witnesses came forward. The available evidence was insufficient to either prove or disprove the allegation.

SUMMARY OF ALLEGATIONS #7-8: The officers acted inappropriately and made inappropriate comments.

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

FINDINGS OF FACT: The named members denied acting in the alleged manner. No other witnesses came forward. The available evidence was insufficient to either prove or disprove the allegation.