

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 10/11/07 **DATE OF COMPLETION:** 11/29/07 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officer handcuffed 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 November 26, 2007.

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

**CATEGORY OF CONDUCT:** UF **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 November 26, 2007.

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

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

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

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

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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**DATE OF COMPLAINT:** 10/04/07 **DATE OF COMPLETION:** 11/30/07 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officer behaved inappropriately.

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

**FINDINGS OF FACT:** By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on November 28, 2007.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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**DATE OF COMPLAINT:** 10/05/07      **DATE OF COMPLETION:** 11/08/07 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The inspector was discourteous over the telephone.

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

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

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
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**DATE OF COMPLAINT:** 10/23/07 **DATE OF COMPLETION:** 11/28/07 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officer behaved inappropriately.

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

**FINDINGS OF FACT:** By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on November 27, 2007.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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

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

**FINDINGS OF FACT:**

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

San Francisco State University Police  
Special Operations Division  
1600 Holloway Ave.  
San Francisco, CA 94132

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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**DATE OF COMPLAINT:** 11/27/06 **DATE OF COMPLETION:** 11/10/07 **PAGE#** 1 of 3

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

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

**FINDINGS OF FACT:** The complainant stated that the officers detained him without any apparent reason. The named members stated that they responded to a call regarding a man with a tazer gun threatening witnesses and they detained the complainant because security guards pointed him out as the suspect. When interviewed by the Office of Citizen Complaints, the witnesses corroborated the officers' statement regarding this aspect of the incident. A preponderance of the evidence showed that the officers' decision to detain the complainant under the said circumstances was justified and proper.

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

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

**FINDINGS OF FACT:** The complainant stated that the officers cited him without any legitimate reason. The officers stated that they cited the complainant for an assault because an employee signed a citizen's arrest form on the complainant for hitting her with a bucket of popcorn. The officers also stated that they cited the complainant for resisting arrest because he did not comply with their verbal commands. When interviewed by the Office of Citizen Complaints, witnesses supported the officers' statements regarding this aspect of the occurrence. Another witness also supported the officers' account in his internal Incident Report but he did not respond to the Office of Citizen Complaints request for an interview. A preponderance of the evidence showed that, given the specific circumstances of this police contact, the officers' decision to cite the complainant was justified and proper.

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**SUMMARY OF ALLEGATIONS #5-6:** The officers used unnecessary force.

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

**FINDINGS OF FACT:** The complainant stated that the officers did not have to resort to force during this police contact. The officers stated that they used force because the complainant failed to comply with their verbal commands and because of their belief that he had a tazer gun on his person. Three witnesses, two in their Office of Citizen Complaints interviews, and the one in an internal Incident Report provided contradictory accounts as to the officers' use of force during the event. The available evidence was sufficient to support the officers actions.

**SUMMARY OF ALLEGATIONS #7-8:** The officers used uncivil and profane language.

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

**FINDINGS OF FACT:** The complainant stated that the officers used uncivil and profane language during this police contact. The named members denied the alleged misconduct. Two witnesses provided inconclusive statements regarding this aspect of the incident. A third witness did not respond to the Office of Citizen Complaints request for an interview. The available evidence was insufficient to either prove or disprove the allegation.



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**SUMMARY OF ALLEGATION #9:** The officer used a racial epithet against the complainant.

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

**FINDINGS OF FACT:** The complainant claimed that one of the officers used a racial epithet during the incident. The named member denied the allegation. The officers supported this statement. Two witnesses who were within several feet from the complainant and the officers at the time of the alleged epithet stated that they did not hear any such language. A preponderance of the evidence showed that, more likely than not, the alleged misconduct did not take place.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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**DATE OF COMPLAINT:** 10/31/07 **DATE OF COMPLETION:** 11/15/07 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officer drove unsafely.

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

**FINDINGS OF FACT:** The identity of the alleged officer has not been established. There is insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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**DATE OF COMPLAINT:** 11/05/07      **DATE OF COMPLETION:** 11/19/07      **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant stated that the officers failed to make an arrest on a reported theft. The evidence shows that the suspect had already left the scene when the officers arrived. The officers took a report and gave the complainant a follow-up form. The evidence proved that the acts which provided the basis for the allegations occurred; however, such acts were justified, lawful, and proper.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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

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

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

San Francisco Sheriff's Office  
Internal Affairs  
25 Van Ness Avenue, #350  
San Francisco, CA 94102  
.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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

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

**FINDINGS OF FACT:** This complaint raises matters outside OCC's jurisdiction.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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**DATE OF COMPLAINT:** 05/31/07 **DATE OF COMPLETION:** 11/20/07 **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** This complaint raises matters not within OCC's jurisdiction. It was referred for further investigation to:

Services Manager  
ECD  
1011 Turk Street  
San Francisco, CA 94102

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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

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

**FINDINGS OF FACT:** This complaint raises matters not within OCC's jurisdiction. It was referred for further investigation to:

Management Control Division  
San Francisco Police Department  
850 Bryant Street  
San Francisco, CA 94107

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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

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

**FINDINGS OF FACT:** The complainant indicated an officer slammed him on his shoulder during the arrest. The complainant wrote he was rushed to the hospital during the booking and sustained a dislocated shoulder.

The officers denied that any force was used on the complainant during the arrest. The named officers stated they were unaware that the complainant had been taken to the hospital. Witness officers stated they did not observe any force used on the complainant and transported the complainant solely to the jail. The named officers and one witness officer were all dressed in plainclothes.

Patient care records indicated the Fire Department Paramedics transported the complainant to the hospital approximately four (4) hours after being charged and booked at the jail. In contradiction, the medical report relayed the complainant informed the medical staff the injury occurred two days prior to the date of arrest. The x-ray of the complainant's shoulder corroborated the injury was a result of prior trauma. The medical reports failed to corroborate the complainant's allegation. The evidence proved the act alleged in the complaint did not occur.

**SUMMARY OF ALLEGATION #3:** The officer made a racially derogatory comment towards the complainant.

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

**FINDINGS OF FACT:** The arresting officers denied making a racially derogatory comment to the complainant during the arrest. One of the arresting officers said his conversation was very brief with the complainant, asking only of his probation/parole status and identifying information. The three witness officers stated they did not hear any officer make a racially derogatory comment to the complainant. One witness officer recalled the complainant being compliant during the incident. There was insufficient evidence to either prove or disprove the allegation.



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

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

**FINDINGS OF FACT:** The co-complainants stated the officers detained them without justification. One co-complainant stated he and the other co-complainant were headed to a local recreation center, located a block from the location of the detention. The officers stated they both recognized one of the co-complainants from previous contacts with him as a member of a known gang. The officers said they detained the co-complainants for being in a “high crime area.” The officers said the co-complainants frequented the specific area of their patrol when they first drove by, noting that both co-complainants were still “hanging” in the area when they drove by a second time 45 minutes later. The co-complainants’ presence in an alleged high crime area alone was insufficient grounds for the officers to detain them. A preponderance of the evidence proved that the conduct complained of did occur. Using as a standard the applicable regulations of the Department, the conduct was improper. The allegation is sustained.

**SUMMARY OF ALLEGATION #3:** The officer pat searched the co-complainants without cause.

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

**FINDINGS OF FACT:** The co-complainants alleged that the named officers both pat searched them for weapons and narcotics, with negative results. Each co-complainant stated that a different officer pat searched him. The officers denied the allegation. One officer admitted that he was solely responsible for conducting the pat search of both co-complainants at the scene. The pat search of the co-complainants originated from an unjustified and improper detention. A preponderance of the evidence proved that the conduct complained of did occur. Using as a standard the applicable regulations of the Department, the conduct was improper. The allegation is sustained.

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**SUMMARY OF ALLEGATIONS #4-5:** The officers handcuffed the co-complainants at the scene without justification.

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

**FINDINGS OF FACT:** The officers denied the allegation. Both officers stated in their OCC interviews that due to the fact they both knew one of the co-complainants from many previous contacts, they did not handcuff either of the co-complainants, but sought to further acquaint themselves with the second co-complainant they did not know. No witnesses came forward. There was insufficient evidence to prove or disprove the allegation made in the complaint.

**SUMMARY OF ALLEGATIONS #6-7:** The officers conducted a body cavity search without justification

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

**FINDINGS OF FACT:** The co-complainants stated that the officers conducted an unauthorized, unprotected body cavity search of each of their anal, and genital areas at the scene of their detention. The officers denied the allegation. One officer stated such a search required special authorization. No witnesses came forward. There was insufficient evidence to prove or disprove the allegation made in the complaint.

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**SUMMARY OF ALLEGATIONS #8-9:** The officers made inappropriate comments and acted in an inappropriate manner.

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

**FINDINGS OF FACT:** The co-complainants stated that the officers made inappropriate comments to them throughout the course of their detention. The co-complainants also stated that one of the officers wrote down one of the co-complainants' contact information on a piece of paper, stating he would save it for future reference, inferring a threat. One of the officers recalled that his partner wrote the co-complainant's contact information down, but denied any recollection of what he did with the information. Both officers denied making threats, slurs, or acting in an inappropriate manner. No witnesses came forward. There was insufficient evidence to prove or disprove the allegation made in the complaint.

**SUMMARY OF ALLEGATIONS #10-11:** The officers failed to identify themselves as members of the San Francisco Police Department.

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

**FINDINGS OF FACT:** The co-complainants alleged that the officers did not identify themselves as members of the San Francisco Police Department. The officers were assigned to plain clothes duty on the date of the incident complained of. The co-complainants stated they did not observe the officers wearing identifying stars on "dog tags" on their persons. One of the officers denied the allegation. The other named officer stated that the co-complainant knew him by his familiar street name, knew him as a police officer and addressed him by his known police nickname. No witnesses came forward. There was insufficient evidence to prove or disprove the allegation made in the complaint.

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**SUMMARY OF ALLEGATIONS #12-13:** The officers failed to issue the co-complainants a certificate of release.

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

**FINDINGS OF FACT:** The co-complainants alleged the named officers physically restrained them during their detention and hence should have issued them a Certificate of Release, per California Penal Code Section 849b. The officers denied the allegation. Both admitted detaining the co-complainants. Both stated that the detention and subsequent pat searches were brief and limited to an outer clothing pat down for weapons. No witnesses came forward. There was insufficient evidence to prove or disprove the allegation made in the complaint.

**SUMMARY OF ALLEGATION #14:** The officer failed to take an OCC complaint.

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

**FINDINGS OF FACT:** The co-complainants alleged that following an alleged illegal detention and search, they sought to file an OCC complaint with the named officer. The officer denied the allegation, stating that the co-complainants merely sought information on the identities of the detaining officers and he sought to identify the officers who contacted the co-complainants. There were no witnesses. There was insufficient evidence to prove or disprove the allegation made in the complaint.

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**SUMMARY OF ALLEGATIONS #1:** The officers searched the premises without cause.

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

**FINDINGS OF FACT:** Two officers admitted to entering the premises without a search warrant but denied participating in a search. The other officers at the scene denied the allegation. The complainant was unable to identify the officers who conducted the alleged search. One of the officers at the scene was unavailable. There were no other witnesses. There is insufficient evidence to identify any officers or to reach a definitive finding.

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

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

**FINDINGS OF FACT:** The officers at the scene all denied searching anyone other than the suspect. Neither complainant could identify the officer who searched them. One of the officers at the scene was unavailable. There is insufficient evidence to identify any officer or to reach a definitive finding.

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**SUMMARY OF ALLEGATION #3 :** The officer displayed his weapon without justification.

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

**FINDINGS OF FACT:** The officers at the scene all denied displaying their weapon at anyone. The complainant who alleged the act was unable to identify the officer who pointed a gun at her. One of the officers at the scene was unavailable. There is insufficient evidence to identify any officers or to reach a definitive finding.

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

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

**FINDINGS OF FACT:** The officers at the scene all denied making the alleged comments or hearing any other officer do so. The complainant was unable to identify the officer who made the comments. One of the officers at the scene was unavailable. There is insufficient evidence to identify any officer or to reach a definitive finding.

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**SUMMARY OF ALLEGATION #5 :** The officers detained complainants without justification.

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

**FINDINGS OF FACT:** The officers at the scene all denied detaining anyone other than the suspect. The complainants were unable to identify the officers who detained them. One of the officers at the scene was unavailable. There is insufficient evidence to identify any officer or to reach a definitive finding.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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**SUMMARY OF ALLEGATION # 1:** The officer failed to identify himself as a police officer.

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

**FINDINGS OF FACT:** The complainant said a plainclothes officer detained him without first identifying himself as a police officer. The complainant said he initially ran after seeing the plainclothes officer jump out of a van with a ski mask over his head. The officer said he identified himself as a police officer to the complainant verbally and by displaying his star in front of his chest when he opened the door of an unmarked van and asked the complainant to come over. One witness confirmed the officer identified himself as a police officer, a second witness inside the van could not verify or deny the allegation, and a third witness on the scene declined OCC requests for an interview. There is insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION # 2-3:** The officers detained the complainant without justification.

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

**FINDINGS OF FACT:** The preponderance of the evidence established the officers lacked reasonable suspicion to detain the complainant. The officers violated DGO 5.03.



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

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

**FINDINGS OF FACT:** The preponderance of the evidence established the officer lacked reasonable suspicion to detain the complainant and therefore lacked justification to handcuff him. The officers' actions violated DGO 2.01.

**SUMMARY OF ALLEGATION #5:** The officers used excessive force during the detention.

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

**FINDINGS OF FACT:** The complainant stated he was thrown by one officer to the ground for no justifiable reason and another officer applied handcuffs so tight on him that he sustained abrasions and a swollen wrist. The only known witness on scene who may have witnessed the type and degree of force used upon the complainant during his detention refused OCC requests for an interview. There is insufficient evidence to either prove or disprove the allegation.

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**SUMMARY OF ALLEGATION #7-8:** The officers used inappropriate behavior, threats, and comments.

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

**FINDINGS OF FACT:** The complainant stated the officers called him stupid, told him to shut up after unlawfully detaining him, and threatened to take him to juvenile hall. The officers denied the allegation. The only known witness on scene at the time refused OCC requests for an interview. There is insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #9:** The officer conducted an unlawful search.

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

**FINDINGS OF FACT:** The preponderance of the evidence established that the officer searched the complainant without probable cause in violation of DGO 2.01(9) and the fourth amendment of the U.S. Constitution.

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**SUMMARY OF ALLEGATION #10-12:** The officers failed to issue the complainant a Certificate of Release.

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

**FINDINGS OF FACT:** The complainant stated none of the three plainclothes officers involved in detaining, handcuffing, searching, questioning, and releasing him issued him any document. The preponderance of the evidence established that the officers did not issue the complainant a Certificate of Release in violation of DGO 5.03.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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

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

**FINDINGS OF FACT:** The complainant stated the officer failed to reconcile the permit fees against citations that were issued (and paid) to the complainant's company after requesting and being granted parking permits for his company move. The officer stated the citations were not brought to his attention until his telephone contact with the complainant months after the move occurred and the citations were issued. The telephone contact was initiated to try to collect fees the officer stated the complainant owed for the parking permit that had gone unpaid. The officer stated that at no time did the complainant contact him regarding the citations, show him the issued citations nor show the officer receipts for payment of the citations. There were no witnesses who heard both sides of the telephone conversation. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

**SUMMARY OF ALLEGATION #2:** The officer engaged in inappropriate behavior/comments.

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

**FINDINGS OF FACT:** The complainant stated the officer hung up on him, was aggressive towards him on the phone, yelled at him, and would not listen to him. The officer stated the complainant was irate, argumentative, wanted to argue and was confrontational with the officer over the phone. The officer stated he told the complainant not to yell or to conduct himself in that manner or the officer would end the telephone conversation. The officer stated that when the complainant continued in the same manner, he ended the conversation by hanging up the phone. There were no witnesses who heard both sides of the telephone conversation. There was insufficient evidence to prove or disprove the allegation made in the complaint.

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

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

**FINDINGS OF FACT:** The officer denied making the alleged comments or hearing anyone at the station make the alleged comments. There were no witnesses who heard both sides of the telephone conversation. There was insufficient evidence to prove or disprove the allegation made in the complaint.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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**DATE OF COMPLAINT:** 02/16/07 **DATE OF COMPLETION:** 11/03/07 **PAGE#** 1 of 3

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

**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. The available evidence was insufficient to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #2:** The officer failed to properly document the incident.

**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. The available evidence was insufficient to either prove or disprove the allegation.

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**DATE OF COMPLAINT:** 02/16/07 **DATE OF COMPLETION:** 11/03/07 **PAGE#** 2 of 3

**SUMMARY OF ALLEGATION #3:** The officer acted in an inappropriate manner and made an inappropriate comment

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

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

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

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

**FINDINGS OF FACT:** The named member stated that he did not recall the contact with the complainant. No other witnesses came forward. The available evidence was insufficient to either prove or disprove the allegation.

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COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 02/16/07 **DATE OF COMPLETION:** 11/03/07 **PAGE#** 3 of 3

**SUMMARY OF ALLEGATION #5:** The officer acted inappropriately and made an inappropriate comment.

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

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

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**



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**DATE OF COMPLAINT:** 02/20/07 **DATE OF COMPLETION:** 11/20/07 **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant alleged the officer used unnecessary force on her son. Witnesses said the officer punched the complainant's son. The officer denied the allegation. The officer said the complainant's son interfered while he was conducting an arrest so he pushed him on the chest area and told him to back away. A witness officer corroborated the named officer's account of what happened. There is insufficient evidence to either prove or disprove the allegation.

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

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

**FINDINGS OF FACT:** The complainant alleged the officer used profanity. The officer denied the allegation. Witnesses said they did not hear or could not recall what the officer had said. There is insufficient evidence to either prove or disprove the allegation.

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COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 02/27/07 **DATE OF COMPLETION:**11/20/07 **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant relied on a witness statement that an officer had struck a juvenile with his flashlight at least twenty times during his arrest. The co-complainant was a juvenile suspect involved in a series of home invasion robberies with a handgun minutes before his arrest. The witness clarified she saw two officers struggle with a resisting co-complainant, who was under a car and refused to give his hands to the officers. The witness also saw an unidentified officer strike the co-complainant ten to twelve times with a flashlight on his lower back during the arrest. The co-complainant said he was struck twice on the back of his head while partially underneath the car after failing to show his left hand, and four additional times on his lower back after he was pulled out from underneath the car. The officer and his partner denied the allegation and said the officer only struck the co-complainant twice during the time he was reaching under the car for what they believed was a weapon. Medical records report no injuries to the rear torso consistent with the number of strikes reported in this complaint. The co-complainant attributed the abrasion to his left forehead to the impact by a hard object during the first two strikes, and the abrasion to the right forehead to the resulting impact of his head against the pavement. There were conflicting statements and medical evidence regarding the degree of force used during the arrest and there is insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #2:** The officer failed to provide prompt medical attention.

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

**FINDINGS OF FACT:** The complainant said a juvenile arrested in front of her house was bleeding from the back of his head for over an hour without medical attention. The juvenile co-complainant stated he was assessed within ten minutes and transported to a hospital within twenty to thirty minutes from his arrest despite his initial refusal for medical treatment. The officer and his partner stated the co-complainant initially refused medical attention, and gave conflicting statements regarding the reason why an ambulance was summoned sometime thereafter to treat the co-complainant. A witness to the arrest and a supervisor called to the scene could not confirm or deny whether there was a delay in providing prompt medical attention to the co-complainant. There was insufficient evidence to either prove or disprove the allegation.

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**DATE OF COMPLAINT:** 03/12/07 **DATE OF COMPLETION:** 11/15/07 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officer behaved inappropriately.

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

**FINDINGS OF FACT:** The complainant and her friend stated the officer behaved inappropriately and rudely towards them. The officer and two witness officers denied the allegation. Two independent witnesses stated the conduct alleged by the complainant did not occur. The independent witnesses stated the officer acted in a calm and professional manner during the contact. The evidence proved that the conduct alleged did not occur based on the statements of independent witnesses.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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**DATE OF COMPLAINT:** 03/19/07    **DATE OF COMPLETION:** 11/10/07    **PAGE# 1 of 3**

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

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

**FINDINGS OF FACT:** The complainant stated the officer accused him of road rage and gave him a citation because the complainant had requested his name and badge number making it a false citation and perjury. The officer denied the allegation. There were no witnesses to the officer and complainant's conversation. There is insufficient evidence to prove or disprove the allegation.

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

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

**FINDINGS OF FACT:** The complainant stated he was cited falsely. The officer denied the allegation. One witness did not observe the entire incident. There is insufficient evidence to prove or disprove the allegation.

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**DATE OF COMPLAINT:** 03/19/07 **DATE OF COMPLETION:** 11/10/07 **PAGE# 2 of 3**

**SUMMARY OF ALLEGATION #3:** The officer engaged in racial profiling.

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

**FINDINGS OF FACT:** The complainant said the officer followed him and stopped him due to his race. The officer denied the allegation. There is insufficient evidence to prove or disprove the allegation .

**SUMMARY OF ALLEGATION #4:** The officer failed to follow DGO 5.08.

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

**FINDINGS OF FACT:** The complainant stated that after he went around the vehicle in the intersection that the car made a U turn and followed him and then turned on the lights and pulled him over. The officer stated the complainant was a reckless driver and he did not know if he was intoxicated therefore making this an aggravated situation requiring his attention. The other officer stated the complainant came forward at them as if to hit their car. The witness did not observe the incident from the beginning. There were no other witnesses as to the entire incident. There is insufficient evidence to determine if the complainant drove recklessly to pass the officer's vehicle and an aggravated situation.

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**SUMMARY OF ALLEGATION #5:** The officer drove in an improper manner.

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

**FINDINGS OF FACT:** The complainant said he had the right of way and the officer made an unexpected left turn and with no turn signal at a "No Left Turn" sign. The complainant said the officer had no lights and no sirens at the time and he had the right of way. The officer admitted to making the left turn at a "No Left Turn" sign. He said he was responding to a B priority call of graffiti and looking for juveniles that might run toward his direction. The officer said by the time he went around he could miss the juveniles so he made the left turn as he had a clear view. The officer said he did not use his lights and said that there is no such thing as code 2 driving to clear an intersection and there was no reason for him to go Code 3 that is why he visually cleared the intersection instead of using a light. The location of the Graffiti incident seemed to be far from the area where the officers were expecting to locate the juveniles. Per DGO 5.05 II A. Non-Emergency Response, the officer was supposed to respond directly to the assignment and observe all traffic laws and regulations.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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

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

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

**SUMMARY OF ALLEGATION #3:** The officer engaged in an inappropriate conduct.

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

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

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**DATE OF COMPLAINT:** 05/07/07 **DATE OF COMPLETION:** 11/20/07 **PAGE#** 1 of 2

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

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

**FINDINGS OF FACT:** The complainant said the officers used force on him during his arrest. The officers denied the allegation. No witnesses came forward. There is insufficient evidence to either prove or disprove the allegation.

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

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

**FINDINGS OF FACT:** The complainant said the officer searched him without justification. The search was conducted pursuant to a lawful arrest. The evidence proved that the act, which provided the basis for the allegation occurred. However, such act was justified, lawful and proper.



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**DATE OF COMPLAINT:** 05/07/07 **DATE OF COMPLETION:** 11/20/07 **PAGE#** 2 of 2

**SUMMARY OF ALLEGATION #5:** The officer failed to loosen the complainant's handcuffs.

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

**FINDINGS OF FACT:** The complainant said the officer failed to loosen the handcuffs. The officer denied the allegation. No witnesses came forward. There is insufficient evidence to either prove or disprove the allegation.

**OCC ADDED ALLEGATION**

**SUMMARY OF ALLEGATION #6-8:** The officers failed to record the use of force.

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

**FINDINGS OF FACT:** The officers allegedly failed to record the force used. The officers denied the allegation and stated that no force was used on complainant's arrest. No witnesses came forward. There is insufficient evidence to either prove or disprove the allegation.

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**DATE OF COMPLAINT:** 05/08/07 **DATE OF COMPLETION:** 11/15/07 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:**The officer wrote an inaccurate report.

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

**FINDINGS OF FACT:** The officer denied the allegation. The witness officer corroborated the statement of the named member. Witnesses at the scene gave conflicting statements. There is insufficient evidence to prove or disprove the allegation.

**SUMMARY OF ALLEGATION #2:** The officer conducted a biased investigation.

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

**FINDINGS OF FACT:** The officer denied the allegation. Witnesses gave inconsistent statements. There is insufficient evidence to prove or disprove the allegation.

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**DATE OF COMPLAINT:** 03/15/07 **DATE OF COMPLETION:** 11/20/07 **PAGE#** 1 **of** 2

**SUMMARY OF ALLEGATION # 1-2:** The officers arrested the complainant without justification.

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

**FINDINGS OF FACT:** The complainant stated that the officers came to her residence and arrested her for allegedly threatening her neighbor. The officers stated that the complainant was arrested for being drunk in public. The neighbor did not witness the arrest. No other witnesses came forward. There is insufficient evidence to either prove or disprove the allegation.

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

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

**FINDINGS OF FACT:** The complainant stated that the police came to her residence and arrested her for allegedly threatening her neighbor. Police records show that the complainant was arrested for being drunk in public. The neighbor did not witness the arrest. No other witnesses came forward. There is insufficient evidence to either prove or disprove the allegation.

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**DATE OF COMPLAINT:** 03/15/07 **DATE OF COMPLETION:** 11/20/07 **PAGE# 2 of 2**

**SUMMARY OF ALLEGATION #4:** The officers used sexually derogatory comments.

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

**FINDINGS OF FACT:** The identity of the alleged officer(s) has not been established. There is insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #5-6:** The officers used unnecessary force during transport.

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

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

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

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

**FINDINGS OF FACT:** The officers stated the complainant was detained by a muni employee for failing to show proof of payment. The complainant stated that the muni employee and the officers asked him to step off the train. The evidence proved that the acts alleged in the complaint did not occur, or that the named member was not involved in the acts alleged.

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

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

**FINDINGS OF FACT:** The officer stated the complainant was handcuffed for refusing to sign the citation. The complainant admitted he initially refused to sign the citation. The evidence proved that the acts which provided the basis for the allegations occurred; however, such acts were justified, lawful, and proper.

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**DATE OF COMPLAINT:** 05/22/07 **DATE OF COMPLETION:** 11/21/07 **PAGE#** 1 of 3

**SUMMARY OF ALLEGATION #1:** The officer's behavior was threatening, and intimidating.

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

**FINDINGS OF FACT:** The officer denied the allegation. Independent witnesses stated they neither observed nor heard the contact between the officer and the complainant. There is insufficient evidence to either prove or disprove the allegation in the complaint.

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

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

**FINDINGS OF FACT:** The evidence showed the complainant was identified as being part of a group that was involved in an incident at a restaurant that led to a violent assault. Officers conducted cold shows wherein the complainant was identified as being on scene with her friends immediately prior to the assault by her friend. Officers detained the complainant to determine her role in the incident and to investigate and get statements from all parties with knowledge of the incident including the complainant. The evidence showed that the act alleged did occur, however said act was appropriate and lawful.

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

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

**FINDINGS OF FACT:** The officer denied the allegation. Independent witnesses stated they did not observe the entire contact between the officer and the complainant. There is insufficient evidence to either prove or disprove the allegation

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

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

**FINDINGS OF FACT:** The complainant stated she was handcuffed without justification. The named officer and other officers stated the complainant was detained and handcuffed following a violent assault committed by the complainant's friend at a restaurant. The complainant was identified as being on scene immediately prior to the assault. The officers stated the complainant was handcuffed for the safety of officers and others due to the violent nature of the crime and for further investigation into the crime to determine the complainant's role and knowledge of the crime. The investigation showed that the act alleged in the complaint did occur, however said act was lawful and appropriate.

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**SUMMARY OF ALLEGATION #5:** The officer selectively enforced the law against the complainant.

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

**FINDINGS OF FACT:** The investigation showed the officer did not selectively enforce the law against the complainant. The complainant was identified as part of a group that was involved in a violent assault at a restaurant. The complainant was part of a group with different ethnicities and persons from this group were either arrested or detained based on a felony assault that occurred. Independent witnesses identified the complainant as part of the group that had been in the restaurant immediately prior to the assault committee by a person in the complainant's group. The suspect and the complainant had an argument that led to the assault. The complainant was identified as being part of the group but not the person who committed the actual assault. The evidence showed that the officer acted appropriately and lawfully in enforcing the law.

**SUMMARY OF ALLEGATION #6:** The officer placed tight handcuffs on the complainant.

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

**FINDINGS OF FACT:** The officer denied the allegation and stated he checked the handcuffs for tightness after placing them on the complainant. No witnesses came forward during the investigation who either heard or observed the complainant state the handcuffs were on tightly. A medical record from a chiropractor stated the complainant had upper extremity pain and was able to work full time with no restrictions within one day of the incident. There is insufficient evidence to either prove or disprove the allegation.



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**DATE OF COMPLAINT:** 05/25/07 **DATE OF COMPLETION:** 11/15/07 **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant stated the officer arrested him without cause. The investigation showed that the complainant was arrested for making threats during a court proceeding. Evidence collected during the investigation corroborated that the complainant did make threats to harm an attorney during the court proceeding. An EPO was issued against the complainant because of the threats made by the complainant. The evidence shows that the officer acted appropriately, lawfully and legally by arresting the complainant.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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**DATE OF COMPLAINT:** 05/29/07      **DATE OF COMPLETION:** 11/10/07      **PAGE#** 1 of 2

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

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

**FINDINGS OF FACT:** The officer admitted to making the comment. The comment was inappropriate in violation of the Department General Order 2.01 regarding public courtesy.

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

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

**FINDINGS OF FACT:** The officer admitted to making one of the comments, which was an appropriate admonition. The officer denied making the other alleged comment. The witness officer denied hearing the named member make the alleged comment. There were no other witnesses. There is insufficient evidence to reach a definitive finding.

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**SUMMARY OF ALLEGATIONS 3-4:** The officers engaged in selective enforcement.

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

**FINDINGS OF FACT:** The officers denied the allegation. There is insufficient evidence to reach a definitive finding.

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

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

**FINDINGS OF FACT:** The officer admitted to an error in the code cited on the citation. The "Description" section of the citation properly documented the nature of the violation. The error by the officer does not rise to the level of misconduct.

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**SUMMARY OF ALLEGATIONS #1-2:** The officers failed to properly investigate the incidents involving the complainant and his girlfriend

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

**FINDINGS OF FACT:** The complainant stated that two SFPD inspectors “rigged evidence” against him and failed to properly investigate the incidents involving the complainant and his former girlfriend. The named members stated that they took proper and necessary steps during their investigation of domestic violence incidents between the complainant and his former girlfriend. The complainant’s former girlfriend and another civilian witness supported the officers’ statements and contradicted the complainant’s allegation. The OCC’s review of the police interview tapes and their investigative record did not reveal any evidence in support of the complainant’s allegation. The court records showed that, based on the SFPD investigation of the DV incidents, the DA decided to prosecute the complainant and he, subsequently, pleaded No Contest to a lesser charge. A preponderance of the evidence showed that the SFPD inspectors assigned to this criminal case took proper and reasonable steps to investigate the incidents involving the complainant and his former girlfriend.

**SUMMARY OF ALLEGATION #3:** The officer engaged in an inappropriate conduct and made inappropriate comments.

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

**FINDINGS OF FACT:** The complainant stated that at the time of the police interview prior to his arrest, the SFPD officer yelled at him and made inappropriate comments using profanity. The named member denied acting in the manner alleged. The tape of the complainant’s interview with the officer did not capture the said incident. The available evidence was insufficient to either prove or disprove the allegation.

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**DATE OF COMPLAINT:** 06/29/06 **DATE OF COMPLETION:** 11/10/07 **PAGE#** 1 of 3

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

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

**FINDINGS OF FACT:** The complainant stated that he had just one beer prior to this police contact and that he was not intoxicated. The named member stated that he placed the complainant under arrest when he observed the complainant driving recklessly and then after, the traffic stop was effected. The complainant exhibited clear signs of intoxication and having alcohol on his breath. No witnesses came forward. The available evidence was insufficient to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #2:** The officer used excessive force against the complainant.

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

**FINDINGS OF FACT:** The complainant stated that throughout their contact, the officer used excessive force against him. The named member denied using any excessive force against the complainant. The complainant's jail medical record showed him having a small scratch on the wrist and no other injuries. No witnesses came forward. The available evidence was inconclusive and insufficient to either prove or disprove the allegation.

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**DATE OF COMPLAINT:** 06/29/06 **DATE OF COMPLETION:** 11/10/07 **PAGE#** 2 of 3

**SUMMARY OF ALLEGATION #3:** The officer used profanity.

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

**FINDINGS OF FACT:** The complainant stated that the officer used profane language and called him derogatory names. The named member denied using such language during this police contact. There were no witnesses to this part of the incident. The available evidence was insufficient to either prove or disprove the allegation.

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

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

**FINDINGS OF FACT:** The complainant stated that the officer made inappropriate comments during their contact. The named member denied the alleged misconduct. There were no other witnesses to this part of the incident. The available evidence was insufficient to either prove or disprove the allegation.

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**SUMMARY OF ALLEGATION #5:** The officer failed to follow the Department Policy on DUI arrests.

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

**FINDINGS OF FACT:** The complainant stated that the officer failed to conduct any field sobriety tests before taking him to a police facility for a blood draw. The named member stated that the complainant exhibited such clear signs of intoxication that any such tests in the field would have been unsafe for the complainant. The Office of Citizen Complaints found that the Department Policy on DUI arrests does not require members to conduct multiple field sobriety tests before subjecting individuals to chemical or blood tests. Given the circumstances of this incident, the officer's actions were proper and within the Department policy.

**SUMMARY OF ALLEGATION #6:** The officer failed to properly process the complainant's property.

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

**FINDINGS OF FACT:** The complainant stated that his baseball cap was not returned to him after his release from jail. The named member could not recall whether the complainant had, in fact, a baseball cap or whether he conducted the inventory of the complainant's property. The complainant's property slip did not show any baseball caps at the time he was processed at the police station before being booked at the county jail. The available evidence was insufficient to either prove or disprove the allegation.

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**SUMMARY OF ALLEGATIONS #1-2:** The officers failed to properly investigate the incidents involving the complainant and his girlfriend

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

**FINDINGS OF FACT:** The complainant stated that two SFPD inspectors “rigged evidence” against him and failed to properly investigate the incidents involving the complainant and his former girlfriend. The named members stated that they took proper and necessary steps during their investigation of domestic violence incidents between the complainant and his former girlfriend. The complainant’s former girlfriend and another civilian witness supported the officers’ statements and contradicted the complainant’s allegation. The OCC’s review of the police interview tapes and their investigative record did not reveal any evidence in support of the complainant’s allegation. The court records showed that, based on the SFPD investigation of the DV incidents, the DA decided to prosecute the complainant and he, subsequently, pleaded No Contest to a lesser charge. A preponderance of the evidence showed that the SFPD inspectors assigned to this criminal case took proper and reasonable steps to investigate the incidents involving the complainant and his former girlfriend.

**SUMMARY OF ALLEGATION #3:** The officer engaged in an inappropriate conduct and made inappropriate comments.

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

**FINDINGS OF FACT:** The complainant stated that that at the time of the police interview prior to his arrest, the San Francisco Police Department officer yelled at him and made inappropriate comments using profanity. The named member denied acting in the alleged manner. The tape of the complainant’s interview with the officer did not capture the said incident. The available evidence was insufficient to either prove or disprove the allegation.



**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 06/15/07 **DATE OF COMPLETION:** 11/16/07 **PAGE # 1 of 1**

**SUMMARY OF ALLEGATION #1 :** The officer was inattentive to his duties.

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

**FINDINGS OF FACT:** The complainant stated he saw a marked San Francisco Police car park in front of his apartment. The complainant stated he observed the driver of the police car enter the apartment complex and proceed to an apartment where a “drag queen” lived. The complainant stated the officer was inside the apartment for approximately 45 minutes. The officer admitted being at the apartment, visiting a friend. The evidence established that the engaged in personal activity while on duty, causing him to be inattentive to his duties. Additionally, the officer was out of this district and failed to notify anyone of his whereabouts. A preponderance of the evidence proved that the conduct complained of did occur, and that using as a standard the applicable regulations of the Department, the conduct was improper.

**SUMMARY OF ALLEGATION #2:** The officer failed to maintain radio contact with Communications Division.

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

**FINDINGS OF FACT:** The officer failed to maintain radio contact with Communications Division upon leaving his assigned district. The investigation established that the officer, a supervisor with the Department, was not required to notify dispatch when he left his assigned district. The evidence proved that the act by the member was justified by Departmental policy, procedure, or regulation; however, the OCC recommends a change in the particular policy, procedure, or regulation.

**OFFICE OF CITIZEN COMPLAINTS  
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**DATE OF COMPLAINT:** 06/15/07    **DATE OF COMPLETION:** 11/28/07    **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant stated an Asian officer told him to go back inside his house. The co-complainant said the named officer told him to stop interfering with the investigation and ordered the complainant to get back into his home. The named officer denied issuing an invalid order to the complainant. The officer said he interacted solely with the co-complainant and had no communication with the complainant. The officer said he told the co-complainant to not interfere with the investigation, as did other officers at the scene. The witness officer said he did not hear any officer issue an invalid order to the complainant. The complainant stated the co-complainant was yelling just a little bit, but was calmer than usual. There is insufficient evidence to either prove or disprove the allegation made in the complaint.

**SUMMARY OF ALLEGATION #2:** The officer failed to properly investigate.

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

**FINDINGS OF FACT:** The initial reporting officer denied the allegation. The reporting officer said the co-complainant was not present when he took the report and was not a witness to the crime. The officer took a statement from the complainant, obtained all relevant information of the suspect, explained all services afforded to the complainant and prepared the incident report. The reporting officer was not obligated to take the statement from the co-complainant, as the co-complainant did not witness the incident nor could he offer material evidence relevant to the incident. The evidence proved that the acts which provided the basis for the allegation occurred; however, the act was justified, lawful, and proper.

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**DATE OF COMPLAINT:** 06/20/07 **DATE OF COMPLETION:** 11/20/07 **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant alleged the officer behaved inappropriately and/or made comments. The officer denied the allegation. One witness said he arrived after the fact and did not witness the interaction between the complainant and the officer. 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  
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**DATE OF COMPLAINT:** 06/20/07 **DATE OF COMPLETION:** 11/10/07 **PAGE #** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officer used excessive force.

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

**FINDINGS OF FACT:** The complainant stated he was not moving fast enough for the officers so the officer grabbed his elbow, jerked him, and kicked his foot from under him bringing him to his knees hard on the ground. The officers denied the allegation. There were no witnesses. The complainant had no visible injuries and no medical documentation. There is insufficient evidence to prove or disprove the allegation .

**SUMMARY OF ALLEGATION # 2-3:** The officers exhibited inappropriate behavior.

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

**FINDINGS OF FACT:** The complainant stated the officers threatened him and the officers made comments, taunted and teased him. The officers denied the allegation. There were no other witnesses. There is insufficient evidence to prove or disprove the allegation.

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**DATE OF COMPLAINT:** 06/14/07 **DATE OF COMPLETION:** 11/21/07 **PAGE#** 1 of 2

**SUMMARY OF ALLEGATION #1-2:** The officers arrested the complainant's son without cause.

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

**FINDINGS OF FACT:** The complainant alleged the officers arrested her son without cause. The officers stated they arrested the complainant's son for public intoxication, possession of stolen property and possession of drug paraphernalia. The complainant's son has not come forward. No other witnesses came forward. There is insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #3-4:** The officers failed to administer sobriety test.

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

**FINDINGS OF FACT:** The complainant alleged the officers failed to administer sobriety test. The officers said they could not conduct a sobriety test because the complainant's son was not driving his vehicle when they arrested him. The evidence proved that the act, which provided the basis for the allegation was justified, lawful and proper.

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**DATE OF COMPLAINT:** 06/14/07 **DATE OF COMPLETION:** 11/21/07 **PAGE#** 2 of 2

**SUMMARY OF ALLEGATION #5-6:** The officer failed to properly process property.

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

**FINDINGS OF FACT:** The basis for this allegation is that the officers left the vehicle the complainant's son was in at the scene of his arrest. The officers stated they did not tow the vehicle because it was not needed for evidence and that they left it at a location where it was legally parked. Department General Order 9.06 allows officers the discretion to tow a vehicle if the vehicle is parked in a place that will be legal to park for 24 hours. The evidence shows it was legal to park the car at its location. No witnesses came forward. The evidence proved that the act, which provided the basis for the allegation was justified, lawful and proper.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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

**SUMMARY OF ALLEGATIONS #1 and 2 :** The officers failed to take required action

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

**FINDINGS OF FACT:** The complainant stated the officers did not take seriously her complaint that her neighbors had threatened her. The officers stated the complainant was irrational and belligerent and has a history of mental illness and of making false complaints against her neighbors. The officers said the complainant did not cooperate with their efforts to investigate her complaint. The officers' conduct was proper.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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**DATE OF COMPLAINT:** 07/25/06 **DATE OF COMPLETION:** 11/15/07 **PAGE#** 1 of 4

**SUMMARY OF ALLEGATIONS #1:** The officer failed to display his star.

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

**FINDINGS OF FACT:** The complainant stated a plainclothes officer confronted him at gunpoint without properly identifying himself at which point he ran from that unknown person. Two uniformed officers identified in the Incident Report as well as several other officers on scene confirmed the two officers who ordered the complainant to the ground were in uniform displaying their stars without any garment to block or obscure their uniform as police officers.

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

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

**FINDINGS OF FACT:** The complainant stated there was no reason for him to be handcuffed although he did not wish to discuss the basis of his arrest charges. The preponderance of the evidence established that the complainant matched the description of the suspect reported brandishing a weapon at others in the area. The caller positively identified the complainant where he was arrested. Handcuffing is a required procedure when placing a suspect into custody prior to being transported to a police facility. The officers involved in the arrest denied handcuffing the complainant, therefore there is insufficient evidence to prove or disprove the allegation against any particular officer.



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**SUMMARY OF ALLEGATIONS #3:** The officer failed to double-lock the handcuffs.

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

**FINDINGS OF FACT:** Several officers involved in the arrest denied handcuffing the complainant or being able to verify or deny whether or not the handcuffs applied on the complainant were double-locked. The officers questioned attributed the injury to the complainant to his resistance during his arrest on the ground. There is evidence the complainant sustained abrasions to one of his wrists; however, there is insufficient evidence to either prove or disprove the allegation against any particular officer.

**SUMMARY OF ALLEGATIONS #4:** The officers used excessive force while in custody.

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

**FINDINGS OF FACT:** The complainant stated that after being handcuffed an unidentified officer walked him across the street, threw him face down onto the pavement, where other officers kicked, kneed, and punched at his torso and head area while in restraints. The complainant did not respond to Office of Citizen Complaints requests for additional information and photo identification of the officers. All officers questioned denied the allegation. Other witnesses on scene could neither prove nor disprove the allegation against any particular officer. The facial and wrist abrasions sustained by the complainant could have been sustained by the alleged acts or by the complainant's own resistance during his arrest on the ground. There is insufficient evidence to either prove or disprove the allegation against a particular officer.

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**DATE OF COMPLAINT:** 07/25/06 **DATE OF COMPLETION:** 11/15/07 **PAGE#** 3 of 4

**SUMMARY OF ALLEGATIONS #5:** The officer used profane language during the arrest.

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

**FINDINGS OF FACT:** The complainant stated one of the officers at the scene of his arrest called him a profane name. All officers involved in the arrest denied the allegation. None of the witnesses on scene could either prove or disprove the allegation. There is insufficient evidence to either prove or disprove the allegation against a particular officer.

**SUMMARY OF ALLEGATIONS #6-8:** The officers failed to provide the Miranda Admonishment.

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

**FINDINGS OF FACT:** The complainant stated that three officers in the station questioned him about his possession of a firearm and why he was running from them. Two of the officers denied questioning the complainant while in custody, a third officer remains unidentified. There was no witness to either prove or disprove the allegation. There is insufficient evidence to either prove or disprove the allegation.

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**SUMMARY OF ALLEGATION #9-11:** The officers failed to properly process property.

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

**FINDINGS OF FACT:** The complainant stated an unidentified officer took a ring from him during his arrest, and two other officers involved in his booking attempted to take property from him. The officers booking the complainant denied the allegation and stated they knew of no officer who took a ring from the complainant. The officers also denied they attempted to take any property from the complainant, which was all within his property envelope. There were no witnesses inside the station who could prove or disprove the allegation. There is insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #12:**The officer applied tight handcuffs.

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

**FINDINGS OF FACT:** The complainant said the officer removed his handcuffs at the station and re-handcuffed him to a second set of handcuffs attached to the station holding rail. In doing so, the complainant said the officer applied the second set of handcuffs excessively tight to one of his wrists. The officer denied the allegation and there were no witnesses to either prove or disprove the allegation. There is insufficient evidence to either prove or disprove the allegation.

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

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

**FINDINGS OF FACT:** The officer denied the allegation. There were no witnesses. There is conflicting evidence. A definitive finding cannot be reached.

**SUMMARY OF ALLEGATION #2:** The officer failed to properly process the complainant's property.

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

**FINDINGS OF FACT:** The property in question was not returned to the complainant upon her release from jail because it was booked into evidence. The conduct of the officer was proper.

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**DATE OF COMPLAINT:** 08/03/07 **DATE OF COMPLETION:** 11/10/07 **PAGE#** 1 of 2

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

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

**FINDINGS OF FACT:** The complainant alleged the officers used unnecessary force during his detention. The officers denied the allegation. Witnesses did not witness any force being used. No other witnesses came forward. There is insufficient evidence to either prove or disprove the allegation.

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

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

**FINDINGS OF FACT:** The complainant said the officer used profanity. The officers denied the allegation. Witnesses did not hear any profanity being used. No other witnesses came forward. There is insufficient evidence to either prove or disprove the allegation.

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**DATE OF COMPLAINT:** 08/03/07 **DATE OF COMPLETION:** 11/10/07 **PAGE#** 2 of 2

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

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

**FINDINGS OF FACT:** The complainant said the officer handcuffed him without justification. The officer stated he needed to handcuff the complainant for his safety. The evidence shows that the situation was chaotic. The officer and his partner were initially out-numbered by the complainant's group. The complainant is a large and tall person. The evidence proved that the act that provided the basis for the allegation occurred. However, such act was justified, lawful and proper.

**SUMMARY OF ALLEGATION #6:** The officer failed to provide his name and star number.

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

**FINDINGS OF FACT:** The complainant alleged the officer failed to provide his name and star number when asked. The officer denied the allegation. Witnesses said they did not hear the complainant ask the officers for their names and star numbers. There is insufficient evidence to either prove or disprove the allegation

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**DATE OF COMPLAINT:**08/03/07**DATE OF COMPLETION:** 11/03/07 **PAGE#** 1 of 3

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

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

**FINDINGS OF FACT:** The complainant alleged the officers used unnecessary force during his detention. The officers denied the allegation. No witnesses came forward. There is insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #4:** The officers used profanity.

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

**FINDINGS OF FACT:** The complainant said the officer used profanity. The officer denied the allegation. No witnesses came forward. There is insufficient evidence to either prove or disprove the allegation.

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**DATE OF COMPLAINT:** 08/03/07 **DATE OF COMPLETION:** 11/03/07 **PAGE#** 2 of 3

**SUMMARY OF ALLEGATION #5:** The officers failed to provide medical treatment.

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

**FINDINGS OF FACT:** The complainant said he told the officers about the pain on his ribs but the officers did not provide medical assistance. The officers denied the allegation. One officer said the complainant declined to have medical treatment. No witnesses came forward. There is insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATIONS #6-9:** The officers detained the complainant at gunpoint.

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

**FINDINGS OF FACT:** The complainant said the officers detained him at gunpoint. The officers stated they made a felony stop on complainant after receiving information from dispatch that complainant was driving a stolen vehicle. The evidence proved that the acts, which provided the basis for the allegations, occurred. However, such acts were justified, lawful and proper.



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**SUMMARY OF ALLEGATION #10-12:** The officers failed to report the use of force.

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

**FINDINGS OF FACT:** The officers failed to report the use of force. The officers 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:**

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**DATE OF COMPLAINT:** 08/06/07 **DATE OF COMPLETION:** 11/29/07 **PAGE#** 1 of 2

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

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

**FINDINGS OF FACT:** The officer stated he saw the complainant holding the victim by both of her biceps with enough force to lift her off her feet up against a brick wall. The complainant admitted the couple were having a loud verbal argument but denied there being a physical altercation. The witness/victim admitted she was engaged in a loud verbal argument with the complainant. A second witness stated the complainant grabbed her when she attempted to walk away. 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 handcuffed the complainant without justification.

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

**FINDINGS OF FACT:** The officer stated the complainant was handcuffed after being placed under arrest. The evidence proved that the acts, which provided the basis for the allegations, occurred; however, such acts were justified, lawful, and proper.

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**DATE OF COMPLAINT:** 08/06/07 **DATE OF COMPLETION:** 11/29/07 **PAGE # 2 of 2**

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

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

**FINDINGS OF FACT:** The complainant stated the officer tried to break his arm. The officer denied the allegation. The officer stated the complainant “Turned his aggressions towards me.” The officer further stated, “The complainant began a verbal attack on me which escalated to verbal challenges.” The officer stated, “Again, based on the complainant’s behavior and emotional state he was placed under arrest for above listed reasons and handcuffed.” There was insufficient evidence to either prove, or disprove the allegation made in the complaint.

**SUMMARY OF ALLEGATION #4:** The officers used unnecessary force at the station.

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

**FINDINGS OF FACT:** There was insufficient evidence to either prove, or disprove the allegation made in the complaint. The identity of the officer has not been determined.

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**SUMMARY OF ALLEGATION #1-3:** 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 November 27, 2007.

**SUMMARY OF ALLEGATION #3-5:** The officer failed to take required action.

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

**FINDINGS OF FACT:** By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on November 27, 2007.

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**DATE OF COMPLAINT:** 08/24/07 **DATE OF COMPLETION:** 11/30/07 **PAGE# 2 of 2**

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

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

**FINDINGS OF FACT:** By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on November 27, 2007.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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**DATE OF COMPLAINT:** 08/28/07    **DATE OF COMPLETION:** 11/10/07 **PAGE# 1 of 3**

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

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

**FINDINGS OF FACT:** The complainant stated, the named member arrested him for playing amplified music in the street. The complainant stated, he was in compliance and packing his equipment to leave. The complainant admitted he was warned the week before. The named member denied the allegation. The named member stated, the complainant was arrested for playing music without a permit and resisting arrest (violation 49 S.F. Municipal Code and 148 (a)(L) PC. No witnesses came forward. The evidence proved the acts, which provided the basis for the allegation occurred: However, such acts were justified, lawful and proper.

**SUMMARY OF ALLEGATION # 2-3:** The officers used unnecessary force during the arrest.

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

**FINDINGS OF FACT:** The complainant stated, the named members grabbed his arms with a hard grasp while he put his arms behind his back. The complainant stated, the named members threw him into the wagon head- first. The named members denied the allegation. The named members stated, the complainant resisted arrest. No witnesses came forward. There was insufficient evidence to either prove, or disprove the allegation made in the complaint.

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**DATE OF COMPLAINT:** 08/28/07    **DATE OF COMPLETION:** 11/10/07    **PAGE# 2 of 3**

**SUMMARY OF ALLEGATION #4:** The officer used unnecessary force for tight handcuffs.

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

**FINDINGS OF FACT:** The complainant stated, the named member put handcuffs on him so hard; he had bruises for two weeks. The named member denied the allegation. No witnesses came forward. There was insufficient evidence to either prove, or disprove the allegation made in the complaint.

**SUMMARY OF ALLEGATION #5:** The officer used profanity.

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

**FINDINGS OF FACT:** The complainant stated, the named member used profanity while the complainant was at the station. The named member denied the allegation. There were no witnesses. There was insufficient evidence to either prove, or disprove the allegation made in the complaint.

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**SUMMARY OF ALLEGATION #6:** The officers failed to properly process the complainant's property.

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

**FINDINGS OF FACT:** The complainant stated, the officers threw his equipment across the room (at the station). There were no witnesses. There was insufficient evidence to either prove, or disprove the allegation made in the complaint.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**



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**DATE OF COMPLAINT:** 08/29/07    **DATE OF COMPLETION:** 11/10/07    **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 placed him in a 5150 detention based on only one person's assertions. The officer stated he interviewed the witness who provided information that the complainant was not acting normally as the complainant drove in the area almost striking pedestrians. The officer then interviewed the complainant and based on the complainant's responses determined the complainant to be a threat to himself or others. The complainant's statements to Office of Citizen Complaints and medical records corroborate the information gathered by the officer. The evidence proved the act which provided the basis for the complaint, was proper and justified pursuant to department regulations and state law

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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**DATE OF COMPLAINT:** 08/31/07      **DATE OF COMPLETION:** 11/15/07      **PAGE# 1 of 1**

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

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

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

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

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

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

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**DATE OF COMPLAINT:** 08/31/07 **DATE OF COMPLETION:** 11/16/07 **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 officer said he witnessed the violation first hand. There were no identified witnesses. There is insufficient evidence to reach a definitive finding.

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

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

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

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**DATE OF COMPLAINT:** 08/31/07 **DATE OF COMPLETION:** 11/16/07 **PAGE#** 2 **of** 2

**SUMMARY OF ALLEGATION #3:**The officer engaged in selective enforcement.

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

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

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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**DATE OF COMPLAINT:** 09/07/07 **DATE OF COMPLETION:** 11/30/07 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** 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 28, 2007.

**SUMMARY OF ALLEGATION #2:** The officer's behavior was intimidating.

**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 28, 2007.

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**DATE OF COMPLAINT:** 09/10/07 **DATE OF COMPLETION:** 11/19/07 **PAGE#** 1 of 3

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

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

**FINDINGS OF FACT:** The officers stated they arrested the complainant for battery after the complainant's roommate signed a citizens arrest form. The officers stated the complainant was taken into custody due to the likelihood of the offense continuing. The officers had the discretion to take the complainant into custody. The officers' conduct was proper.

**SUMMARY OF ALLEGATION #3:** The officers failed to provide the complainant with his HIV medication.

**CATEGORY OF CONDUCT:** ND      **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's Sheriff's Department.

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**SUMMARY OF ALLEGATIONS #4-5:** The officers did not allow the complainant to change into clean clothing after he soiled himself.

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

**FINDINGS OF FACT:** One officer stated that during his booking search of the complainant, he found no evidence that the complainant soiled himself. Both officers stated they observed drug paraphernalia and an empty gun holster during a protective sweep of the complainant's bedroom. The officers stated that removing the complainant's handcuffs and allowing the complainant to return to his bedroom posed concerns about officer safety. The officers' conduct was proper.

**SUMMARY OF ALLEGATION #6:** The officer punched a prisoner.

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

**FINDINGS OF FACT:** The complainant alleged that the officer came into his cell and punched the complainant's cellmate. Contact attempts with a prisoner listed on the Arrest Log met with negative results. The officer stated there were no other prisoners in the complainant's cell at the station. The officer's partner did not recall any other prisoners being in the station at that time. There was no evidence to prove or disprove that the complainant had a cellmate.

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**SUMMARY OF ALLEGATIONS #7-8:** The officers failed to resolve the complainant's dispute with his roommate.

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

**FINDINGS OF FACT:** The officers had no duty to settle a civil dispute between roommates. The officers' conduct was proper.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**



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**DATE OF COMPLAINT:** 09/10/07 **DATE OF COMPLETION:** 11/19/07 **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant alleged he was cited twelve times in four months for no reason but could not provide evidence of these citations. An officer who issued one citation stated he cited the complainant after observing the complainant fail to stop at a stop sign. The officer further stated, and this agency confirmed, that the complainant's driver's license has been suspended since November 2005. An officer identified by the complainant stated he recalled speaking with the complainant about a cracked windshield but did not recall citing the complainant. There was no evidence of any other citations in the computer databases. The complainant had no legal right to drive and therefore no standing to make a complaint about any traffic citations. The officers' conduct was proper.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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**DATE OF COMPLAINT:** 09/13/07 **DATE OF COMPLETION:** 10/15/07 **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant stated that an officer ordered him out of a park space deemed open to the public. On the date and time of the incident complained of, the open space was in fact not open to the public and had been subject to the permitting process, including a public notice stating that no member of the public was allowed to remain in the area. The complainant stated that other members of the public were in fact remaining in the area in question while he was ordered to leave. The OCC interviewed a witness who overheard a portion of the interaction between the named officer and the complainant. The witness overheard the officer tell the complainant he could not stay in the area in question. The complainant admitted he was in the area where the event was permitted. The investigation showed the officer acted appropriately and lawfully when issuing the order to leave the restricted permitted area.

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

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

**FINDINGS OF FACT:** The complainant stated the officer threatened to arrest the complainant for trespassing. The officer denied the allegation. The witness did not overhear the entire conversation. No other witnesses came forward. There was insufficient evidence to prove or disprove the allegation made in the complaint.

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**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 complainant stated his MP3 player was misplaced after the officer handled it. The investigation proved another police officer as well as various members of the San Francisco General Hospital PES staff handled the complainant's property as well. There is insufficient evidence to either prove or disprove the allegation made in this complaint.

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

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

**FINDINGS OF FACT:** Another officer, not the alleged officer, handcuffed the complainant. The evidence proved the acts alleged in the complaint did not occur or that the named member was not involved in the acts alleged.

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

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

**FINDINGS OF FACT:** The complainant alleged the officer made inappropriate comments and acted aggressively towards him. The officer denied the allegation. There were no witnesses to the incident. There is insufficient evidence to either prove or disprove the allegation made in the complaint.

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

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

**FINDINGS OF FACT:** The complainant alleged the officer used profanity while speaking to him. The officer denied the allegation. There were no witnesses to the incident. There is insufficient evidence to either prove or disprove the allegation made in the complaint.

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**SUMMARY OF ALLEGATION #1:** The officer wrote an inaccurate report.

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

**FINDINGS OF FACT:** The complainant alleged the officer wrote a false report that stated in part, the complainant's son threatened to shoot police officers. Review of an audio recording made by the officer during the incident confirmed the statements made to officers by the complainant's son. Those statements are the same statements listed in the incident report. The evidence proved the acts, which provided the basis for the allegation occurred; however, such acts were justified, lawful and proper.

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

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

**FINDINGS OF FACT:** The complainant alleged the officer harassed her. The complainant alleged when the officer towed her son's car it was an act of harassment. The complainant's son's car was towed for expired registration and what appeared to be altered DMV registration forms. The complainant's son requested a police supervisor respond to the scene. The on-duty police sergeant responded to the scene, explained why the car was going to be towed, and authorized the officer to tow the vehicle. The evidence proved the acts, which provided the basis for the allegation occurred; however, such acts were justified, lawful and proper.

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

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

**FINDINGS OF FACT:** The complainant failed to provide additional requested information needed to further the investigation.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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**SUMMARY OF ALLEGATION #1:** The officer behaved inappropriately.

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

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

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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**SUMMARY OF ALLEGATIONS #1-3:** The officers entered and searched the complainant's residence without cause.

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

**FINDINGS OF FACT:** The complainant stated she gave the officers consent to enter her home to look for her grandson. The complainant stated the officers looked only in her grandson's room and his closet. The officers stated they received information that the complainant's grandson may have been involved in a homicide and went to the complainant's home to find her grandson. The two officers who spoke to the complainant stated the complainant gave them voluntary consent to enter her house and look for her grandson. The third officer secured a perimeter in the complainant's backyard. The officers' actions were proper.

**SUMMARY OF ALLEGATIONS #:**

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

**FINDINGS OF FACT:**



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

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

**FINDINGS OF FACT:** The officers stated they approached the complainant to conduct a trespassing investigation. The officers stated the complainant became verbally abusive and began to swing his camera at the officers. A security guard who witnessed this incident stated the complainant began cursing at the officers and swinging his camera at the officers, as if to hit them. The officers had reasonable suspicion to detain the complainant to determine if he was trespassing on private property.

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

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

**FINDINGS OF FACT:** The officer stated he handcuffed the complainant for officer safety reasons when the complainant became verbally abusive and began to swing his camera at the officers. A security guard who witnessed this incident confirmed that the complainant was cursing and swinging his camera at the officers. Officers have the discretion to handcuff individuals they believe pose a threat to their safety and the safety of others. This officer's conduct was proper.

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**SUMMARY OF ALLEGATION #4:** The officer broke the complainant's camcorder.

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

**FINDINGS OF FACT:** The officer stated that when the complainant was swinging his camera around, he took the camera from the complainant and set it down on some of the complainant's belongings. He did not admit or deny breaking the camera. The officer's partner stated he observed the officer take a camcorder out of the complainant's hand and place it on top of property the complainant had at his feet. A witness stated when the complainant began swinging the camera at the officers, one of the officers took hold of the camera and the complainant roughly pulled it away from the officer. The witness stated the officer took the camera away from the complainant and placed it on the complainant's property. The complainant filmed this incident with the camcorder after it was taken away from him. The camera was not broken. This allegation is unfounded.

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

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

**FINDINGS OF FACT:** The officer denied making inappropriate comments. The officer's partner stated he did not hear the officer make any inappropriate comments. A witness stated he did not hear the officer make any inappropriate comments. The complainant filmed this incident. In the film, the officer does not make any inappropriate comments. The entire incident was not filmed. There was no additional evidence to further prove or disprove the allegation. The allegation is not sustained.

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

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

**FINDINGS OF FACT:** The named member stated he instructed the officers to enter the complainant's residence to conduct a well being check. 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 officers searched the residence without permission.

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

**FINDINGS OF FACT:** The officers stated they entered the residence to conduct a well being check. Officers stated they only conducted a visual search on the premises. The officers denied conducting a physical search of the premises. There was insufficient evidence to either prove, or disprove the allegation made in the complaint.

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**DATE OF COMPLAINT:** 09/25/07 **DATE OF COMPLETION:** 11/14/07 **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on November 12, 2007.

**SUMMARY OF ALLEGATION #2:** The officer behaved inappropriately.

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

**FINDINGS OF FACT:** By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on November 12, 2007.

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**DATE OF COMPLAINT:** 09/26/07 **DATE OF COMPLETION:** 11/15/07 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officer acted inappropriately.

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

**FINDINGS OF FACT:** The complaint withdrew the complaint.  
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**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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**SUMMARY OF ALLEGATION #1:** The officer acted inappropriately.

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

**FINDINGS OF FACT:** The complainant stated the officer gave a cheek-to-cheek kiss/greeting and spoke in another language to the storeowner. The officer denied the allegation and stated he spoke only in English and did not kiss anyone at the scene. Witnesses stated they did not see the officer kiss anyone or speak in another language at the scene. The evidence proved that the act alleged in the complaint did not occur.

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

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

**FINDINGS OF FACT:** The complainant stated the officer used force to put his arm behind his back in order to handcuff him. The officer stated he used minimal force to attempt to handcuff the complainant due to a citizens arrest request by the storeowner. The witnesses stated they saw no force used upon the complainant. The evidence proved that the acts, which provided the basis for the allegations occurred, however, such acts were justified, lawful, and proper.

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**SUMMARY OF ALLEGATION #3:** The officer failed to state the reason for the arrest/detention of the complainant

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

**FINDINGS OF FACT:** The complainant stated the officer did not tell him why he was being detained and, or arrested. The officer stated he explained to the complainant why he was being detained and to be arrested. The officer stated he was trying to get the complainant to resolve the payment dispute with the storeowner. Witnesses stated the officer explained to the complainant the options and the possible arrest situation coming up. 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 #4:** The officer misused his police authority.

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

**FINDINGS OF FACT:** The complainant stated the officer took his money from him. The officer denied the allegation. The officer stated the complainant decided to pay the storeowner on his own accord. Witnesses stated the officer did not take the complainants money. The evidence proved that the act, which provided the basis for the allegations, did not occur.

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

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

**FINDINGS OF FACT:** The complainant stated he requested from the officer his name and star number but none was provided by the officer. The officer stated he did provide his name and star number. The witnesses did not hear the complainant's request for the officer's identification. There is insufficient evidence to prove or disprove the allegation made in the complaint.

**SUMMARY OF ALLEGATION #6:** The officers failed to take an Incident Report.

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

**FINDINGS OF FACT:** The complainant stated he went to the police station and a police report was not made. A poll of the station officers was completed and the officers could not be identified. There were no witnesses identified at this time. There is insufficient evidence to prove or disprove the allegation made in the complaint.



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

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

**FINDINGS OF FACT:** The complainant failed to provide additional requested evidence and/or information.

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

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

**FINDINGS OF FACT:** The complainant failed to provide additional requested evidence and/or information.