



# CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

*Sent via Email*

March 4, 2021

## NOTICE OF CIVIL SERVICE COMMISSION MEETING

Dashune Cooney  
[REDACTED]

**SUBJECT: REQUEST FOR A HEARING BY DASHUNE COONEY ON HIS FUTURE EMPLOYMENT RESTRICTIONS AS AN 8207 BUILDING AND GROUNDS PATROL OFFICER WITH THE CITY AND COUNTY OF SAN FRANCISCO.**

Dear Dashune Cooney:

The above matter will be considered by the Civil Service Commission at a virtual meeting (Cisco WebEx) to be held on **March 15, 2021 at 2:00 p.m.** You will receive a separate email invite from a Civil Service Commission staff member to join and participate in the meeting.

The agenda will be posted for your review on the Civil Service Commission's website at [www.sfgov.org/CivilService](http://www.sfgov.org/CivilService) under "Meetings" no later than end of day on Wednesday, March 10, 2021. Please refer to the attached Notice for procedural and other information about Commission hearings. A copy of the department's staff report on your appeal is attached to this email.

In the event that you wish to submit any additional documents in support of your appeal, email them to the Civil Service Commission's email at [civilservice@sfgov.org](mailto:civilservice@sfgov.org) by **5:00 p.m. on Tuesday, March 9, 2021**, please be sure to redact your submission for any confidential or sensitive information that is not relevant to your appeal (e.g., home addresses, home or cellular phone numbers, social security numbers, dates of birth, etc.), as it will be considered a public document.

Attendance by you or an authorized representative is recommended. Should you or a representative not attend, the Commission will rule on the information previously submitted and any testimony provided at its meeting. Where applicable, the Commission has the authority to uphold, increase, reduce, or modify any restrictions recommended by the department. All calendared items will be heard and resolved at this time unless good reasons are presented for a continuance.

You may contact me at (628) 652-1100 or at [Sandra.Eng@sfgov.org](mailto:Sandra.Eng@sfgov.org) if you have any questions.

CIVIL SERVICE COMMISSION

/s/

SANDRA ENG  
Executive Officer

Attachment

Cc: John Caldon, War Memorial Performing Arts Center  
Carol Isen, Department of Human Resources  
Jenna Lee, War Memorial Performing Arts Center  
Commission File  
Commissioners' Binder  
Chron

## **NOTICE OF COMMISSION HEARING POLICIES AND PROCEDURES**

### **A. Commission Office**

The Civil Service Commission office is located at, 25 Van Ness Avenue, Suite 720, San Francisco, CA 94102. The telephone number is (628) 652-1100. The fax number is (628) 652-1109. The email address is [civilservice@sfgov.org](mailto:civilservice@sfgov.org) and the web address is [www.sfgov.org/civilservice/](http://www.sfgov.org/civilservice/). Office hours are from 8:00 a.m. to 5:00 p.m., Monday through Friday.

### **B. Policy Requiring Written Reports**

It is the policy of the Civil Service Commission that except for appeals filed under Civil Service Commission Rule 111A Position-Based Testing, all items appearing on its agenda be supported by a written report prepared by Commission or departmental staff. All documents referred to in any Agenda Document are posted adjacent to the Agenda, or if more than one (1) page in length, available for public inspection and copying at the Civil Service Commission office. Reports from City and County personnel supporting agenda items are submitted in accordance with the procedures established by the Executive Officer. Reports not submitted according to procedures, in the format and quantity required, and by the deadline, will not be calendared.

### **C. Policy on Written Submissions by Appellants**

All written material submitted by appellants to be considered by the Commission in support of an agenda item shall be submitted to the Commission office, no later than 5:00 p.m. on the fourth (4<sup>th</sup>) business day preceding the Commission meeting for which the item is calendared (ordinarily, on Tuesday). An original and nine (9) copies on 8 1/2-inch X 11 inch paper, three-hole punched on left margin, and page numbered in the bottom center margin, shall be provided. Written material submitted for the Commission's review becomes part of a public record and shall be open for public inspection.

### **D. Policy on Materials being Considered by the Commission**

Copies of all staff reports and materials being considered by the Civil Service Commission are available for public view 72 hours prior to the Civil Service Commission meeting on the Civil Service Commission's website at [www.sfgov.org/CivilService](http://www.sfgov.org/CivilService), and in its office located at 25 Van Ness Avenue, Suite 720, San Francisco, CA 94102. If any materials related to an item on this agenda have been distributed to the Civil Service Commission after distribution of the agenda packet, those materials will be available for public inspection at the Civil Service Commission's during normal office hours (8:00 a.m. to 5:00 p.m. Monday through Friday).

### **E. Policy and Procedure for Hearings to be Scheduled after 5:00 p.m. and Requests for Postponement**

**A request to hear an item after 5:00 p.m. should be directed to the Executive Officer as soon as possible following the receipt of notification of an upcoming hearing. Requests may be made by telephone at (628) 652-1100 and confirmed in writing or by fax at (628) 652-1109.**

A request for a postponement (continuance) to delay an item to another meeting may be directed to the Commission Executive Officer by telephone or in writing. Before acting, the Executive Officer may refer certain requests to another City official for recommendation. Telephone requests must be confirmed in writing prior to the meeting. Immediately following the "Announcement of Changes" portion of the agenda at the beginning of the meeting, the Commission will consider a request for a postponement that has been previously denied. Appeals filed under Civil Service Commission Rule 111A Position-Based Testing shall be considered on the date it is calendared for hearing except under extraordinary circumstances and upon mutual agreement between the appellant and the Department of Human Resources.

### **F. Policy and Procedure on Hearing Items Out of Order**

Requests to hear items out of order are to be directed to the Commission President at the beginning of the agenda. The President will rule on each request. Such requests may be granted with mutual agreement among the affected parties.

### **G. Procedure for Commission Hearings**

All Commission hearings on disputed matters shall conform to the following procedures: The Commission reserves the right to question each party during its presentation and, in its discretion, to modify any time allocations and requirements.

If a matter is severed from the *Consent Agenda* or the *Ratification Agenda*, presentation by the opponent will be for a maximum time limit of five (5) minutes and response by the departmental representative for a maximum time limit of five (5) minutes. Requests by the public to sever items from the [*Consent Agenda* or] *Ratification Agenda* must be provided with justification for the record.

For items on the *Regular Agenda*, presentation by the departmental representative for a maximum time of five (5) minutes and response by the opponent for a maximum time limit of five (5) minutes.

For items on the *Separations Agenda*, presentation by the department followed by the employee or employee's representative shall be for a maximum time limit of ten (10) minutes for each party unless extended by the Commission.

Each presentation shall conform to the following:

1. Opening summary of case (brief overview);
2. Discussion of evidence;
3. Corroborating witnesses, if necessary; and
4. Closing remarks.

The Commission may allocate five (5) minutes for each side to rebut evidence presented by the other side.

**H. Policy on Audio Recording of Commission Meetings**

As provided in the San Francisco Sunshine Ordinance, all Commission meetings are audio recorded in digital form. These audio recordings of open sessions are available starting on the day after the Commission meeting on the Civil Service Commission website at [www.sfgov.org/civilservice/](http://www.sfgov.org/civilservice/).

**I. Speaking before the Civil Service Commission**

Speaker cards are not required. The Commission will take public comment on all items appearing on the agenda at the time the item is heard. The Commission will take public comment on matters not on the Agenda, but within the jurisdiction of the Commission during the “Requests to Speak” portion of the regular meeting. Maximum time will be three (3) minutes. A subsequent comment after the three (3) minute period is limited to one (1) minute. The timer shall be in operation during public comment. Upon any specific request by a Commissioner, time may be extended.

**J. Public Comment and Due Process**

During general public comment, members of the public sometimes wish to address the Civil Service Commission regarding matters that may come before the Commission in its capacity as an adjudicative body. The Commission does not restrict this use of general public comment. To protect the due process rights of parties to its adjudicative proceedings, however, the Commission will not consider, in connection with any adjudicative proceeding, statements made during general public comment. If members of the public have information that they believe to be relevant to a matter that will come before the Commission in its adjudicative capacity, they may wish to address the Commission during the public comment portion of that adjudicative proceeding. The Commission will not consider public comment in connection with an adjudicative proceeding without providing the parties an opportunity to respond.

**K. Policy on use of Cell Phones, Pagers and Similar Sound-Producing Electronic Devices at and During Public Meetings**

The ringing and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

**Information on Disability Access**

The Civil Service Commission normally meets in Room 400 (Fourth Floor) City Hall, 1 Dr. Carlton B. Goodlett Place. However, meetings not held in this room are conducted in the Civic Center area. City Hall is wheelchair accessible. The closest accessible BART station is the Civic Center, located 2 ½ blocks from City Hall. Accessible MUNI lines serving City Hall are 47 Van Ness Avenue, 9 San Bruno and 71 Haight/Noriega, as well as the METRO stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call (415) 923-6142. Accessible curbside parking has been designated at points in the vicinity of City Hall adjacent to Grove Street and Van Ness Avenue.

The following services are available on request 48 hours prior to the meeting; except for Monday meetings, for which the deadline shall be 4:00 p.m. of the last business day of the preceding week. For American Sign Language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative formats of the agenda and minutes, please contact the Commission office to make arrangements for the accommodation. Late requests will be honored, if possible.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should call our ADA coordinator at (628) 652-1107 or (628) 652-1100 to discuss meeting accessibility. In order to assist the City’s efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

**Know your Rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code)**

Government’s duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people’s business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people’s review. For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, or to obtain a free copy of the Sunshine Ordinance, contact Victor Young, Administrator of the Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102-4689 at (415) 554-7724, by fax: (415) 554-7854, by e-mail: [sotf@sfgov.org](mailto:sotf@sfgov.org), or on the City’s website at [www.sfgov.org/bdsupvrs/sunshine](http://www.sfgov.org/bdsupvrs/sunshine).

**San Francisco Lobbyist Ordinance**

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance (San Francisco Campaign and Governmental Conduct Code Section 2.100) to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Ave., Suite 220, San Francisco, CA 94102, telephone (415) 252-3100, fax (415) 252-3112 and web site <http://www.sfgov.org/ethics/>.



# CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

## CIVIL SERVICE COMMISSION REPORT TRANSMITTAL (FORM 22)

Refer to Civil Service Commission Procedure for Staff - Submission of Written Reports for Instructions on Completing and Processing this Form

1. Civil Service Commission Register Number: 0241- 20 -7
2. For Civil Service Commission Meeting of: March 15, 2021
3. Check One:           Ratification Agenda  
                              Consent Agenda  
                              Regular Agenda   
                              Human Resources Directors Report
4. Subject: War Memorial Future Employment Restriction Appeal – Dashune Cooney, 8207 Buildings & Grounds Patrol Officer
5. Recommendation: Deny the appeal and adopt the report
6. Report prepared by: Jenna Lee Telephone number: 415-554-6312
7. Notifications:           **(Attach a list of the person(s) to be notified in the format described in IV. Commission Report Format -A).**
8. Reviewed and approved for Civil Service Commission Agenda:

Human Resources Director: Carol Isen

Date: 02/26/2021

A handwritten signature in blue ink, appearing to read "Carol Isen", written over a horizontal line.

9. Submit the original time-stamped copy of this form and person(s) to be notified (see Item 7 above) along with the required copies of the report to:

**Executive Officer  
Civil Service Commission  
25 Van Ness Avenue, Suite 720  
San Francisco, CA 94102**

10. Receipt-stamp this form in the ACSC RECEIPT STAMP box to the right using the time-stamp in the CSC Office.

**CSC RECEIPT STAMP**

Attachment



**Notifications (CSC Register No. 0241-20-7)**

Dashune Cooney, 8207 Buildings & Grounds Patrol Officer



Carol Isen, Acting Human Resources Director  
Department of Human Resources  
One South Van Ness Avenue, 4<sup>th</sup> Floor  
San Francisco, CA 94103

John Caldon, Managing Director  
War Memorial Performing Arts Center  
401 Van Ness Avenue, Room 110  
San Francisco, CA 94102

Jenna Lee, Senior Human Resources Analyst  
War Memorial Performing Arts Center  
401 Van Ness Avenue, Room 110  
San Francisco, CA 94102

**Memorandum**

**Date:** February 9, 2021  
**To:** Civil Service Commission  
**Through:** Carol Isen, Acting Human Resources Director  
Department of Human Resources  
**From:** Jenna Lee, Senior HR Analyst  
War Memorial Department  
**Subject:** **Appeal of the War Memorial’s Departmental Future  
Employment Restriction for Dashune Cooney, Civil  
Service Register #0241-20-7**

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**Department Recommendation**

To uphold the department’s decision to deny Mr. Dashune Cooney’s appeal of the employment restriction “No future employment with the War Memorial Department” imposed by the War Memorial Department (“WAR”).

**Authority**

The rules and policies governing an appeal of a recommendation of no future employment are as follows:

- 1) City and County of San Francisco (“CCSF”) Charter 10.101  
The Civil Service Commission shall adopt rules, policies, and procedures to carry out the civil service merit system provision of this charter and, except as otherwise provide in this Charter, such rules shall govern applications; examinations; eligibility... and such other matters as are not in conflict with this Charter.
- 2) Civil Service Commission Rule 122.1.4  
The notice of termination must include the following information:
  1. The employee has the right to a hearing before the Civil Service Commission provided that a request for hearing is made in writing and is received by the Executive Officer within 20 calendar days from the date of termination of appointment or from the date of mailing of the Notice of Termination, whichever is later. In the event of the 20<sup>th</sup> day falls on a

non-business day, the deadline shall be extended to the close of business of the first business day following the 20<sup>th</sup> day.

2. The decision of the Civil Service Commission may affect any future employment with the City and County of San Francisco.
- 3) Civil Service Commission Memorandum 2014-10  
III. Imposing a Restriction: When to Impose a Restriction on Future Employment

All negative separations (e.g., discharge/negative release/termination, disciplinary release from probation, designation of services unsatisfactory following a resignation, etc.), irrespective of appointment type (e.g., permanent civil service, exempt, etc.), should be evaluated to determine whether a restriction on future employment would be appropriate.

This evaluation should be on a case-by-case basis, based on the totality of the circumstances (e.g., the egregiousness of the conduct, the consequences of the conduct, whether it was a repeated or a one-time occurrence, etc.). Generally speaking, and depending on the circumstances, one or more of the following situations would likely merit a future employment restriction of some kind (note that the following is not intended to be an exhaustive list):

- Egregious misconduct (malfeasance or nonfeasance)
- Serious unethical conduct which may mar the department's reputation and/or the public's trust in the department/City
- Misappropriation of public/City/department funds or property
- Destruction or serious misuse of public/City/department
- Mistreatment of persons (e.g., sexual harassment, violence in the workplace)
- Acts or conduct which presented a danger to the health and safety of the individual, his or her co-workers or members of the public
- Significant, continued performance issues/deficiencies that would indicate that the individual would not perform the duties of his or her future employment with the City.

### **Background**

Mr. Dashune Cooney was hired by WAR in 2015 as a class 8207 Building and Grounds Patrol Officer. On August 7, 2020, the Department received an incident report regarding an alleged altercation between Mr. Cooney and Officer Mantor Gbammou. The report alleged that Mr. Cooney physically assaulted Officer Gbammou on August 6, 2020.

Officer Gbammou alleged that Mr. Cooney physically pushed him against the door and elbowed him on his right side of the body. The force of trauma was so strong that the door lock was broken and had to be fixed by a Stationary Engineer the next day. Officer Gbammou immediately informed his supervisor and two co-workers of what had happened. He then went to the hospital to seek immediate medical attention because of the severe pain. Both co-workers reported to the supervisor and provided their own witness statements of their observations for that night during the investigations.

Omar Castillo, War Memorial's Director of Security, investigated the reported incident and concluded that the incident likely occurred based on the statements, medical records, and circumstantial evidence he gathered during his investigation. The Department concluded that the actions were in violations of CCSF's and WAR's policies and procedures, specifically in relation to Workplace Violence Prohibited found on page 44 of the CCSF Employee Handbook, and in relation to the City's Policy Regarding the Treatment of Co-Workers and Members of the Public, which is found on page 46 of the CCSF Employee Handbook.

Mr. Cooney's termination was based on the following charges: workplace violence, mistreatment of persons, unprofessional behavior, and inappropriate conduct.

A Skelly Meeting was held on October 15, 2020 to afford Mr. Cooney an opportunity to respond to the charges and to provide any additional information. The Skelly Officer reviewed the investigative report, witness statements, medical records and circumstantial evidence gathered during the investigation. The Skelly Officer sustained the charges against Mr. Cooney and upheld the department's proposed disciplinary action to terminate Mr. Cooney's employment.

Mr. Cooney's employment was terminated for just cause after a thorough investigation into the incident giving rise to the charges. During the Skelly meeting, Mr. Cooney questioned the charges against him and the validity of all the witness statements and medical records. Mr. Cooney did not believe he committed any violence at the workplace and argued that Officer Gbammou attacked him instead. Mr. Cooney did not show any remorse or accountability to his mistreatment of his co-worker and his violence at workplace behaviors while all evidence substantially supported the alleged actions. According to the Skelly Officer: "... the preponderance of evidence suggests that Officer Cooney was involved in conduct that is unbecoming of a City employee. The Department's investigation shows Officer Gbammou providing detailed information that paints a picture of what occurred between him and Officer Cooney. This is also supported by statements, medical records and circumstantial evidence gathered during the investigation."

### **Conclusion**

Both the War Memorial and CCSF have a zero tolerance for workplace violence, and Mr. Cooney's actions and behaviors exhibited mistreatment to persons and presented a danger to the health and safety of another employee. Threats, threatening behavior, acts of violence, or any related conduct that disrupts another's work performance or the Department's ability to execute its mission cannot be tolerated. Additionally, the War Memorial consistently follows the practice of progressive discipline. However, matters of physical violence cannot be allowed to progress. To that end, "placing aside progressive discipline" to seek termination of an employee, when the overwhelming preponderance of evidence clearly substantiates that said employee has physically assaulted another employee, is an appropriate and necessary disciplinary action to be taken to maintain a safe workplace. The prevention of future workplace violence also requires that an employee found guilty of perpetrating violence in the workplace be barred from future employment with the Department in which that violence occurred.

The Department offered Mr. Cooney an opportunity to respond to these charges, but Mr. Cooney denied any inappropriate behaviors or any violent actions against his co-worker at the workplace. Throughout the meeting, the Department and the Skelly Officer did not feel that Mr. Cooney showed any remorse or accountability for his wrong doings. Instead, he denied any allegations brought against him and questioned validity of all witness' statements and all medical records. As a Building and Grounds Patrol Officer employed by the City, Mr. Cooney occupied a position of public trust, which he clearly violated. Preserving the safety and security of City employees and the public is the most important responsibility held by each Department. To grant the request made in Mr. Cooney's appeal would be an abdication of this responsibility.

Based on the preponderance of evidence and a clear understanding of the Department's responsibility to City employees and the public, the War Memorial respectfully requests that the Civil Service Commission place a future employment restriction denying Mr. Cooney's right to return to employment with the War Memorial Department.

### **Recommendation**

The War Memorial Department recommends that the Civil Service Commission deny Mr. Cooney's appeal and uphold the future employment restriction of no future employment with the War Memorial Department.

Attachments:

- Attachment 1: Notice of Termination, Separation Report, and Notice of Future Employment Restrictions, dated 11/13/2020
- Attachment 2: Skelly Meeting Report and Recommendation, dated 10/29/2020
- Attachment 3: Notice of Proposed Action and Disciplinary Conference and Investigative Report, dated 9/22/2020



# **ATTACHMENT 1**

San Francisco  
War Memorial  
& Performing  
Arts Center

*CERTIFIED MAIL DELIVERY*

November 13, 2020

Dashune Cooney  
8207 Building and Grounds Patrol Officer

**RE: NOTICE OF TERMINATION**

Dear Mr. Cooney,

Pursuant to Section A8.341 of the Charter of the City and County of San Francisco (CCSF), I am hereby notifying you that I am sustaining the recommendation of the Skelly officer that you be terminated from your employment as a Class 8207 Building And Grounds Patrol Officer with the San Francisco War Memorial and Performing Arts Center (WAR), assigned to Security Division.

My decision is based on the following charges against you involving your conduct towards Officer Gbammou on August 6, 2020: workplace violence, mistreatment of persons, unprofessional behavior and inappropriate conduct. All relevant documentation to support this recommendation was attached to your Notice of Proposed Action and Disciplinary Conference, dated September 22, 2020.

On August 6, 2020, the department received a report regarding your alleged physical and verbal assault of your colleague, Officer Gbammou, which occurred on that same date. Omar Castillo, Director of Security, investigated the reported incident and concluded that the incident likely occurred, based on statements, medical records and circumstantial evidence that he gathered during his investigation. The evidence showed that you physically assaulted Officer Gbammou, resulting in him requiring immediate medical attention. You also verbally assaulted him. The department's investigation concluded that your actions violated CCSF's and WAR's policies and procedures, specifically the policies prohibiting workplace violence. (See pages 44 and 46 of the CCSF Employee Handbook, prohibiting workplace violence against co-workers.) Such conduct will not be tolerated in this Department.

You attended the scheduled Skelly Meeting with your union representative on October 15, 2020 and acknowledged that you had received and reviewed the Skelly packet related to this matter. The meeting was scheduled to afford you an opportunity to respond to the charges and provide any additional information. In addition to yourself, present were

San Francisco  
War Memorial  
& Performing  
Arts Center

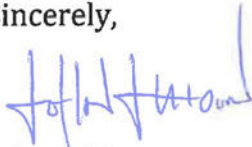
Michael Eng, Skelly Officer; Omar Castillo, Director of Security; Hector Cardenas, SEIU 1021 Union Representative; and Jenna Lee, Senior Human Resources Analyst. The charges were reviewed in the meeting, and you and your representative were provided the opportunity to respond to the charges. You questioned the charges, the accuracy of the statements, the findings, and the medical reports contained in the Skelly packet.

The Skelly Officer reviewed the investigative report, witness' statements, medical records and circumstantial evidence gathered during the investigation and heard your response during the Skelly meeting. The Skelly Officer sustained the charges against you and upheld the department's proposed disciplinary action in your termination.

CONCLUSION

After reviewing the Notice of Proposed Action and Disciplinary Conference dated September 22, 2020, and the Skelly Meeting Report and Recommendation dated October 29, 2020, and after considering the information and arguments presented in your responses and the Skelly Report finding just cause for your termination, the proposed termination is sustained. Your termination will be effective close of business, Wednesday, November 18, 2020.

Sincerely,



John Caldon  
Managing Director

Encls: Separation Report  
Notice of Future Employment Restrictions  
Notice of Proposed Action and Disciplinary Conference,  
dated September 22, 2020 (without attachments)  
Skelly Meeting Report and Recommendation,  
dated October 29, 2020

cc: Carol Isen, Human Resources Director (Acting), Department of Human Resources  
Hector Cardenas, Local 1021 Union Representative  
Official Employee Personnel File – Cooney, Dashune

**CERTIFIED MAIL DELIVERY**



SEPARATION REPORT

INSTRUCTIONS: Please complete the Separation Report to:

- 1. Document internal departmental processes. Please do not send to DHR.
- 2. Document that the employee separation is not a complete separation from City service, Separation Report must be completed by the sending department and submitted to the receiving department to be attached to the AP ESR.
- 3. To process a layoff. Please send to the DHR layoff coordinator.
- 4. To administer a settlement agreement involving the separation of the employee-submit documentation to your Client Services Representative. (Reference TER\_RZA)\*

Date of Request: 11/13/2020

Department Contact: Jenna Lee Email: Jenna.lee@sfgov.org Phone: (415) 554-6312

SECTION I: PERSONAL AND JOB INFORMATION

Name (Last, First, M.I.): Cooney, Dashun M Employee I.D.:

Job Code: 8207 Job Title: Bldg & Grounds Patrol Officer

Position Number: 01061946 Hourly Rate: \$35.4625 Step: 5 Effective Date: COB 11/18/2020

Empl. Class: PCS Work Schedule: Full-Tier

Is the employee serving a probationary period at the time of the separation?  Yes  No

Is this a complete separation from City and County Service?  Yes  No

If no, continuing in:

Department Code: (Select One) Status: Job Code: Effective Date:

Is employee granted leave pursuant to Civil Service Rule 120.31?  Yes  No

If no, is employee a transfer?  No  Yes, type of Transfer: (Select One)

SECTION II: SEPARATION INFORMATION

Resignation

Satisfactory Services (TER\_RSS)

Unsatisfactory Services (TER\_RUS)  
(Form DHR 1-13 must be on file)

By the appointee: I hereby freely and voluntarily resign from the above position. I request approval of this resignation as of the effective date with the full understanding that once approved, I may acquire another position in this class only as provided in the rules of the Civil Service Commission (see employee copy and CSC Rules 114&119).

Employee Signature

Date

Lay-off

Involuntary Leave (PCS LIL)

Elective Involuntary Leave (PCS\_EIL)

Involuntary Lay-off (PCS LIO)

Voluntary Lay-off (PCS LVO)

(PV & EX Only): (Select One)

Reason for lay-off: (Select One)

Employee acknowledges receipt of the DHR information leaflet.

Employee Signature

Date



SEPARATION REPORT

DEPARTMENT USE ONLY

Termination

Settlement Agreement (TER RZA)  
\*(Separation Report and Settlement Agreement must be forwarded to Client Services Rep.)

Release from appointment: (Select One)

Release from probation: (Select One)

Dismissal: PCS (DPE)

Terminated for cause (TFC) (TPV, NCS, & Exempts only)

Automatic Resignation (ARS)

Never Reported to Work (DSH)

Death of an employee (DEA)

Other (Specify): \_\_\_\_\_

Retirement: (Select One)

DEPARTMENT CERTIFICATION

The Appointing Officer/Authorized Designee named below hereby certifies that the information provided on this Separation Report is accurate, complete, and in compliance with applicable CCSF rules and policies.



Appointing Officer/Authorized Designee Signature

4155546306

Telephone:

Name/Title: John Caldon, Managing Director

Department Number: WAR46 Department Name: War Memorial and Performing Arts Center

Personnel File Forwarded?  Yes  No

Forwarded to:

Department: \_\_\_\_\_ Contact: \_\_\_\_\_

DHR USE ONLY

Action Pending?  Yes  No

Analyst Name

Telephone

SR Ref Number: \_\_\_\_\_ Holdover Canvass: \_\_\_\_\_

Reference Number used for layoff actions: \_\_\_\_\_



## NOTICE OF FUTURE EMPLOYMENT RESTRICTIONS

Cooney, Dashune M.  
Employee Name

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City State Zip

11/13/2020  
Mailing Date

\_\_\_\_\_  
WAR/Security Division  
Department/Division

PCS  
Type of Appointment

This notice is to inform you that a future employment restriction is being imposed along with your separation action, or with the action of automatic resignation, reported to the Department of Human Resources separating you from your position in Class 8207, Title Bldg & Grounds Pa, effective 11/18/2020, for the reasons outlined in the attached document(s).

The items checked below are the restrictions made by the department on your future employability for positions covered by the San Francisco civil service system:

<input type="checkbox"/> No Restrictions on Employment  <input checked="" type="checkbox"/> Permanent Restriction  <input type="checkbox"/> Conditional Restriction	<input type="checkbox"/> Citywide <input checked="" type="checkbox"/> Department(s): <u>WAR</u>  <input type="checkbox"/> DOT/SAPP <input type="checkbox"/> Job Code(s): _____  <input type="checkbox"/> Cancel Current Examination & Eligibility Status
---	--

**Conditional restrictions may be lifted by proving you have satisfactorily met the following requirements:**

Requirement Type	Description:	Level of Measurement:	Measurement Value:
CER: Certification			
EXP: Work Experience			
LIC: Licensure			
SAP: Substance Abuse Program			
Other:			


**In addition to the noted conditional restrictions, you are also restricted from specific attributes of a job class and/or department until you satisfactorily prove you meet the requirements to lift the restriction(s) as noted below:**

Future Employment Restrictions	Description:	Level of Measurement:	Measurement Value:
001: Vehicle/Heavy Machinery			
002: Vulnerable Populations			
003: Face to Face Contact w/Public			
004: Contact w/Animals			
005: Signing/Approving City Docs			
006: Financial Instruments			
007: Confidential/Privileged Information			
008: IT Infrastructure			
009: Means of Entry to Living Spaces			
010: Pharmaceutical/Drug Inventory			
011: CDC Defined Toxins			
012: Weapons/Explosives			
013: City Property Valued > \$100			



You may request a hearing before the Civil Service Commission on your future employability with the City and County of San Francisco. The Civil Service Commission has the authority to remove restrictions or impose additional restrictions on your future employability. You may request a hearing for review of any restrictions on your future employability with the Civil Service Commission within 20 calendar days of the mailing date of this notice or from the date of separation, whichever is later. The request must be submitted in writing to the Executive Officer, Civil Service Commission, 25 Van Ness Avenue, Suite 720, San Francisco, CA 94102 by 12/8/2020. Requests received after this date will not be considered and your right to a hearing will be forfeited. If you do not request a hearing or file an appeal, the Human Resources Director will take final administrative action to confirm the restriction(s) in effect on the date of separation (Note: Future Employment Restriction(s) effective immediately).

If this matter is subject to the Code of Civil Procedures (CCP) Section 1094.5, the time by which judicial review must be sought is set forth in CCP Section 1094.6. (SEE BELOW)

List #:	Rank #:	<input type="checkbox"/> Pending	<input checked="" type="checkbox"/> Final	Status of Action
DSW:	SF War Memorial & Performing Art			
Emp Organization:		SIGNATURE		
METHOD OF SERVICE:		John Caldon		
<input type="checkbox"/> Hand Delivered		NAME		
<input checked="" type="checkbox"/> Certified Mail	11/13/20	Managing Director		
		TITLE		

**INFORMATION FOR FORMER EMPLOYEE FOLLOWING SEPARATION**

1. This document serves as an official notice of future employment restrictions imposed with the Notice of Automatic Resignation from Employment to the former employee or with a Separation Action that is subject to the provisions of a collective bargaining agreement, to the Civil Service Commission, and the Department of Human Resources.
2. A separated employee may request a hearing before the Civil Service Commission only for review of any restrictions on their future employability with the City and County of San Francisco.
3. Such appeals or requests for hearing must be in writing and received from the employee or the employee's representative by the date specified on this notice, or within twenty (20) calendar days from the mailing date of this notice, or the effective date of the separation, whichever is later. The request must be submitted to the Executive Officer, Civil Service Commission, 25 Van Ness Avenue, Suite 720, San Francisco, CA 94102.
4. An employee who requests a hearing within the time limits is entitled to:
  - a. Representation by an attorney or authorized representative of the employee's own choice.
  - b. Notification of date, time, and place of hearing at a reasonable time in advance.
  - c. Inspection by the employee's attorney or authorized representative of those records and materials on file with the Civil Service Commission which relate to the restrictions on future employability.
5. Any interested party may request that the hearing be continued or postponed.
6. The decision of the Civil Service Commission is final and not subject to reconsideration.
7. In the absence of a timely request for a hearing as provided above, no later request for a hearing will be considered.

## DEPARTMENT INSTRUCTIONS FOR COMPLETING FORM DHR 1-13E

- Refer to related provisions of appropriate collective bargaining agreements
- Refer to CSC Rule 122, Article VI: Absence From Duty Without Leave (Misc)
- Refer to CSC Rule 222, Article IV: Absence From Duty Without Leave (UPPD)
- Refer to CSC Rule 322, Article VI: Absence From Duty Without Leave (UPFD)

### Use this form when:

The appointing officer or Human Resources Director has taken action of automatic resignation on an employee on the basis of abandonment of position, regardless of employment status; and/or the separation action is subject to the provisions of the collective bargaining agreement.

Complete the information on the top section of the form: Name, Address, City, State, Zip, Mailing Date, Department/Division, Type of Appointment, Type of Separation.

In the first paragraph of the notice, enter the Class Number, Title and effective date of the separation.

If there are no restrictions imposed with the separation, the box "*no restrictions on future employability*," must be checked to indicate this action, and attach applicable documents, e.g., a settlement agreement.

Indicate the restrictions on future employability by checking the appropriate boxes. If the restrictions are conditional, you must complete the section on the requirements needed to lift the restrictions, including the level of measurement (entry, journey, etc.) and values (length of time in months, years, etc.) of the requirements.

If Future Employment Restrictions are included, complete that section including details on the requirements needed to lift the restrictions. Attach a copy of all separation-related letters and supporting documentation. Documentation must provide justification and the rationale for the imposed restrictions.

The separated employee may request a hearing for review of any restrictions on future employability. Indicate the date by which the appeal must be filed in the space provided. Consistent with the separation action, count twenty (20), or thirty (30), calendar days from the mailing date of the notice or the effective date of release, whichever is applicable. When counting the days, count the day after the mailing date as the first day.

Complete the information on the bottom section of the form: Rank, List#, DSW#, and Employee Organization. Check the method of service used and tracking # if applicable.

Indicate status of action:

- Select "Pending" if Notice of Future Employment Restrictions is subject to the provisions of a collective bargaining agreement
- Select "Final" if the status is not subject to the provisions of a collective bargaining agreement, or to update a previously reported "Pending" action.

Type in the name and title of the appointing officer. The appointing officer must sign the form.

Send the *original* Notice of Future Employment Restrictions along with the *original* Notice of Automatic Resignation from Employment (DHR 1-48a) to the employee. Make two sets of copies of the notices; send one set of *copy* to DHR - Client Services along with the *original* Separation Report (DHR Form 1-67); and retain the other set of *copy* in the Official Employee Personnel Folder.

**Reminder:** Imposed restrictions on future employability are effective immediately, and must be reported to DHR – Client Services concurrent with the departmental notice to separate the employee. This will enable timely and appropriate updates to DHR systems and other dependent programs, such as exams, adoptions of eligible lists, citywide recruitments, and certifications/referrals.



**DATE:** October 29, 2020

**TO:** John Caldon, Managing Director  
War Memorial and Performing Arts Center

**FROM:** Michael Eng, Human Resources Manager  
San Francisco Planning Department

**RE:** Skelly Meeting Report and Recommendations  
Regarding the Proposed Termination of  
Employment of Dashune Cooney, 8207 Building  
and Grounds Patrol Officer

---

The San Francisco War Memorial & Performing Arts Center ('Department' or 'WAR') has proposed that Dashune Cooney ('Officer Cooney' or 'Cooney') hired as a permanent civil service Class 8207 Building & Grounds Patrol Officer, be terminated from his employment based on the following charges:

- Workplace violence
- Mistreatment of persons
- Unprofessional behavior
- Inappropriate conduct

Officer Cooney was provided a Skelly notice by the Department on September 22, 2020. A Skelly meeting was scheduled on October 15, 2020 to review the charges against him.

#### **Conduct of Skelly Meeting**

By mutual agreement, the Skelly meeting was held on Thursday, October 15, 2020, to review the charges against Officer Cooney. It was held via Tele-Conference (remote format) to comply with local and state shelter-in-place orders. The following were present at this meeting:

- Michael Eng, Skelly Officer

- Dashune Cooney, Building & Grounds Patrol Officer, WAR
- Hector Cardenas, Union Representative, 1021 SEIU
- Omar Castillo, Director of Security, WAR
- Jenna Lee, Facilitator, Senior Human Resources Analyst, WAR

The Skelly meeting convened at approximately 3:02 PM.

Officer Cooney acknowledged that he had received and reviewed the Skelly packet related to this matter.

### **Skelly Officer**

This writer, Michael Eng, was assigned the role of Skelly Officer for this matter. Until receiving the assignment, I was not involved in the investigation or review that resulted in the notice of proposed termination of employment.

### **Background and Basis for Proposed Discipline**

In summary, the Department investigated an incident involving Officer Cooney and WAR employee, Mantor Gbammou ('Officer Gbammou' or 'Gbammou') that occurred on August 6, 2020.

Officer Gbammou alleged Officer Cooney assaulted him.

Officer Cooney refuted the allegations.

The Department concluded that the incident likely occurred, based on statements, medical records and circumstantial evidence gathered during the investigation.

Officer Cooney's actions are in violations of City & County of San Francisco ('City') and WAR's policies and procedures specifically:

1. City and County of San Francisco ('CCSF') Employee Handbook -- Workplace Violence Prohibited, page 44, which relevant portion states:

"The City is committed to maintaining a workplace free from violence and threats of violence, and will not tolerate any acts or threats of violence in the workplace."

2. City and County of San Francisco Employee Handbook -- Policy Regarding the Treatment of Co-Workers and Members of the Public, page 46, which relevant portion states:

"City policy requires employees to treat co-workers and members of the public with courtesy and respect."



### **Response to Charges**

Officer Cooney questioned the charges against him, accuracy of the statements, the findings, and the medical reports contained in the Skelly packet.

Cooney contested the following:

- **Gbammou's Medical Records**

Cooney stated that that the medical records did not contain any dates or time.<sup>1</sup> Without this information, he questioned when Gbammou seek medical attention. Cooney asserted if Gbammou was in such pain after the incident, then he should have left immediately for medical attention.

- **Gbammou's Photos [of his injuries]**

Cooney stated that the photos were "selfies" and showed Gbammou out of uniform. Cooney further stated that Officer Adewunmi ('Adewunmi') or Officer Lim ('Lim') could have taken pictures of his injuries since he reported the incident to them. Cooney asserted that Gbammou probably took the photos before he arrived to work or took the photos at work prior to changing into his uniform.

- **Gbammou's Injuries**

Cooney stated that Gbammou did not appear injured that day. Cooney further stated that Gbammou tried to attack him – so he does not believe he was injured.

- **Officer Lim's Statement Indicated a Broken Door Immediately After the Incident**

Cooney stated that the doors were always broken – usually being repaired once a month or sometimes it would take over a year to be repaired. Cooney also stated that the doors can malfunction or break with minimal force due to the age of the doors as well.

Cooney further stated that Gbammou pulled on the door aggressively on the day of the incident as the probable reason for the broken door.

Cooney also questioned Lim's statement regarding the broken door as when Lim relieved him, she did not mention the broken door to him.

- **The Charges of Mistreatment of Person, Unprofessional Behavior, and Inappropriate Conduct**

---

<sup>1</sup> Skelly Officer reviewed the medical records, dates and times of visits are visible within the documents.

Cooney stated that when Gbammou reported to work on the day of the incident, he appeared upset. Cooney further stated that he was merely concerned about his health and just asked, "You look upset." Cooney did not view that statement or his concerns about Gbammou's health as inappropriate, unprofessional or violation of policy.

- The Charge of Workplace Violence

Cooney does not believe he committed any workplace violence, as he stated, "I'm assuming this isn't about Gbammou attacking me? The only violence that I am aware of is when he tried to attack me.<sup>2</sup> Even Adewunmi looked surprised and stood there and watched."<sup>3</sup>

In summary, Officer Cooney, questioned the charges, the accuracy of the statements, the findings, and the medical reports contained in the Skelly packet. Officer Cooney, on several occasions, stated that Officer Gbammou tried to attack him.

In closing, Officer Cooney stated that he's been a City employee for 5 years [in the profession for 20 years] and that he's a professional, never has been inappropriate at work, and is respectful to everybody.

### Documents Reviewed

I reviewed the entire Skelly file including all investigative reports, various statements made with respect to the incident, and the relevant portions of the CCSF Employee Handbook.

### Skelly Officer's Findings and Recommendation

The findings and disciplinary determination in this matter stemmed from Officer Cooney's violent conduct in the workplace towards WAR employee, Officer Gbammou.

Officer Cooney's defense rest upon the validity of the investigative reporting as he disagreed and questioned many of the findings and asserted that Officer Gbammou was actually the aggressor. However, his defense and assertion contrast with the Department's investigation. Based on my review, the preponderance of evidence suggests that Officer Cooney was involved in conduct that is unbecoming of a City employee. The Department's investigation shows Officer Gbammou providing detailed

---

<sup>2</sup> Skelly Officer reviewed the Investigative Report, findings do not suggest that Gbammou was the aggressor.

<sup>3</sup> Skelly Officer reviewed Adewunmi's statement, Adewunmi witnessed verbal exchanges between Gbammou and Cooney, but no physical altercation in front of him.



information that paints a picture of what occurred between him and Officer Cooney. This is also supported by statements, medical records and circumstantial evidence gathered during the investigation. The detail and consistency of Officer Gbammou's statements are objectively more reliable and when weighed against the statements of Officer Cooney, have more convincing force and the greater probability of truth.

Officer Cooney occupies a position of public trust, as a civil servant. Honesty, integrity, and a strong sense of justice are fundamental and essential qualities as a Building & Grounds Patrol Officer. The crux of the matter is that he engaged in violence in the workplace and unprofessional behavior which violate City and Department's policies. Officer Cooney's serious misconduct as a City employee cannot be dismissed or mitigated by his long and faithful service.

The City has zero tolerance for workplace violence. The safety and security of City employees are very important. Threats, threatening behavior, acts of violence, or any related conduct which disrupts another's work performance or the Department's ability to execute its mission will not be tolerated.

As a result, for the reasons articulated above, I sustain the charges against Officer Cooney and recommend that he be terminated from his employment as proposed by the Department.

CC: Personnel File



*CERTIFIED MAIL DELIVERY*

September 22, 2020

TO: Dashune Cooney, 8207 Building and Grounds Patrol Officer

FROM: Omar Castillo, 0922 War Memorial Director of Security

**RE: NOTICE OF PROPOSED ACTION AND DISCIPLINARY CONFERENCE**

NOTICE OF DISCIPLINARY CONFERENCE: October 15, 2020 at 3:00pm

This is to inform you that a disciplinary conference is scheduled for October 15, 2020 at 3:00pm regarding an incident that occurred on 8-6-20. The Disciplinary Conference will be held in Room 106 of the Veteran's Building or by virtual conference (you will be notified of call in phone number). The purpose of the conference is to afford you the opportunity to respond to the recommended disciplinary action. You have the right to bring your representation to this meeting.

The recommended disciplinary action is Termination of Employment for the following charges: workplace violence, mistreatment of persons, unprofessional behavior and inappropriate conduct. All relevant documentation to support this recommendation is attached.

Effective immediately you are being placed on paid administrative leave.

#### BACKGROUND

On August 6, 2020 at approximately 11:45 pm there was an incident involving Officer Cooney and Officer Gbammou. Officer Cooney was working as the 4:00pm – 12:00am stationary officer at the Opera House North Stage Door. Officer Gbammou was scheduled 12:00am – 8:00am as the midnight shift Opera House North Stage Door stationary officer. Officer Gbammou arrived at the Opera House to change into his uniform in the basement as he usually does. Officer Cooney was working as the Opera House North Stage Door Stationary Officer. Officer Gbammou finished changing and was walking out of the Opera House North Stage Door hallway. Officer Cooney was walking into the Opera House North Stage Door. Officer Gbammou alleged that Officer Cooney pushed him into the exit door and elbowed the right side of his ribcage. Officer Gbammou reported that he instantly felt pain on his right side. Officer Gbammou further alleged that Officer Cooney spoke to Officer Gbammou using "unprofessional and abusive language." Officer Gbammou left the building

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and immediately informed two-co-workers of these allegations. Officer Gbammou left work to seek medical attention that night.

Based on the statements, medical records and circumstantial evidence, the investigation concluded that the incident is far more likely than not to have occurred in the manner alleged by Officer Gbammou. The statements collected, taken together with the broken door and medical information provided, substantiate Officer Gbammou's claims and demonstrate a high probability that an incident of workplace violence occurred. The statements and evidence show that Officer Gbammou was most likely assaulted by Officer Cooney.

Prior to any final decision being made in this matter, you will be provided with an opportunity to respond to this proposed action either orally or in writing or both in accordance with Page 81 Paragraphs 627 through 629 of Collective Bargaining Agreement between And For Service Employees International Union Local 1021 and the City and County of San Francisco JULY 1, 2019 – JUNE 30, 2022.

Therefore, the Skelly meeting for this purpose is scheduled for you on October 15, 2020 at 3:00pm. The meeting will be held in War Memorial conference room 106 or by virtual conference. You may have a representative with you at this meeting. If you decide not to attend this meeting, please submit your response to me in writing no later than the listed conference date.

If you fail to respond on or before the date of the scheduled Skelly meeting, the final disciplinary action will be decided by John Caldon, Managing Director, for final action.

If you have any questions or concerns, please contact Omar Castillo at 415-554-6331 or by email at [omar.castillo@sfgov.org](mailto:omar.castillo@sfgov.org).

Thank you,

Omar Castillo, Director of Security

Attachments:

1. Investigative Report for Incident on 8-6-20 Gbammou v. Cooney (Memo dated 9-22-20)

cc: John Caldon, Managing Director  
Jenna Lee, War Memorial H.R. Senior Personnel Analyst  
Hector Cardenas, Local 1021 Union Representative  
Employee Personnel File

*CERTIFIED MAIL DELIVERY*

# **ATTACHMENT 2**



**DATE:** October 29, 2020

**TO:** John Caldon, Managing Director  
War Memorial and Performing Arts Center

**FROM:** Michael Eng, Human Resources Manager  
San Francisco Planning Department

**RE:** Skelly Meeting Report and Recommendations  
Regarding the Proposed Termination of  
Employment of Dashune Cooney, 8207 Building  
and Grounds Patrol Officer

---

The San Francisco War Memorial & Performing Arts Center ('Department' or 'WAR') has proposed that Dashune Cooney ('Officer Cooney' or 'Cooney') hired as a permanent civil service Class 8207 Building & Grounds Patrol Officer, be terminated from his employment based on the following charges:

- Workplace violence
- Mistreatment of persons
- Unprofessional behavior
- Inappropriate conduct

Officer Cooney was provided a Skelly notice by the Department on September 22, 2020. A Skelly meeting was scheduled on October 15, 2020 to review the charges against him.

### **Conduct of Skelly Meeting**

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- Michael Eng, Skelly Officer

- Dashune Cooney, Building & Grounds Patrol Officer, WAR
- Hector Cardenas, Union Representative, 1021 SEIU
- Omar Castillo, Director of Security, WAR
- Jenna Lee, Facilitator, Senior Human Resources Analyst, WAR

The Skelly meeting convened at approximately 3:02 PM.

Officer Cooney acknowledged that he had received and reviewed the Skelly packet related to this matter.

### **Skelly Officer**

This writer, Michael Eng, was assigned the role of Skelly Officer for this matter. Until receiving the assignment, I was not involved in the investigation or review that resulted in the notice of proposed termination of employment.

### **Background and Basis for Proposed Discipline**

In summary, the Department investigated an incident involving Officer Cooney and WAR employee, Mantor Gbammou ('Officer Gbammou' or 'Gbammou') that occurred on August 6, 2020.

Officer Gbammou alleged Officer Cooney assaulted him.

Officer Cooney refuted the allegations.

The Department concluded that the incident likely occurred, based on statements, medical records and circumstantial evidence gathered during the investigation.

Officer Cooney's actions are in violations of City & County of San Francisco ('City') and WAR's policies and procedures specifically:

1. City and County of San Francisco ('CCSF') Employee Handbook -- Workplace Violence Prohibited, page 44, which relevant portion states:  
  
"The City is committed to maintaining a workplace free from violence and threats of violence, and will not tolerate any acts or threats of violence in the workplace."
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"City policy requires employees to treat co-workers and members of the public with courtesy and respect."



## **Response to Charges**

Officer Cooney questioned the charges against him, accuracy of the statements, the findings, and the medical reports contained in the Skelly packet.

Cooney contested the following:

- **Gbammou's Medical Records**

Cooney stated that that the medical records did not contain any dates or time.<sup>1</sup> Without this information, he questioned when Gbammou seek medical attention. Cooney asserted if Gbammou was in such pain after the incident, then he should have left immediately for medical attention.

- **Gbammou's Photos [of his injuries]**

Cooney stated that the photos were "selfies" and showed Gbammou out of uniform. Cooney further stated that Officer Adewunmi ('Adewunmi') or Officer Lim ('Lim') could have taken pictures of his injuries since he reported the incident to them. Cooney asserted that Gbammou probably took the photos before he arrived to work or took the photos at work prior to changing into his uniform.

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Cooney stated that Gbammou did not appear injured that day. Cooney further stated that Gbammou tried to attack him – so he does not believe he was injured.

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Cooney stated that the doors were always broken – usually being repaired once a month or sometimes it would take over a year to be repaired. Cooney also stated that the doors can malfunction or break with minimal force due to the age of the doors as well.

Cooney further stated that Gbammou pulled on the door aggressively on the day of the incident as the probable reason for the broken door.

Cooney also questioned Lim's statement regarding the broken door as when Lim relieved him, she did not mention the broken door to him.

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<sup>1</sup> Skelly Officer reviewed the medical records, dates and times of visits are visible within the documents.

Cooney stated that when Gbammou reported to work on the day of the incident, he appeared upset. Cooney further stated that he was merely concerned about his health and just asked, "You look upset." Cooney did not view that statement or his concerns about Gbammou's health as inappropriate, unprofessional or violation of policy.

- The Charge of Workplace Violence

Cooney does not believe he committed any workplace violence, as he stated, "I'm assuming this isn't about Gbammou attacking me? The only violence that I am aware of is when he tried to attack me."<sup>2</sup> Even Adewunmi looked surprised and stood there and watched."<sup>3</sup>

In summary, Officer Cooney, questioned the charges, the accuracy of the statements, the findings, and the medical reports contained in the Skelly packet. Officer Cooney, on several occasions, stated that Officer Gbammou tried to attack him.

In closing, Officer Cooney stated that he's been a City employee for 5 years [in the profession for 20 years] and that he's a professional, never has been inappropriate at work, and is respectful to everybody.

### **Documents Reviewed**

I reviewed the entire Skelly file including all investigative reports, various statements made with respect to the incident, and the relevant portions of the CCSF Employee Handbook.

### **Skelly Officer's Findings and Recommendation**

The findings and disciplinary determination in this matter stemmed from Officer Cooney's violent conduct in the workplace towards WAR employee, Officer Gbammou.

Officer Cooney's defense rest upon the validity of the investigative reporting as he disagreed and questioned many of the findings and asserted that Officer Gbammou was actually the aggressor. However, his defense and assertion contrast with the Department's investigation. Based on my review, the preponderance of evidence suggests that Officer Cooney was involved in conduct that is unbecoming of a City employee. The Department's investigation shows Officer Gbammou providing detailed

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<sup>2</sup> Skelly Officer reviewed the Investigative Report, findings do not suggest that Gbammou was the aggressor.

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information that paints a picture of what occurred between him and Officer Cooney. This is also supported by statements, medical records and circumstantial evidence gathered during the investigation. The detail and consistency of Officer Gbammou's statements are objectively more reliable and when weighed against the statements of Officer Cooney, have more convincing force and the greater probability of truth.

Officer Cooney occupies a position of public trust, as a civil servant. Honesty, integrity, and a strong sense of justice are fundamental and essential qualities as a Building & Grounds Patrol Officer. The crux of the matter is that he engaged in violence in the workplace and unprofessional behavior which violate City and Department's policies. Officer Cooney's serious misconduct as a City employee cannot be dismissed or mitigated by his long and faithful service.

The City has zero tolerance for workplace violence. The safety and security of City employees are very important. Threats, threatening behavior, acts of violence, or any related conduct which disrupts another's work performance or the Department's ability to execute its mission will not be tolerated.

As a result, for the reasons articulated above, I sustain the charges against Officer Cooney and recommend that he be terminated from his employment as proposed by the Department.

CC: Personnel File

# **ATTACHMENT 3**

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& Performing  
Arts Center

*CERTIFIED MAIL DELIVERY*

September 22, 2020

TO: Dashune Cooney, 8207 Building and Grounds Patrol Officer

FROM: Omar Castillo, 0922 War Memorial Director of Security

**RE: NOTICE OF PROPOSED ACTION AND DISCIPLINARY CONFERENCE**

NOTICE OF DISCIPLINARY CONFERENCE: October 15, 2020 at 3:00pm

This is to inform you that a disciplinary conference is scheduled for October 15, 2020 at 3:00pm regarding an incident that occurred on 8-6-20. The Disciplinary Conference will be held in Room 106 of the Veteran's Building or by virtual conference (you will be notified of call in phone number). The purpose of the conference is to afford you the opportunity to respond to the recommended disciplinary action. You have the right to bring your representation to this meeting.

The recommended disciplinary action is Termination of Employment for the following charges: workplace violence, mistreatment of persons, unprofessional behavior and inappropriate conduct. All relevant documentation to support this recommendation is attached.

Effective immediately you are being placed on paid administrative leave.

**BACKGROUND**

On August 6, 2020 at approximately 11:45 pm there was an incident involving Officer Cooney and Officer Gbammou. Officer Cooney was working as the 4:00pm - 12:00am stationary officer at the Opera House North Stage Door. Officer Gbammou was scheduled 12:00am - 8:00am as the midnight shift Opera House North Stage Door stationary officer. Officer Gbammou arrived at the Opera House to change into his uniform in the basement as he usually does. Officer Cooney was working as the Opera House North Stage Door Stationary Officer. Officer Gbammou finished changing and was walking out of the Opera House North Stage Door hallway. Officer Cooney was walking into the Opera House North Stage Door. Officer Gbammou alleged that Officer Cooney pushed him into the exit door and elbowed the right side of his ribcage. Officer Gbammou reported that he instantly felt pain on his right side. Officer Gbammou further alleged that Officer Cooney spoke to Officer Gbammou using "unprofessional and abusive language." Officer Gbammou left the building



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and immediately informed two-co-workers of these allegations. Officer Gbammou left work to seek medical attention that night.

Based on the statements, medical records and circumstantial evidence, the investigation concluded that the incident is far more likely than not to have occurred in the manner alleged by Officer Gbammou. The statements collected, taken together with the broken door and medical information provided, substantiate Officer Gbammou's claims and demonstrate a high probability that an incident of workplace violence occurred. The statements and evidence show that Officer Gbammou was most likely assaulted by Officer Cooney.

Prior to any final decision being made in this matter, you will be provided with an opportunity to respond to this proposed action either orally or in writing or both in accordance with Page 81 Paragraphs 627 through 629 of Collective Bargaining Agreement between And For Service Employees International Union Local 1021 and the City and County of San Francisco JULY 1, 2019 – JUNE 30, 2022.

Therefore, the Skelly meeting for this purpose is scheduled for you on October 15, 2020 at 3:00pm. The meeting will be held in War Memorial conference room 106 or by virtual conference. You may have a representative with you at this meeting. If you decide not to attend this meeting, please submit your response to me in writing no later than the listed conference date.

If you fail to respond on or before the date of the scheduled Skelly meeting, the final disciplinary action will be decided by John Caldon, Managing Director, for final action.

If you have any questions or concerns, please contact Omar Castillo at 415-554-6331 or by email at [omar.castillo@sfgov.org](mailto:omar.castillo@sfgov.org).

Thank you,

Omar Castillo, Director of Security

Attachments:

1. Investigative Report for Incident on 8-6-20 Gbammou v. Cooney (Memo dated 9-22-20)

cc: John Caldon, Managing Director  
Jenna Lee, War Memorial H.R. Senior Personnel Analyst  
Hector Cardenas, Local 1021 Union Representative  
Employee Personnel File

*CERTIFIED MAIL DELIVERY*

San Francisco  
War Memorial  
& Performing  
Arts Center

**MEMORANDUM**

Date: September 22, 2020

To: John Caldon, Managing Director, San Francisco War Memorial and Performing Arts Center

From: Omar Castillo, Director of Security, San Francisco War Memorial and Performing Arts Center

RE: **Investigative Report for Incident on 8/6/20 Gbammou v. Cooney**

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Herein is my investigation report and response to the above referenced complaint.

**Methodology of Investigation**

Interview with:

1. Mantor Gbammou, 8207 Building and Grounds Patrol Officer
2. Dashune Cooney, 8207 Building and Grounds Patrol Officer
3. Musiliu Adewunmi, 8207 Building and Grounds Patrol Officer
4. Lileen Lim, 8207 Building and Grounds Patrol Officer
5. Steven Hart, 8211 Supervising Building and Grounds Patrol Officer
6. Alex Krivtsov, 7335 Acting Senior Stationary Engineer
7. Scott Erdmann- 8207 Building and Grounds Patrol Officer

**Background**

On August 6, 2020 at approximately 11:45 pm there was an alleged incident involving Officer Cooney and Officer Gbammou. Officer Cooney was working as the 4:00pm – 12:00am stationary officer at the Opera House North Stage Door. Officer Gbammou was scheduled 12:00am – 8:00am as the midnight shift Opera House North Stage Door stationary officer.

Officer Gbammou arrived at the Opera House to change into his uniform in the basement as he usually does. Officer Cooney was working as the Opera House North Stage Door Stationary Officer. Officer Gbammou finished changing and was walking out of the Opera House North Stage Door hallway. Officer Cooney was walking into the Opera House North Stage Door. Officer Gbammou alleges that Officer Cooney pushed him into the exit door and elbowed the right side of his ribcage. Officer Gbammou reports that he instantly felt pain on his right side. Officer Gbammou further alleges that Officer Cooney spoke to Officer Gbammou using “unprofessional and abusive language.” Officer Gbammou left the building and immediately

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informed two-co-workers of these allegations. Officer Gbammou left work to seek medical attention that night.

On 8-7-20 Officer Gbammou reported to Supervisor Steven Hart that Officer Gbammou felt pain in his right side near his ribcage. Workers Compensation Paperwork was completed and submitted to the department of Human Resources. Since the incident, Officer Cooney and Officer Gbammou have not been scheduled to work together pending the results of this investigation.

**INVESTIGATION FINDINGS:**

**Statement Officer Mantor Gbammou:**

Statement sent via email on 8-12-20

At approximately 11:35 pm on Thursday, August 6, 2020, I arrived at 301 Van Ness Opera House (north stage door) to begin my shift. Prior to my shift's start, I entered the locker room to change into my work uniform. After changing, at approximately 11:45 pm, I walked through the inner door to enter the outer lobby of the north stage door. At that time, approaching in the opposite direction, Officer Cooney intentionally walked directly into me without stopping or even offering an apology. Upon impact, I quickly asked Officer Cooney, "why are you hitting me?" At that point, Officer Cooney raised his voice and responded in an unapologetic way, "what the fuck you going to do about it, you fucking shit!!! I can hit you whenever I want, and you wouldn't do anything." In response to Officer Cooney's unprofessional and abusive language, I stated, "why are you such a moron that is always trying to start trouble? You need to back off on me. I am only here to do my job and not to make trouble with anyone."

While walking up to me, Officer Cooney then responded, "If that is what you are here for, take your B\*\*\*\* ass to clock in and relieve me because that's where you belong." Uncertain of whether Officer Cooney intended to strike me, I held my hands up to my face. Within a matter of seconds, Officer Cooney shoved me into the outer north stage doors and out on to the walkway. Given the force of Officer Cooney's push, the right side door of the outer north door broke. Of note, Officer Cooney is over six feet and approximately 220 pounds and I am five feet, three inches at approximately 165 pounds. I felt the entire force of Officer Cooney's shove.

In immediate fear for my personal safety, I quickly walked as far away from Officer Cooney and headed towards the Veterans building where I encountered Officers Lim and Adewunmi. I explained to them that Officer Cooney had just physically assaulted me. I asked Officer Lim to relieve Officer Cooney at the north stage door. About 5 minutes later, Officer Cooney went to the Veterans building to clock out of work. Still frustrated and confused by Officer Cooney's assault, I hit the table with my hands and told him to stop "what he was doing to me." Office Adewunmi encouraged me to end the conversation. When Officer Adewunmi asked Officer

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Cooney about his assault, Officer Cooney replied, "I don't know what the fuck Gbammou talking about."

At approximately 12:05 am, on Friday, August 7, 2020, I went back to the north stage door to meet Officer Lim and told her that I was in pain and needed to go to the ER. At 7:00 am, I informed Supervisor Hart of Officer Cooney's physical assault. While experiencing continuous excruciating pain, I left work and checked into Saint Francis Memorial Hospital Emergency Room. Dr. Denny Mathew evaluated me for injuries and ordered an X-ray. The X-ray did not reveal any 2 fractures, but Dr. Mathew stated that bruising would be expected given the nature of the injury. After a few hours of doctor observation, Dr. Mathew discharged me with careful instruction to return if the pain continued or intensified. Since my discharge, the pain continues. If it continues any longer, I will return to the hospital for further evaluation to determine if any internal injuries occurred.

Unfortunately, this incident is one of many involving Officer Cooney. Officer Cooney began bullying me since 2016. Officer Cooney has a pattern of practice of exhibiting unprofessional conduct towards me. I have been a victim of Officer Cooney's constant harassment, verbal abuse, and humiliation. Even after I reported it multiple times and participated in mediation with him, Officer Cooney continues to bully me and other employees without recourse. Officer Cooney has created a hostile work environment that prevents me from completing my tasks without fear of physical safety or verbally abusive conduct when he is within my proximity. This incident should be investigated and Officer Cooney should be reprimanded. It is illegal for him to create a violent and hostile work environment.

This incident report is to put the company on notice again that Officer Cooney continues to create a hostile work environment and his behavior continues to escalate. I do not have similar issues with any other colleague and enjoy my position. The purpose of this incident report is to highlight Officer Cooney's workplace violence for investigation and resolution so that I continue to work in a safe environment.

**Follow Up Interview with Officer Mantor Gbammou 8-28-20 2:00pm:**

The interview took place in the Director of Security's Office, 401 Van Ness Ave. San Francisco CA. 94102. Officer Gbammou and I were physically present. Dennis Wong, Local 1021 Union Representative attended the interview via telephone.

Officer Gbammou stated he had submitted a written statement on 8-12-20. The statement was truthful and detailed. Gbammou wanted to add a few more details to his statement. On 8-6-20, the date of the incident, Gbammou parked his vehicle in the horseshoe driveway, entered the Opera House North Stage Door, and went to change clothes in the basement. His overnight assignment that night was the Opera House North Stage Door Stationary Officer. He was relieving Officer Cooney, who was the Opera House North Stage Door Officer. Gbammou

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finished changing, walked up the north stairs, and saw Cooney standing just outside the outer Opera House North Stage Door.

Cooney quickly walked past the outer doors, walking in the opposite direction of Gbammou, and passed the inner doors. At this location Cooney elbowed Gbammou on the right side of his rib cage and shoved him with his body as they passed each other. Gbammou immediately turned back and said, "Why are you hitting me?" Cooney responded, "What the fuck you going to do about it, you fucking shit, I can hit you whenever I want and you wouldn't do anything." Cooney then rushed up to him and grasped his upper body with both of his hands. Cooney pushed Gbammou approximately 5 feet into the closed outer Opera House North Stage Door. Gbammou impacted the door with the right side of his body with so much force the door swung open and broke the upper scissor hinge. Cooney pushed him for another foot and released him just outside the door.

Gbammou stated he felt Cooney attacked him because Gbammou is not from this country and he doesn't know the system well enough to defend himself. Gbammou said he remembered another non-reported bullying incident when Cooney and Gbammou were arguing about race and nationality, Gbammou mentioned he was from Liberia. Cooney had said, "Go back to your country, you are not my brother, you are from Africa, I'm from the U.S." Gbammou was very offended by Cooney's statements, but did not report the incident because he did not want to make trouble. Gbammou said he felt Cooney threatened and attacked him because of his nationality and his smaller stature.

Gbammou will submit additional medical paperwork and other paperwork associated with the incident when requested by War Memorial Human Resources. Gbammou did not have any other information or witnesses.

**Statement Officer Cooney on 8-7-20 at 2:22 pm:**

Statement sent via email on 8-7-20 at 2:22 pm:

Tonight Gbammou was upset. When he arrived at the Opera house he aggressively pulled on the door several times. As Normal I had the left side door unlocked for the night shift to enter. He walked past the stage door then exited the building after changing into his uniform, this was around 11:40pm. I waited to be relieved of duty. 8207 Lim arrived at the OH. She said Gbammou was in the restroom so she would take over the post. I walked to the VB to clock out. The VB rover Adewunmi along with Gbammou were at the VB lobby desk talking (not in the restroom). After clocking out I walked through the Lobby to exit the building. Along the way I had a brief conversation with Adewunmi and waved goodbye, when suddenly Gbammou charges at me aggressively wanting I fight. I was at the Van Ness door and he moved quickly from the desk to the Van Ness door way with his fist clenched, voice raised while threatening me with harm. I positioned my self-facing him to not get blindsided. He stopped his movement continued his verbal attack than walked off. I was taken by surprise and confused about the situation. I just



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wanted to clock out and go home, but know I am being attacked. I asked Adewunmi what the situation was about. He kind of shrugs his shoulders, as confused and surprised as I was. Gbammou turns around, returning back along North hall back to the security desk still threatening me, but this time he adds an accusation of me attacking him. I have never attacked Gbammou. When asked why he was saying that, he started towards me again. This time I left the building to stay safe.

**Follow up Interview Officer Cooney on 9-11-20 at 4:00pm:**

The follow up interview took place over the telephone as a precaution of the current pandemic, all parties attended the virtual meeting by calling into a Zoom meeting room. Officer Cooney called in from conference room #106 of the Veterans Building, 401 Van Ness Ave. San Francisco CA 94102. Director of Security Omar Castillo called into the meeting from the Director of Security's office, Veterans Building. Hector Cardenas, Local 1021 Union Representative, attended the conference via telephone from his home office. Omar Castillo advised Officer Cooney the follow up interview was his opportunity to tell us his side of the incident between he and Officer Gbammou. Omar Castillo asked Officer Cooney if he could tell us what happened at the Opera House and Veterans Building on 8-6-20 at approximately 11:40 pm.

Officer Cooney stated he submitted a written statement on 8-7-20. Officer Cooney said on 8-6-20 he was working as the Opera House North Stage Door Stationary Officer. He saw that Officer Gbammou entered the Opera House North Stage Door. Officer Gbammou appeared to be upset and did not say anything. Officer Gbammou went to the basement and changed into his uniform as he usually does. Officer Gbammou then walked out of the Opera House North Stage Door and went to the Veterans Building to clock in for his shift. Officer Cooney stated he was behind the glass security enclosure when Officer Gbammou entered and exited the Opera House north stage door. Officer Cooney then revised his account to say he was outside of the building just before Officer Gbammou exited the building. Officer Cooney stated that he did not make any contact with Officer Gbammou and no words were exchanged.

Officer Cooney was relieved by Officer Lim instead of Officer Gbammou. Officer Cooney walked to the Veterans Building to clock out. On his way out of the Veterans Building he saw Officer Gbammou standing with Officer Adewunmi at the security post near the exit doors. As Officer Cooney was walking out of the Veterans Building, Officer Gbammou immediately started verbally attacking him. Officer Cooney stated he did not know why he was verbally attacking him and said he was afraid for his personal safety because Officer Gbammou was aggressive and yelling at him. Officer Cooney stated he did not have any idea why Officer Gbammou was upset nor why he was trying to cause him physical harm. Officer Cooney left the building for his safety.

I asked Officer Cooney to refer back to his initial statement. Officer Cooney's statement reads, "*Gbammou turns around, returning back along North hall back to the security desk still*

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*threatening me, but this time he adds an accusation of me attacking him.*" Officer Cooney again revised his statement, saying that he did remember this exchange, but that he thought Officer Gbammou was speaking to Officer Adewunmi. Officer Cooney said he "didn't want to leave it alone because if you don't defend yourself it becomes true."

I asked Officer Cooney if he returned to the Veterans Building after he had left. Officer Cooney again revised his previous statement, stating that he had parked his car on Van Ness just outside the Veterans Building exit doors. He stated that he sat in his car for a few moments and thought he should return to the Veterans Building and confront Officer Gbammou about his accusations. Officer Cooney got out of his car and returned to the Veterans Building. He saw that Officer Gbammou was talking with Officer Adewunmi by the security desk. Officer Gbammou again started yelling. Officer Cooney told Officer Gbammou, "You can't do nothing to me." Officer Cooney said a few more words to Officer Gbammou and left the Veterans Building for a second time. Officer Cooney said, "I know how it looks, like I was not afraid". Officer Cooney said Officer Gbammou was attacking him and that Officer Cooney feels he is in danger when around Officer Gbammou.

End of Interview.

**Statement of Officer Musiliu Adewunmi on 8-7-20 at 11:48 pm:**

Statement sent via email on 8-7-20 at 11:48 pm:

On Thursday, August 6th 2020 at 11:50pm I was posted as the Veterans Building Security Officer. While having a chat with Lim, Gbammou walks into the VB lobby to clock-in. He walks over to me and P.O. Lim and appeared to be very upset and kindly asked Lim if she would like to go over to the Opera House (O.H.) to relieve P.O. Cooney. Lim and I both asked P.O. Gbammou why because according to the schedule Gbammou was the relief for Cooney. He replies saying, "I don't want anything to do with Cooney, and he assaulted me just now knowing that there is no witnesses around in (O.H.) he pushed me so hard that my body slammed against the main opera house glass door". Gbammou added in his verbal complaint to me in VB lobby that he asked Cooney why he pushed him causing him to slam his body on the glass door. He said that Cooney replied, "I can hit you anytime I want and that he is a piece of shit". It's now 11:55pm. At this time, P.O. Lim is at (O.H.) to relieve Cooney. Cooney arrives at VB lobby from the Van Ness entrance to punch out for the night. He completes punching out and proceeds to leave VB lobby. On his way out of VB, he sees me and Gbammou by the podium/desk he laughed and smiled at the both of us and tried to have a conversation with me from a distance by asking me what I was doing and I replied and said, "oh just watching YouTube". He then looks over at Gbammou and asked Gbammou saying, "what are you mad for," why you looking like that," Gbammou did not reply to Cooney's question. At this point, I thought it was some sort of a tease from Cooney to ask Gbammou knowing very well that Gbammou seemed very upset with their early encounter. At this point Cooney, not receiving any reply from Gbammou proceeds to

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exit the building from Van Ness door. While Cooney was exiting the door, Gbammou repeats himself telling me about how disrespectful and unprofessional Cooney was to him. On Cooney's way out Gbammou punches the table and walks over to Cooney and they both talked over each other. I remember Gbammou confronting Cooney in front of me as I watched them both from the desk, Gbammou addressed Cooney that what he did to him was wrong and unprofessional. In order to de-escalate the situation, I said to the both of them that there were no need for any physical violence and that we should try to work with each other peacefully and professionally. I witnessed no physical altercation. It was strictly all verbal exchanges. At this point, after all the verbal exchanges, Gbammou walks back to the desk standing close to me while Cooney walks to his parked car outside Van Ness door. He remained in his car for approximately 30 seconds and walks back into VB lobby with both of his arms open walking towards the desk but stops midway saying to Gbammou, "what are you telling him, you telling him I assaulted you?, didn't no body assaulted you." He then finally leaves VB lobby proceed to walk to his car and finally drove off. I tried calming Gbammou down to the best of my ability as a colleague and told him to write a report, to document the incident that occurred. Gbammou then walks over to (OH) towards the Horse Shoe exit door. That was the end of the confrontation on the night of August 6th.

**Follow up Interview with Officer Musiliu Adewunmi on 8-26-20 at 3:15pm**

I spoke with Officer Adewunmi over the telephone and asked him if there was anything further he would like to add to his initial statement. Officer Adewunmi said his initial statement was very detailed but he would like to add that he thought it was very odd that Officer Cooney left the Veterans Building, walked to his car and sat in it for approximately 30 seconds. After the 30 seconds Officer Cooney returned to the Veterans Building and engaged Officer Gbammou again. Officer Cooney said, "why are you telling him anything, didn't nobody assault you, didn't nobody assault you." Officer Gbammou responded, "I'm not going to let you get away with what you did to me that was wrong." Officer Cooney's tone was aggressive and taunting. Officer Gbammou appeared to be genuinely upset and emotionally distraught.

End of Interview

**Statement of Officer Lileen Lim on 8-8-20 at 12:35am:**

Statement sent via email on 8-8-20 at 12:35am

At 11:46pm I clocked in at the Veterans Building office and went to the security desk to get keys from Security Officer Adewunmi. Security Officer Gbammou came into the building and asked me if I could switch post with him. I said no because we need Supervisors approval before we do that. Then he told me what happened in S/o Adewunmi's presence at the desk in the lobby. S/o Gbammou said he went to change into his uniform at Opera House and S/o Cooney pushed him and elbowed him at his ribcage-right side. I told S/o Gbammou that I will go and relieve S/o Cooney. When I went to relieve S/o Cooney, I noticed that the door with the key hole was not

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working properly. Door closer was broken. Approximately 12:07am, S/o Gbammou came and I asked him about the door. He said it was Okay when he came in earlier to change. He said S/o Cooney pushed him hard against the door. 12:40am, I went back to the Veterans Building, handed keys to S/o Tang when he arrived and I advised him to put a sign on the door so no one will get hurt because the door will slam.

**Follow up Interview with Officer Lileen Lim on 8-26-20 at 7:20am**

Omar Castillo spoke with Officer Lim over the telephone and asked her if there was anything further she would like to add to her initial statement. Officer Lim said she did not witness the incident but thought it was true because Officer Gbammou was very upset and was very emotional as he was describing what had just occurred. Officer Lim did not see anyone else present when she walked from the Veterans Building to the Opera house to relieve Officer Cooney. Officer Cooney did not mention anything regarding the incident to Officer Lim.

End of Interview

**Statement Supervisor Steven Hart:**

Statement sent via email on 8-11-20 at 10:14am

On August 7, 2020 at approximately 12:00am, I was off duty and sleeping when I received a call from Mantor Gbammou. He said he was just assaulted by Dashune Cooney and was going to the hospital. Mantor was very distraught and spoke very fast with a heavy accent. I asked him if he was okay and if he needed medical attention which all he kept saying was "he keeps doing this and when there's no witnesses" I asked him to try and calm down then tell me what happened. The only thing I could understand was he said when he arrived at the Opera house, he went downstairs to change and Cooney came downstairs then assaulted him. I couldn't understand anything else except he was leaving and possibly going to the hospital. I said to him "if you go to the hospital, please let them know it happened at work to start the workers comp paperwork" Mantor said he will report it first thing in the morning and hung up the phone. I immediately contacted Omar to inform him of the incident and started working on a replacement for the open post.

**Statement Alex Krivtsov:**

Statement sent via email on 8-12-20

The Opera House North Stage door damage was reported on Friday morning 8/7/20 and then fixed the same day.



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## Interview with Scott Erdmann on 8-25-20 at 11:15am:

I spoke with Officer Erdmann in the Security Directors Office. No other people were present during the interview. Officer Erdmann was working on 8-6-20 from 4:00pm to 12:00am as the Veterans Building Stationary Officer. Officer Erdmann did not hear anything regarding this matter. Officer Erdmann left the building before the incident occurred. Officer Erdmann stated he had a conversation with Officer Gbammou over 1 ½ years ago regarding Officer Cooney. Officer Gbammou said Officer Cooney was a bully, but no specific incidents were mentioned. Officer Erdmann has not witnessed any incidents between Officer Gbammou and Officer Cooney.

End of Interview.

## Recommendation/ Conclusion

Based on the statements, medical records and circumstantial evidence of the investigation, I was able to conclude that the incident is far more likely than not to have occurred in the manner alleged by Officer Gbammou. Relevant evidence includes:

- Officer Gbammou's statements have been a consistent match other contemporaneous witness accounts and physical evidence.
  - Gbammou immediately told colleagues about the incident and requested assistance.
  - Contemporaneous medical records and photographs provided and attached corroborate injury of Gbammou.
  - Broken door identified contemporaneous to the incident that occurred.
- Officer Lim's statement indicated she found a broken door immediately after the incident.
- Officer Adewunmi's statement corroborated Gbammou's distress immediately after the incident and that his story of events did not change.
- Officer Cooney's statement changed several times in minor ways, but is the only voice contradicting Gbammou's statement. Officer Cooney did not report or otherwise mention the broken door.

The statements collected, taken together with the broken door and medical information provided, substantiate Officer Gbammou's claims and demonstrate a high probability that an incident of workplace violence occurred. The statements and evidence show that Officer Gbammou was most likely assaulted by Officer Cooney.

Officer Cooney is charged with workplace violence, mistreatment of persons, unprofessional behavior and inappropriate conduct. Because of the serious nature of these violations, I recommend termination of employment for Officer Cooney.

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Attachments:

1. Email: Investigation Extension Request Granted by SEIU
2. Employee Handbook, Page 44: WORKPLACE VIOLENCE PROHIBITED
3. CCSF Employee Handbook - Policy Regarding the Treatment of Co-Workers and Members of the Public, page 46
4. Emailed Statement Supervisor Hart 8-11-20
5. Daily Activity Report Officer Lim 8-7-20
6. Emailed Statement Officer Adewunmi 8-7-20
7. Emailed Statement Officer Cooney 8-7-20
8. Emailed Statement Officer Lim 8-8-20
9. Officer Gbammou Medical Record 1: 8-7-20
10. Officer Gbammou Medical Record 2: 8-11-20
11. Officer Gbammou Medical Record 3: 8-12-20
12. Officer Gbammou Medical Record 4: 8-14-20
13. Officer Gbammou Medical Record 5: 8-25-20
14. Officer Gbammou Injury Photos: 8-21-20

cc: John Caldon, Managing Director  
Jenna Lee, Senior Human Resources Analyst  
Hector Cardenas, SEIU Rep  
Personnel file