

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/07/09 **DATE OF COMPLETION:** 02/12/09 **PAGE#** 1 of 2

SUMMARY OF ALLEGATION #1-4: The officers arrested the complainant without cause.

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

FINDINGS OF FACT: The complainant alleged that the officers arrested him without cause. The officers stated the complainant was arrested for soliciting an act of prostitution. The evidence proved that the acts, which provided the basis for the allegations, occurred. However, such acts were justified, lawful, and proper.

SUMMARY OF ALLEGATION #5: The officer issued the complainant a citation without cause.

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

FINDINGS OF FACT: The evidence shows that the complainant was lawfully arrested for soliciting an act of prostitution. The evidence proved that the act, which provided the basis for the allegation, occurred. However, such act was justified, lawful, and proper.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/07/09 **DATE OF COMPLETION:** 02/12/09 **PAGE#** 2 of 2

SUMMARY OF ALLEGATION #6-7: The officers behaved inappropriately.

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

FINDINGS OF FACT: The complainant alleged that the officers behaved inappropriately during the arrest. The conduct that the complainant considered inappropriate was standard operating procedure. The complainant was arrested for soliciting an undercover officer to engage in sexual conduct. The officers were taught to effect an arrest after the solicitation. The officers immediately arrested the subject, and did not let the subject retrieve anything from the vehicle. The subject was then transported to an area to be photographed, fingerprinted, and then cited. The arresting officers transported the subject away from the area of arrest for officer safety and the dignity of the subject. The officers' actions were appropriate and proper.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/12/09 **DATE OF COMPLETION:** 02/21/09 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer failed to properly drive a police vehicle.

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

FINDINGS OF FACT: The complainant said she was crossing a crosswalk when a police vehicle entered the intersection and almost struck her. The complainant stated the police vehicle did not have its lights and sirens on as it crossed the intersection. The local police stations were polled with negative results. The complainant stated she could not provide identifying information for either the police vehicle or the occupants of the vehicle. The witness has not come forward to provide a statement to date. There is insufficient evidence to prove or disprove the allegation made in the complaint.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/13/09 **DATE OF COMPLETION:** 02/07/09 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officers failed to allow the complainant to amend a Traffic Collision Report.

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

FINDINGS OF FACT: The complainant could not identify the officers with whom she spoke. The complainant was able to prepare a supplemental report.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/20/09 **DATE OF COMPLETION:** 01/31/09 **PAGE#** 1 of 1

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

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

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

San Francisco Sheriff's Department
Investigative Services Unit
25 Van Ness Avenue #350
San Francisco, CA 94102

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/20/09 **DATE OF COMPLETION:** 02/07/09 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The complainant alleged an officer did not take required action.

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

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

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/16/09 **DATE OF COMPLETION:** 02/19/09 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer misused police authority.

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

FINDINGS OF FACT: The person identified on the OCC complaint form as the complainant stated he did not file the complaint and requested a withdrawal of the complaint. There is no other complainant contact information. On the OCC complaint form the complainant provided contradicting officer information as to star number and name. The business identified by the complainant could not be located. There is insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/23/09**DATE OF COMPLETION:** 02/09/09 **PAGE #** 1 of 1

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

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

FINDINGS OF FACT: The complainant alleged that the officer issued him a citation for illegal parking without cause. The complainant admitted that he parked his limousine in such a manner that his vehicle was partially in the red zone. The evidence proved that the act, which provided the basis for the allegation, occurred. However, the officer's issuance of the citation was justified, lawful, and proper as the complainant admitted that his vehicle was partially illegally parked.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/03/09 **DATE OF COMPLETION:** 02/09/09 **PAGE#** 1 of 1

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

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

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

Emergency Communications Department
1011 Turk Street
San Francisco, CA 94102

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/30/09 **DATE OF COMPLETION:** 02/07/09 **PAGE #1** of 1

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

CATEGORY OF CONDUCT: UA

FINDING: IO-1

DEPT. ACTION:

FINDINGS OF FACT: The complainant received a citation from a Department of Parking and Traffic officer. The complaint raises matters outside OCC's jurisdiction. This complaint has been referred to:

Department of Parking & Traffic
11 South Van Ness Avenue
San Francisco, CA 94102

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT:

FINDING:

DEPT. ACTION:

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/05/08 **DATE OF COMPLETION:** 02/07/09 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The suspect was detained by the primary officer for violating a municipal code of aggressive panhandling. The suspect was verbally identified and found to have two active warrants. The primary officer advised the suspect it was necessary to take him to the station for identification and verification of the warrant. The suspect refused to comply with the detention and attempted to flee the scene. A physical altercation ensued when the primary officer attempted to restrain the suspect. Unbeknownst to the witness officer, the suspect had a knife in his hand and attempted to brandish or swing the knife toward him. The suspect broke free from the primary officer and fled the scene. The primary officer requested immediate assistance over the radio, advised of his location and a physical description of the suspect.

The named officer and his partner responded to the scene to assist. The named officer attempted to approach the suspect on an inclined steep sidewalk. The suspect turned towards the named officer holding a knife approximately 9-10" long by 1" wide. The suspect failed to comply with numerous voice commands by two officers to drop the weapon and stop his advancement towards the named officer. The named officer retreated backwards down the hill approximately 61 feet, trying to maintain a safe distance from the suspect. The suspect quickened his pace and aggressively charged towards the named officer to within six feet. The named officer felt extreme fear for his life and felt he was in imminent danger of death or serious bodily injury. The named officer fired two rounds at the suspect in self-defense. The named officer was justified in drawing his weapon, using deadly force, and discharging his weapon. All three witness officers and three independent witnesses corroborated the justification of the deadly force used in this escalated incident. The evidence proved that the acts which provided the basis for the allegations occurred; however, such acts were justified, lawful, and proper

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/10/09 **DATE OF COMPLETION:** 02/19/09 **PAGE#** 1 of 1

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

CATEGORY OF CONDUCT: **FINDING:** IO2 **DEPT. ACTION:**

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

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/13/09 **DATE OF COMPLETION:** 02/18/09 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: This complaint raises matters outside of OCCs jurisdiction. This complaint has been referred to the US Park Police Department.

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

FINDINGS OF FACT: This complaint raises matters outside of OCC's jurisdiction. This complaint has been referred to the US Park Police Department.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/18/09 **DATE OF COMPLETION:** 02/27/09 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: There is no discernible allegation.

CATEGORY OF CONDUCT: N/A **FINDING:** NF **DEPT. ACTION:**

FINDINGS OF FACT: There is no discernible allegation as the narrative of complaint is illegible. The complainant has not been interviewed, no local address and contact attempts have not been successful.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/19/09 **DATE OF COMPLETION:** 02/21/09 **PAGE#** 1 of 1

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

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

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

San Francisco General Hospital
1001 Portrero Ave.
San Francisco, CA 94110

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/25/09 **DATE OF COMPLETION:** 02/26/09 **PAGE# 1 of 1**

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

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

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

United States Park Police
1217 Ralston Avenue
San Francisco, CA 94129

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/11/08 **DATE OF COMPLETION:** 02/09/09 **PAGE#** 1 of 3

SUMMARY OF ALLEGATIONS # 1-2: The officers failed to properly investigate an assault on the complainant.

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

FINDINGS OF FACT: The complainant stated that the officers approached him shortly after another person hit him on the leg with a metal pipe. The complainant assumed that the officers saw him being attacked but he never actually told them about the said assault, nor did he ask them to arrest the assailant and investigate the incident. The named members stated that they did not see the complainant being attacked or being involved in a physical altercation. No other witnesses came forward. The evidence proved that the acts alleged in the complaint did not occur.

SUMMARY OF ALLEGATION # 3: The officer queried the complainant's name for warrants without justification.

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

FINDINGS OF FACT: The complainant stated that the officer "had no business" running his name for warrants (this query showed the complainant's outstanding warrant, on which he was arrested). The named member stated that he ran the complainant's name because the complainant was detained. The complainant's and the officer's name of this police contact differed in several aspects. However, even based on the complainant's account of the incident, the officer had sufficient reasons for the complainant's detention and therefore for checking the complainant's name via law enforcement databases. The evidence proved that the acts, which provided the basis for the allegation, occurred, however, such acts were justified, lawful, and proper.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/11/08 **DATE OF COMPLETION:** 02/09/09 **PAGE# 2 of 3**

SUMMARY OF ALLEGATIONS # 4-5: The officers used excessive force against the complainant.

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

FINDINGS OF FACT: The complainant stated that two officers slammed him on the ground for no reason during the booking process at the station. The named members denied the alleged misconduct. No other witnesses came forward. The available evidence was insufficient to either prove or disprove the allegation.

SUMMARY OF ALLEGATION # 6: The officer filed false charges against the complainant.

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

FINDINGS OF FACT: The complainant, who was arrested for an outstanding traffic warrant, stated that the officer intentionally filed additional and false “felony resisting arrest” charges against him so that the complainant would stay in jail over the weekend. The named member denied the alleged misconduct. No other witnesses came forward. The available evidence was insufficient to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/11/08 **DATE OF COMPLETION:** 02/09/09 **PAGE#** 3 of 3

SUMMARY OF ALLEGATION # 7: The officer intentionally turned off the video camera at the station booking counter.

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

FINDINGS OF FACT: The complainant stated that the officer intentionally turned off the video camera at the station in order to conceal unnecessary force against him. The OCC found that the station camera was not set up for recording but only for monitoring and the officer could not have engaged in the alleged misconduct. The evidence proved that the acts alleged in the complaint did not occur.

SUMMARY OF ALLEGATION #8: The officer made a racially charged comment to the complainant.

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

FINDINGS OF FACT: The complainant stated that the officer whispered a racially charged comment into his ear. The named member denied making the alleged comment. No other witnesses came forward. The available evidence was insufficient to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/27/08 **DATE OF COMPLETION:** 02/25/09 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: For the officer's inappropriate behavior and comments.

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

FINDINGS OF FACT: The complainant and co-complainant were at San Francisco Airport, stated the officer was rude, yelled, and threatened to cite them for leaving their bags with a co-worker. The officer denied the allegation. One complainant stated the officer yelled at her but there were no witnesses to her interaction. Another witness observed the officer was loudly reading one of her colleague's information for everyone to hear. A witness officer stated that the officer was talking loudly due to the noise in the airport and area that they were in but was not yelling. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/07/08 **DATE OF COMPLETION:** 02/19/09 **PAGE#** 1 of 4

SUMMARY OF ALLEGATION #1: The officer made threatening and inappropriate comments and behavior to the complainant.

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

FINDINGS OF FACT: The officer denied the allegation. The officer stated cigarettes can be used as a weapon against an officer and presents a danger to him and others on scene. The officer's statement in the incident report stated the complainant was under investigation for a physical argument in the street. The complainant was told to place his hands on a vehicle. The officer wrote the complainant removed his hands from the car, took out a cigarette and went into his pocket for a lighter and attempted to light his cigarette. The complainant was ordered two times to put the cigarette down and the complainant refused to comply. A witness officer corroborated a lit cigarette is an officer safety issue. The witness denied observing or hearing any mention of the complainant's cigarette. The evidence proved that the acts which provided the basis for the allegations occurred; however, such acts were justified, lawful, and proper.

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

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

FINDINGS OF FACT: The officer denied the allegation. The officer was dispatched to the incident regarding five subjects arguing in the streets. The complainant was standing next to one of the involved subjects who was bleeding from his face. The officer stated the complainant was detained to investigate whether a crime was committed involving the complainant. The witness officer corroborated they responded to a verbal fight and the complainant and another subject were detained pending the investigation of the disturbance.

The reporting party stated she called police due to excessive noise in the street near her home. The witness stated the complainant walked across the street to break up a fight involving an unknown male and female couple. The complainant stated he and his guest had been drinking at his residence during a celebration when two of his guests got into a physical and verbal altercation. The evidence proved that the acts which provided the basis for the allegations occurred; however, such acts were justified, lawful, and proper.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/07/08 **DATE OF COMPLETION:** 02/19/09 **PAGE#** 2 of 4

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

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

FINDINGS OF FACT: The officer denied the allegation. The officer said the complainant was arrested for taking a fighting stance and resisting an officer. The named officer said the complainant was belligerent, angry, aggressive and displayed symptoms of intoxication. The officer stated they attempted to handcuff the complainant, and the complainant immediately resisted their efforts. The complainant stated it was natural for a person to pull away when someone grabs you. The witness corroborated the complainant became loud with the officers while trying to explain his side of the story. There is insufficient evidence to either prove or disprove the allegation made in the complaint.

SUMMARY OF ALLEGATION #4: The officer was discourteous for using profanity.

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

FINDINGS OF FACT: The officer denied the allegation. The officer said he did not make a profane statement to the complainant at the scene or while transporting the complainant to the police station. All four witness officers corroborated they did not hear the named officer make any discourteous statements or use profanity towards the complainant. The witness stated she could not recall any derogatory remarks being made to the complainant by any police officer onscene. There is insufficient evidence to either prove or disprove the allegation made in the complaint.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/07/08 **DATE OF COMPLETION:** 02/19/09 **PAGE#** 3 of 4

SUMMARY OF ALLEGATION #5-7: The officers used force during an arrest.

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

FINDINGS OF FACT: All of the named officers denied the allegation. Two of the officers said they did not use unnecessary force on the complainant. The officers said they had to use a physical control on the complainant to affect a takedown and then to place the complainant's arms behind his back to apply the handcuffs. Both officers corroborated the complainant took a fighting stance with clenched fists, resisted commands, and resisted their efforts to restrain him. The witness stated the complainant became loud with the officers. Yet, the witness said it was not necessary for the officers to take the complainant to the ground. The complainant stated it was natural for a person to pull away when someone grabs you.

The other named officer denied banging the complainant's head against the police door. The officer said he placed the complainant in a bent wristlock to the rear while escorting him to the police station. The officer advised that the bent wristlock is an approved transport control hold taught at the police academy. The officer said he did not use any force on the complainant and he did not complain of pain. Three witness officers corroborated they did not observe the officer use force on the complainant. The witness stated she did not observe any officer bang the complainant's head on the police car. However, the witness stated she noticed a lump on the complainant's head once at the police station.

The paramedic's patient care report indicated the only medical complaint was for asthma, although the complainant refused to sign the patient care report. The on-duty sergeant completed the medical screening card. The sergeant indicated the complainant had a complaint of pain to his head. There is insufficient evidence to either prove or disprove the allegation made in the complaint.

SUMMARY OF OCC ALLEGATION #:

CATEGORY OF CONDUCT:

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/07/08 **DATE OF COMPLETION:** 02/19/09 **PAGE#** 4 of 4

SUMMARY OF OCC ADDED ALLEGATION #1: The sergeant failed to document the use of force.

CATEGORY OF CONDUCT: ND

FINDING: S

DEPT. ACTION:

FINDINGS OF FACT: The sergeant admitted she failed to document the takedown and the complainant's complaint of pain to his head in the use of force log.

The sergeant stated she did not have an independent recollection of this incident, though she confirmed she was present at the incident, according to the dispatch record and incident report. She could not recall the takedown of the complainant. The sergeant could not recall if the complainant complained of pain or sustained an injury from the incident.

The named sergeant stated the fact that the complainant was taken to the ground and later complained of pain to his head, should have been documented in the use of force log. The sergeant acknowledged that according to the incident report, the reporting officer informed her of the use of force and she failed to document the force in the log. The sergeant was forthcoming and honest in stating she failed to document the use of force and there was no excuse for her omission.

In conclusion, the named sergeant further affirmed she signed and reviewed the incident report and even completed the medical screening card at the station, which indicated the complainant's complaint of pain. The sergeant stated, according to the medical screening card, an ambulance was called to medically assess the complainant.

SUMMARY OF OCC ALLEGATION #:

CATEGORY OF CONDUCT:

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/18/08 **DATE OF COMPLETION:** 02/07/09 **PAGE#** 1 of 1

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

CATEGORY OF CONDUCT: ND

FINDING: NF

DEPT. ACTION:

FINDINGS OF FACT: The complainant failed to provide additionally requested information necessary for a meaningful investigation of her complaint.

SUMMARY OF ALLEGATION #2: The officer engaged in an inappropriate behavior and made inappropriate comments.

CATEGORY OF CONDUCT: CRD

FINDING: NF

DEPT. ACTION:

FINDINGS OF FACT: The complainant failed to provide additionally requested information necessary for a meaningful investigation of her complaint.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/30/08 **DATE OF COMPLETION:** 02/23/09 **PAGE #** 1 of 3

SUMMARY OF ALLEGATION #1: The officer drove unsafely.

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

FINDINGS OF FACT: The complainant said he was traveling legally through an intersection on his bicycle when a motorcycle officer made an improper left turn in front of him without using his siren, causing them to collide. The named officer said he activated his emergency lights and siren before making a slow, cautious turn to follow a possible red-light violator. One officer who was in the area in a car said he saw the named officer activate his lights but did not hear a siren before he heard a crash after he passed the intersection. A second officer in the same car did not see or hear anything before seeing the aftermath of a officer-involved collision. Three witnesses who said they were standing near the intersection said they saw the named officer make a U-turn and all three indicated they saw no lights and heard no siren on the motorcycle before the turn. A preponderance of the evidence proved that the conduct complained of did occur, and that using as a standard the applicable regulations of the Department, the conduct was improper.

SUMMARY OF ALLEGATION #2: The officer made a false statement in a collision investigation.

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

FINDINGS OF FACT: The complainant stated that the named officer's statement as articulated in the incident report was inaccurate, because the officer claimed he activated his siren. The officer denied that he gave a false statement. Three witnesses present during the incident said they did not hear a siren. A witness officer said the named officer made the statement to him. No other witnesses came forward. There was insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/30/08 **DATE OF COMPLETION:** 02/23/09 **PAGE #** 2 of 3

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

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

FINDINGS OF FACT: The complainant alleged that the named officer yelled at him after running into him with a motorcycle, accusing the complainant of causing the accident and riding his bicycle illegally. The officer denied the allegations. Three witnesses at the scene said they saw the interaction but were not close enough to hear what the officer said, nor to fully interpret the officer's gestures. One witness said he did not hear the entire verbal exchange between the named officer and the complainant. No other witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #4: The officer wrote an incomplete accident report.

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

FINDINGS OF FACT: The complainant said the officer who wrote the traffic collision report did not include the fact that he was traveling on a green light and did not include statements from witnesses that the officer did not activate his lights and siren. In his Office of Citizens Complaints interview, the officer said his accident report was complete and accurate. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/30/08 **DATE OF COMPLETION:** 02/23/09 **PAGE # 3** of 3

SUMMARY OF OCC-ADDED ALLEGATION #1: The officer failed to report a traffic stop.

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

FINDINGS OF FACT: The Office of Citizen Complaints, during its investigation, noted that the named officer was quoted in a traffic collision report that he had just completed a traffic stop. There was no apparent documentation of the traffic stop as required by Department regulations. The officer clarified his statement, explaining that he had actually completed a traffic “contact” that did not amount to a traffic stop, and thus did not fall under the reporting requirement. One witness stated that she saw the named officer conducting what appeared to be a traffic stop. Two witnesses who were nearby did not see the officer engaged in a traffic stop. No other witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

SUMMARY OF OCC-ADDED ALLEGATIONS #2, 3: The officers failed to take required action.

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

FINDINGS OF FACT: The Office of Citizen Complaints, during its investigation, noted that the named officers were apparently in the immediate area of a traffic collision between a motorcycle officer and a bicyclist, but gave no statements to the investigating officers. The named officers denied the allegation, stating they were in the area, but did not see the traffic collision. The bicyclist saw a marked patrol car with its lights on in the area of the motorcycle before the crash but could not tell what the patrol car was doing. One witness said she saw a motorcycle officer speaking to the occupants of a patrol car just before the motorcycle officer collided with a bicyclist. No other witnesses came forward. There was insufficient evidence to either prove or disprove the allegations.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/06/08 **DATE OF COMPLETION:** 02/24/09 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer spoke and behaved inappropriately.

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

FINDINGS OF FACT: The complainant was unable to provide identifying information for this officer. An officer was questioned on the complainant's description of the officer, and was unable to help identify the officer. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/28/08 **DATE OF COMPLETION:** 02/25/09 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer used excessive force against the complainant.

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

FINDINGS OF FACT: The complainant stated that the officer “slammed” her against a telephone post, which caused her significant injury. The named member denied using any force during this police contact. The complainant produced a witness, who supported the allegation of excessive force. However, the witness’ statement differed from the complainant’s statement in major aspects of the incident and raised doubts as to its overall veracity. No other witnesses came forward. The available evidence was insufficient to either prove or disprove the allegation.

SUMMARY OF ALLEGATION # 2: The officer acted inappropriately.

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

FINDINGS OF FACT: The complainant stated that the officer paid her and fifteen other people for not telling the paramedics how the complainant’s injury had occurred. The named member stated that he indeed stuck a twenty-dollar bill into the complainant’s sock because he saw this bill on the spot where the complainant was lying before the paramedics placed her on the gurney. The named member denied paying or offering any payments to anyone during this incident. The complainant produced a witness who corroborated the alleged “payments.” However, the witness’ account differed from the complainant’s account in major aspects of the incident and raised doubts as to its overall veracity. A preponderance of the evidence established that, more likely than not, the alleged acts did not occur.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/29/08 **DATE OF COMPLETION:** 02/12/09 **PAGE#** 1 of 2

SUMMARY OF ALLEGATIONS #1 and 2: The officers unlawfully detained the complainant.

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

FINDINGS OF FACT: The complainant admitted that he was parked in a manner that may have been illegal. The three responding officers said the complainant was parked illegally. There were no other witnesses. There is sufficient evidence to support a proper conduct finding.

SUMMARY OF ALLEGATIONS #3 and 4: The officers unlawfully arrested the complainant.

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

FINDINGS OF FACT: The complainant admitted that he was parked in a manner that may have been illegal. The three responding officers said the complainant was parked illegally. The complainant admitted that the officers found suspected narcotics under one of the seats while conducting an illegal search of the vehicle. The officer said the suspected narcotics were found in plain view. There were no other witnesses. There is insufficient evidence to reach a definitive finding.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/29/08 **DATE OF COMPLETION:** 02/12/09 **PAGE#** 2 of 2

SUMMARY OF ALLEGATIONS #5 and 6: The officers conducted an unlawful search of the complainant's vehicle.

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

FINDINGS OF FACT: The three officers at the scene said the vehicle was searched after suspected narcotics were found in plain view inside the car. The complainant said the officers discovered the suspected narcotics during their unlawful search of his vehicle. There were no other witnesses. There is insufficient evidence to reach a definitive finding.

SUMMARY OF ALLEGATION #7: The officer is harassing the complainant.

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

FINDINGS OF FACT: The complainant complained that the officer has repeatedly harassed him with unnecessary contacts. The officer reported in the incident report that he knew the complainant from "numerous" prior contacts. The officer denied that his contact with the complainant was meant to harass him. In this incident the officers appear to have had reasonable suspicion to detain the complainant however, whether or not the named member's actions are part of a greater scheme to harass the complainant cannot be definitively determined from the evidence.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/01/08 **DATE OF COMPLETION:** 02/07/09 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant alleged that the officer arrested him without cause. The officer denied the allegation and said that she was not involved in the arrest. No witnesses came forward. There is insufficient evidence to either prove or disprove the allegation.

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

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

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

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/05/08 **DATE OF COMPLETION:** 03/11/09 **PAGE#** 1 of 3

SUMMARY OF ALLEGATIONS #1-3: The officers conducted a traffic stop without cause.

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

FINDINGS OF FACT: The complainant stated an unmarked police unit containing three plain clothes officers improperly stopped her car and ordered her out of her vehicle, detaining her without justification. The complainant stated she had been visiting a relative living in the neighborhood and observed the officers following her prior to the stop. She stated that after the stop, the officers ordered her out of her car, detaining her and questioning her. The officers denied the allegation, stating they did not recall the circumstances of the stop. No witnesses came forward. There was insufficient evidence to prove or disprove the allegation made in the complaint.

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

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

FINDINGS OF FACT: The complainant stated that while she was detained by plain clothes police officers, one of the officers searched the passenger and trunk compartment of her vehicle including her purse inside the passenger compartment without cause. The officer denied the allegation, stating he smelled an odor of marijuana emanating from the vehicle at the time he approached the complainant's vehicle. He searched the complainant's car, with negative results. No witnesses came forward. There was insufficient evidence to prove or disprove the allegation made in the complaint.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/05/08 **DATE OF COMPLETION:** 03/11/09 **PAGE#** 2 of 3

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

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

FINDINGS OF FACT: The complainant stated that while she was detained by plain clothes police officers, one of the officers told her she had a “nice” car and asked her if it belonged to her. The complainant stated the officer on the driver side of her car said this to her. The officer denied the allegation, saying he made no inappropriate comments. No witnesses came forward. There was insufficient evidence to prove or disprove the allegation made in the complaint.

SUMMARY OF ALLEGATION #6: The officer engaged in selective enforcement.

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

FINDINGS OF FACT: The complainant stated that while she was detained by plain-clothes police officers, one of the officers asked her “Don’t I know you from Double Rock?” a comment she interpreted as racial profiling. The complainant stated the officer was on the passenger side of her vehicle when she was stopped, but had no further description. The officers denied the allegation. There was more than one officer at that location of the complainant’s vehicle and the OCC was unable to identify the officer. No witnesses came forward. There was insufficient evidence to prove or disprove the allegation made in the complaint.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/05/08 **DATE OF COMPLETION:** 03/11/09 **PAGE#**3 of 3

SUMMARY OF OCC ADDED ALLEGATIONS #1-3: The officers failed to follow Department General Order 5.08.

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

FINDINGS OF FACT: In her taped OCC interview, the complainant stated that three male plain-clothes police officers, driving an unmarked vehicle stopped her as she drove her car. The complainant stated she only recognized the men as officers because of their unmarked car and their red lights and a siren she heard prior to the stop. The complainant did not recall any other trappings of authority displayed by the officers, such as a display of stars, as required by the Department General Order 5.08. Two officers said they did not recall the contact. One officer did not recall calling a marked unit to the scene. Department records reflect the officer failed to call a marked unit to the scene, contrary to 5.08. A preponderance of the evidence proved that the conduct complained of did occur and that using as a standard the applicable regulations of the Department, the conduct was improper.

SUMMARY OF ALLEGATIONS :

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/17/08 **DATE OF COMPLETION:** 02/03/09 **PAGE#** 1 of 2

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

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

FINDINGS OF FACT: The complainant stated the officers detained him as he sat in his parked vehicle. The officers stated they observed the complainant's car doors and hood open, with tools spread about the area. There is no dispute that the complainant was repairing his vehicle on a public street, in violation of applicable California Vehicle Code and Traffic Code sections. The complainant was accordingly cited. The evidence proved that the acts, which provided the basis for the allegations, occurred; however, such acts were justified, lawful and proper.

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

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

FINDINGS OF FACT: The complainant alleged the officer pat searched him without probable cause immediately after ordering him out of his car. The complainant stated the officer asked if he had narcotics or alcohol in his possession. The complainant denied having any. The complainant stated the officer pat searched him immediately after he verbally identified himself, as he got out of his car. There is no dispute that the complainant had been in violation of a local city ordinance prohibiting car repair on a city street, as well as a California Vehicle Code violation for an open container of alcohol in his car. There is no dispute that the complainant had an open container of alcohol in his vehicle. The officers observed this violation, detained the complainant and ordered him out of his vehicle for further investigation. A computer check on the complainant revealed that the complainant's past history of assault necessitated the complainant be searched. The evidence proved that the acts, which provided the basis for the allegations, occurred; however such acts were justified, lawful and proper.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/17/08 **DATE OF COMPLETION:** 02/03/09 **PAGE#** 2 of 2

SUMMARY OF ALLEGATION #4: The officer searched the complainant's vehicle without probable cause.

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

FINDINGS OF FACT: The complainant said the officer searched through the passenger compartment of his vehicle without probable cause. He said the officer confiscated an open container of an alcoholic beverage destined for a friend. The officer denied the allegation. He stated he observed the complainant in violation of a local law. The officer stated he observed the open container in plain sight inside the passenger compartment of the complainant's car. The complainant admitted having an open container in his OCC interview. The evidence proved that the acts, which provided the basis for the allegations, occurred; however such acts were justified, lawful and proper.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/16/08 **DATE OF COMPLETION:** 02/26/09 **PAGE#** 1 of 2

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

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

FINDINGS OF FACT: The complainant was detained after the officers smelled marijuana and saw narcotics in plain view in the complainant's room. After the narcotics were seized, the complainant was transported to the police station, where he was released per 849(b). Two witness officers also stated they smelled marijuana and saw narcotics in plain view in the complainant's room. Based on the drugs that the officers smelled and saw in plain view they had reasonable suspicion to detain the complainant and conduct an investigation. The officers' conduct was proper.

SUMMARY OF ALLEGATIONS #3-4: The officers entered and searched the complainant's residence without cause.

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

FINDINGS OF FACT: The complainant stated the officers entered his room under the ruse that "something was not right" with his girlfriend's identification and that his smoke alarm needed to be checked. The complainant acknowledged he had marijuana and crack cocaine in his room. The officers stated they responded to this room because a building resident complained about marijuana smoke coming from the complainant's room. The named officers and two witness officers stated when the complainant opened his door there was a plain smell of marijuana. All four officers also stated they saw marijuana in plain view in the complainant's room. This exigency allowed the officers to enter and secure the premises.

The complaint further contended that officers searched his room after he was transported to the station. He based this contention on conversations he heard at the station between the named officers. The named officers denied doing so. One witness officer stated the officers did not search the room after the complainant was transported to the station. This witness' partner did not recall whether such a search occurred. There was no additional evidence to further prove or disprove the allegation.

OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT

DATE OF COMPLAINT: 07/16/08 **DATE OF COMPLETION:** 02/26/09 **PAGE#** 2 of 2

SUMMARY OF ALLEGATIONS #5-6: The officers seized the complainant's property without cause.

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

FINDINGS OF FACT: The complainant stated officers seized \$1250 from him. He said they returned \$375 and gave him a property receipt for \$775. (However, the two numbers equal \$1,150.)

The officers stated they seized \$775 from the complainant and provided him with a property receipt for the same amount. The currency consisted of 145 one-dollar bills, 26 five-dollar bills and 25 twenty-dollar bills. Due to the small denominations of this currency, one officer stated the seized currency was likely obtained from narcotics sales. Due to the amount of seized narcotics, the officers believed the complainant possessed the cocaine base for sale. The money was kept as evidence pending additional investigation. There were no other witnesses and no additional evidence to further prove or disprove the allegation.

SUMMARY OF ALLEGATIONS #7-8: The officers threatened the complainant.

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

FINDINGS OF FACT: The complainant stated the officers told him that if he provided them with information that would lead to a drug arrest, they would drop all the charges and return all of his money. One of the officers gave the complainant his phone number and told the complainant to call him with information or he would call the District Attorney "to make the charges stick." Since this incident, one of those officers has been calling or stopping by trying to get information from the complainant. Both officers stated the complainant was not booked because he said he could provide additional information from a larger drug dealer than himself. One officer acknowledged having subsequent contact with the complainant. He stated he works in the complainant's neighborhood and has seen the complainant in and around the Hall of Justice. There were no other additional witnesses and no additional evidence to further prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/23/08 **DATE OF COMPLETION:** 02/24/09 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The officer admitted to being agitated at the time of the traffic stop, explaining that he had become so because the complainant had created a dangerous if not deadly situation. The officer did not recall making the alleged comments and even if he had done so it was not unreasonable for him to have made the comments. There is insufficient evidence to either prove or disprove the officer made an inappropriate comment.

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

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

FINDINGS OF FACT: The evidence showed that the officer was following his superior's orders at the time of the incident. The superior in question has since retired from the department.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/16/08 **DATE OF COMPLETION:** 02/25/09 **PAGE#** 1 of 3

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

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

FINDINGS OF FACT: The complainant alleged that the officer issued him a citation without cause. The officer stated he issued the complainant a citation for failure to yield to another vehicle at an intersection. No witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

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

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

FINDINGS OF FACT: The complainant alleged that the officer wrote an inaccurate citation. The officer admitted writing an incorrect location on the citation. While the evidence does establish that a clerical error was made, there is no evidence that the clerical error constituted sustainable misconduct. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/16/08 **DATE OF COMPLETION:** 02/25/09 **PAGE#** 2 of 3

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

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

FINDINGS OF FACT: The complainant alleged that the officer placed him in handcuffs without justification. The officer stated he placed the complainant in handcuffs after the complainant exited his vehicle during a traffic stop. The evidence proved that the act, which provided the basis for the allegation, occurred. However, such act was justified, lawful, and proper.

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

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

FINDINGS OF FACT: The complainant alleged he was searched for no apparent reason. The officer stated he searched the complainant after the complainant exited his vehicle during a traffic stop. The evidence proved that the act, which provided the basis for the allegation, occurred. However, such act was justified, lawful, and proper.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/16/08 **DATE OF COMPLETION:** 02/25/09 **PAGE#** 3 of 3

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

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

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

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/23/08 **DATE OF COMPLETION:** 02/21/09 **PAGE#** 1 of 2

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

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

FINDINGS OF FACT: The juvenile complainant and/or legal guardian have failed to respond to numerous contacts and efforts by the OCC. The complainant and/or legal guardian failed to provide additional requested evidence.

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

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

FINDINGS OF FACT: The juvenile complainant and/or legal guardian have failed to respond to numerous contacts and efforts by the OCC. The complainant and/or legal guardian failed to provide additional requested evidence.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/23/08 **DATE OF COMPLETION:** 02/21/09 **PAGE#** 2 of 2

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

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

FINDINGS OF FACT: The juvenile complainant and/or legal guardian have failed to respond to numerous contacts and efforts by the OCC. The complainant and/or legal guardian failed to provide additional requested evidence.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/05/08 **DATE OF COMPLETION:** 02/21/09 **PAGE#** 1 of 2

SUMMARY OF ALLEGATIONS #1-2: The officers entered the complainant's residence without cause.

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

FINDINGS OF FACT: The officers responded to the complainant's residence in response to complaints made by other tenants and the property manager. The complainant told the officer she was the sole tenant and no one else was in the apartment. One officer saw someone behind the complainant and entered the apartment to identify the person and determine whether that person was a threat to the officers. His partner stated that, immediately before entering the apartment, the officer told her he saw movement behind the complainant. In her OCC interview, the complainant stated that a male friend was inside her apartment. The complainant's friend failed to respond to contact attempts. There were no other witnesses and no additional evidence to further prove or disprove the allegation.

SUMMARY OF ALLEGATIONS #3-4: The officers searched the complainant's residence without cause.

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

FINDINGS OF FACT: The officers acknowledged entering the complainant's apartment but denied searching it. The sole witness, a friend of the complainant, failed to respond to contact attempts. There were no other witnesses and no additional evidence to further prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/05/08 **DATE OF COMPLETION:** 02/21/09 **PAGE#** 2 of 2

SUMMARY OF ALLEGATION #5: The officer acted inappropriately and made inappropriate remarks.

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

FINDINGS OF FACT: The officer denied this allegation and stated that the complainant “was totally out of control and yelling all sorts of epithets” at both officers. His partner supported him. The sole witness, a friend of the complainant, failed to respond to contact attempts. There were no other witnesses and no additional evidence to further prove or disprove the allegation.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/18/08 **DATE OF COMPLETION:** 02/26/09 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: Both officers denied the allegation of unnecessary force. The named officers affirmed they used a closed fist to deliver distracting blows to the complainant's right shoulder area to gain control of his right hand for handcuffing. The officers stated the method of using distracting blows is an academy-trained tactic. Both officers stated the complainant was very large, aggressive, and a combative subject who refused to comply with the arrest. One of the named officers stated this same use of force was used to prevent the complainant from retrieving and/or destroying physical evidence on the ground around him.

All three witness officers corroborated that the complainant violently resisted the arrest. One of the witness officers stated the complainant did not comply with verbal instructions and violently pulled away when he attempted to take him into custody. The same witness officer said the complainant continued to pull away, slip out of his shirt, resist arrest, and attempt to flee. The witness officer stated the complainant continued to resist even when placed on the ground by struggling and kicking violently.

The witness on scene stated he couldn't say whether the police were wrong or whether the complainant was wrong. The witness corroborated he observed at least two officers strike the complainant on his upper body, back & side of head and on his ear. The complainant admitted to being present during a drug "buy bust" operation and having drugs in his mouth during the arrest. The complainant said the police got out of their cars, and one of the officers rushed towards him. The complainant said he turned around on the officer and the officer jumped on his back. The complainant admitted he was trying to run for his life after the officer starting hitting him. There is insufficient evidence to either prove or disprove the allegation made in the complaint.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/18/08 **DATE OF COMPLETION:** 02/26/09 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The officer denied the allegation. The named officer said the allegations alleged by the complainant were not true. Two witness officers stated they did not observe the named officer use any force on the complainant during the incident. The witness officers said the complainant was yelling, screaming obscenities towards the police was irrational and paranoid.

The witness corroborated the officers were fair and professional during their interaction with the complainant at the scene. The witness said during the incident the complainant threatened him, a bystander, and the officers with racial slurs and told everyone he had a gun. The witness stated the complainant resisted the police. The witness stated the complainant would not listen to the officers and they had to put the complainant on the floor to protect themselves. The witness corroborated the complainant was acting belligerent and talking “real bad” to the officers. The witness said he gave the officers credit for handling the situation in a professional manner when the complainant was threatening the officers, saying he had a gun, and fighting and threatening the public. The evidence proved that the acts which provided the basis for the allegations occurred; however, such acts were justified, lawful, and proper.

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

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

FINDINGS OF FACT: The officer denied the allegation. The named officer said the allegations alleged by the complainant were not true. The witness officers stated they transported the complainant from the station to a hospital for a mental health evaluation. Both witness officers stated they did not observe the named officer use any force on the complainant prior to their contact. One of the witness officers said the complainant was initially verbally aggressive and hostile with him and his partner, but calmed down somewhat when they arrived at the hospital. There are no independent witnesses. There is insufficient evidence to either prove or disprove the allegation made in the complaint.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/09/08 **DATE OF COMPLETION:** 02/26/09 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The officer denied the allegation. The officer stated he handcuffed the complainant during the arrest. The named officer said he placed the handcuffs between the ulna bone and the base of the complainant's hand. He assured they were located in the correct position, checked for proper degree of tightness and double locked the handcuffs. The witness said he observed the named officer place the complainant into handcuffs, check for the proper degree of tightness, and double lock the handcuffs. The named officer and three witness officers stated the complainant never complained or voiced any concerns to them regarding tight handcuffs.

Two transporting officers stated they escorted the complainant to the patrol wagon. The transporting officers said the complainant sat on the bench in the patrol wagon, as instructed. Both officers said upon arriving at their destination, less than two blocks on straight and level terrain, the complainant was found sitting on the floor of the compartment in the patrol wagon.

During the OCC interview, the complainant admitted he could have injured his wrist during the transport in the police wagon. The complainant stated he was uncomfortable sitting on the benchseat in the wagon while handcuffed, so he lay on the floor of the wagon. During this time, the complainant said he was rolling around from the movement of the wagon and possibly rolled on his handcuffed wrists. The complainant said he had drunk one beer that day. The complainant also stated he had taken numerous medications for his medical ailments. The evidence proved that the named member was not involved in the acts alleged.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/11/08 **DATE OF COMPLETION:** 02/19/09 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant stated the issue had been resolved and she did not wish to pursue the complaint. The complainant requested a withdrawal of the complaint.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/15/08 **DATE OF COMPLETION:** 02/19/09 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer used inappropriate comments, threats, and inappropriate behavior against the complainant.

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

FINDINGS OF FACT: The complainant stated the officer threatened him and used profanity. The officer denied the allegation. There were no witnesses to the incident. There is insufficient evidence to prove or disprove the allegation made in the complaint.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/19/08 **DATE OF COMPLETION:** 02/27/09 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant stated the taller officer of the police unit broke his AM/FM headphones while placing them in the trunk of the police vehicle.

The officer denied the allegation. The named officer stated he could not recall if the complainant had headphones in his possession. The officer said the complainant was detained and put into the patrol vehicle. The complainant's belongings were put into the trunk of the patrol car. The officer could not specifically recall or identify the belongings of the complainant. Likewise, the officer did not recall handling an AM/FM headphone belonging to the complainant. Upon their arrival to the incident, the witness officer observed some of the complainant's property on the sidewalk and in the gutter area of the street. The witness officer could not specifically recall the complainant having headphones or whether he handled the complainant's headphones during the incident.

The witness observed the complainant harass and terrorize a woman walking down the street with her dog. He observed the complainant wearing an old bulky headphone on his head. The witness called the police and then flagged down a police unit near the incident. The witness stated the complainant was very aggressive and noncompliant with the police by grabbing and pushing the officers. The witness observed the complainant's headphones fall to the ground while the complainant fought with the police. The headphones fell off the complainant's head and to the ground. The witness described the complainant's headphones as "old and raggedy." The witness stated the police were very nice to the complainant, despite the complainant's erratic and aggressive behavior towards the officers. There is insufficient evidence to either prove or disprove the allegation made in the complaint.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/20/08 **DATE OF COMPLETION:** 02/19/09 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant stated the issue involving her parked oversized vehicle in a red zone has been resolved and she did not wish to pursue the complaint any further. The complainant requested a withdrawal of the complaint.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/19/08 **DATE OF COMPLETION:** 02/07/09 **PAGE#** 1 of 1

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

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

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

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

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

FINDINGS OF FACT: The complainant alleged that the officer behaved inappropriately and/or made inappropriate comments during the contact. The officer denied the allegation. No witnesses came forward. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/05/08 **DATE OF COMPLETION:** 02/07/09 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer searched the complainant's vehicle without consent.

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

FINDINGS OF FACT: The complainant stated the officer(s) searched his vehicle without his consent. The officer stated he did not search the complainant's vehicle. The officer stated no other officer(s) searched the complainant's vehicle. There is insufficient evidence to either prove or disapprove the allegation made in the complaint.

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

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

FINDINGS OF FACT: The complainant stated that the officer(s) removed and took his identification from his vehicle. The officer stated he or any other officer(s) did not remove or take the complainant's identification from his vehicle. There is insufficient evidence to either prove or disapprove the allegation made in the complaint.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/15/08 **DATE OF COMPLETION:** 02/09/09 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: Two independent witnesses said the complainant saw two men, later determined to be off-duty police officers, walking down the street, and the complainant confronted one of the officers, whom the complainant recognized from a previous encounter. Witnesses said the complainant tried to start a fight with one of the off-duty officers by verbally and physically taunting the officer. The complainant went into a fighting stance and feigned several punches at the officer. The complainant refused several requests by each officer to go away without being arrested, even after one of the officers identified himself as a police officer. The complainant threw a punch and tried to hit one of the officers in the face. The officer blocked the complainant's punch, and punched the complainant several times in the face. Both officers struggled with the complainant and pinned the complainant face down on the ground until uniformed officers arrived. The complainant was then handcuffed and arrested for misdemeanor battery of a police officer. The evidence proved that the acts, which provided the basis for the allegation, occurred; however, such acts were justified, lawful, and proper.

SUMMARY OF ALLEGATIONS #3 & 4: The officer used unnecessary force during the detention

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

FINDINGS OF FACT: Two independent witnesses said the complainant saw two men, later determined to be off-duty police officers, walking down the street, and the complainant confronted one of the officers, whom the complainant recognized from a previous encounter. Witnesses said the complainant tried to start a fight with one of the off-duty officers by verbally and physically taunting the officer. The complainant went into a fighting stance and feigned several punches at the officer. The complainant refused several requests by each officer to go away without being arrested, even after one of the officers identified himself as a police officer. The complainant threw a punch and tried to hit one of the officers in the face. The officer blocked the complainant's punch and punched the complainant several times in the face, knocking out a tooth in the complainant's mouth. Both officers struggled with the complainant and pinned the complainant face down on the ground until uniformed officers arrived. The complainant was then handcuffed, arrested for misdemeanor battery of a police officer and taken to the hospital. The evidence proved that the acts, which provided the basis for the allegation, occurred; however, such acts were justified, lawful, and proper.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/23/08 **DATE OF COMPLETION:** 02/18/09 **PAGE#** 1 of 2

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

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

FINDINGS OF FACT: The complainant alleged that the officer issued him a citation without cause. The complainant said he was not driving his vehicle when the officer contacted him. The complainant said he was in front of his house fixing the broken taillight of his vehicle. The officer stated that while driving, he noticed the complainant's vehicle in front of him with a non-functioning left brake lamp. The complainant was cited for a taillight violation, not having proof of insurance, and driving with a suspended license. No witnesses came forward. The evidence is insufficient to either prove or disprove the allegation.

SUMMARY OF ALLEGATIONS #2-3: The officers selectively enforced the law.

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

FINDINGS OF FACT: The complainant alleged that the officers selectively enforced the law by contacting him because of his race. The officers denied the allegation. No witnesses came forward. There is insufficient evidence to either prove or disprove the allegations.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/23/08 **DATE OF COMPLETION:** 02/18/09 **PAGE#** 2 of 2

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

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

FINDINGS OF FACT: The complainant alleged that the officer made an inappropriate comment by calling him a gangbanger who would shoot up his neighborhood. The complainant failed to identify the officer. The officers that were questioned regarding this allegation denied making the comment. No witnesses came forward. There is insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #5-6: The officers searched the complainant's vehicle without cause.

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

FINDINGS OF FACT: The complainant alleged that the officers searched his vehicle without cause. The officers stated they made an inventory search before towing the complainant's vehicle. The evidence shows that the complainant had a suspended license and was on parole when the contact occurred. The evidence is sufficient to prove the allegations and the officers' actions were proper.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/30/08 **DATE OF COMPLETION:** 02/05/09 **PAGE#** 1 of 2

SUMMARY OF ALLEGATION #1-2: The complainant alleged that the officers detained him without justification

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

FINDINGS OF FACT: The complainant alleged the officers detained him without justification. The officer did not recall the incident. There were no other witnesses to the incident other than the officer's partner. His partner stated the complainant was detained for a vehicle registration violation. The CAD printout shows that the vehicle the complainant was driving had expired registration. The evidence proved that the acts, which provided the basis for the allegations, occurred; however, such acts were justified, lawful and proper.

SUMMARY OF ALLEGATION #3-4: The complainant alleged the officers searched him without justification.

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

FINDINGS OF FACT: The complainant alleged the officers searched him without justification. The officer did not recall the incident. There were no other witnesses to the incident other than the officer's partner. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/30/08 **DATE OF COMPLETION:** 02/05/09 **PAGE#** 2 of 2

SUMMARY OF ALLEGATION #5-6: The complainant alleged the officers searched his vehicle without justification.

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

FINDINGS OF FACT: The complainant alleged the officers searched his vehicle without justification. The officer did not recall the incident. There were no other witnesses to the incident other than the officer's partner. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

SUMMARY OF ALLEGATION #

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/04/08 **DATE OF COMPLETION:** 02/27/09 **PAGE#** 1 of 2

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

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

FINDINGS OF FACT: The officer issued the complainant a traffic citation for failure to stop for a stop sign, a violation of California Vehicle Code section 22450 (a). The complainant contends she was wrongfully cited for this infraction. No witnesses or other evidence were developed to support this allegation. There is insufficient evidence to either prove or disprove the allegation.

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

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

FINDINGS OF FACT: The officer issued the complainant a traffic citation for failure to stop for a stop sign, a violation of California Vehicle Code section 22450 (a). The complainant contends she was wrongfully cited for this infraction, and that the officer was extremely rude during the process of issuing her the citation. She also alleged the officer threatened to take her to jail if she did not sign the citation. The officer denied any rude behavior and said he acted in a professional manner throughout this incident. The officer stated he repeatedly asked the complainant to sign the citation, but the complainant refused. The officer said he then explained California Vehicle Code section 40302 (b) to the complainant, which basically compels the complainant to sign the citation only as acknowledgement of her promise to appear in court or pay the fine. Otherwise, the officer said, the complainant could face arrest for her refusal to sign. No witnesses or other evidence were developed to support the claimant's allegation. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/04/08 **DATE OF COMPLETION:** 02/27/09 **PAGE#** 2 of 2

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

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

FINDINGS OF FACT: The officer issued the complainant a traffic citation for failure to stop for a stop sign, a violation of California Vehicle Code section 22450 (a). Department policy mandated the officer to enter the applicable information obtained from this traffic stop into the appropriate computer database. However, the officer failed do this. The officer alleged his commanding officer had exempted subordinate officers from these procedures. The commanding officer stated that none of the sworn officers in his division who made traffic stops, including high-ranking officers, were exempted. A preponderance of the evidence proved that the conduct complained of did occur, and that using as a standard the applicable regulations of the Department, the conduct was improper.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/07/08 **DATE OF COMPLETION:** 02/19/09 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant stated the officer was rude, cocky and exhibited an authoritative figure toward her. The officer denied the allegation and said the complainant was yelling and angry. A witness said the officer was nice and not rude toward the complainant. The evidence proved that the acts, which provided the basis for the allegations, occurred; however, such acts were justified, lawful, and proper.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/06/08 **DATE OF COMPLETION:** 02/20/09 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant alleged that the officer made an inappropriate comment. The officer denied making an inappropriate comment. No witnesses came forward. There was insufficient evidence to either prove or disprove the allegation made in the complainant.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

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

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

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

FINDINGS OF FACT: The complainant was stabbed in the back by an unknown assailant. The complainant went by himself to the hospital for treatment, but never notified police about the incident himself. Someone else called the Department of Emergency Management (police dispatch) to report this incident. Dispatch sent police to the area where the stabbing occurred. Police searched the area but were unable to locate the victim. Police also went to the emergency room of a local hospital where police found the victim receiving medical treatment. At the hospital, police questioned the victim who became uncooperative and refused to answer additional questions. Police photographed the victim's injuries, provided the victim with a case number and also provided the victim with a Victim of Violent Crime Form. The complainant alleged the police: failed to investigate this incident; did not take any photographs; and did not take any physical evidence. An OCC Investigator made several attempts to contact the complainant for an interview and to obtain additional information. The complainant failed to provide additional requested evidence.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/12/08 **DATE OF COMPLETION:** 02/02/09 **PAGE#** 1 of 3

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

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

FINDINGS OF FACT: By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on January 27, 2009.

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

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

FINDINGS OF FACT: By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on January 27, 2009

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/12/08 **DATE OF COMPLETION:** 02/02/09 **PAGE#** 2 of 3

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

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

FINDINGS OF FACT: By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on January 27, 2009.

SUMMARY OF ALLEGATION #4: The officer used force during the detention.

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

FINDINGS OF FACT: By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on January 27, 2009

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/12/08 **DATE OF COMPLETION:** 02/02/09 **PAGE#** 3 of 3

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

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

FINDINGS OF FACT: By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on January 27, 2009.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/17/08 **DATE OF COMPLETION:** 02/07/09 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The complainant stated the officer issued a traffic citation without justification.

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

FINDINGS OF FACT: The officer stated he conducted a traffic stop on the complainant's vehicle when he observed the vehicle had a malfunctioning headlamp, and an item hanging from the rear-view mirror of the vehicle. The complainant admitted that his vehicle was having electrical problems with the headlights and he had an item hanging from the rear-view mirror. The complainant admitted not providing his vehicle registration upon request. The officer stated he issued the complainant a citation for violation of California Vehicle Code sections 26708(a) 2, No person shall drive a motor vehicle with any object or material placed, display affixed or applied in or upon the vehicle which obstructs or reduces the drivers clear view through the windshield or side windows; California Vehicle Code 4454(a), Every owner, upon receipt of a registration card, shall maintain the same or a facsimile copy thereof with the vehicle for which issued. The witness officer stated he saw the complainant's vehicle with a malfunctioning headlamp and an item hanging from the vehicle's rear-view mirror. The evidence proved that the acts, which provided the basis for the allegations, occurred, however, such acts were justified, lawful and proper.

SUMMARY OF ALLEGATION #2: The complainant stated the officer made inappropriate comments.

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

FINDINGS OF FACT: The officer stated he asked the complainant several questions relating to the proof of ownership of the vehicle the complainant was driving. The complainant admits that he did not provide the officer with his vehicle registration upon request. The evidence proved that the acts, which provided the basis for the allegations, occurred, however, such acts were justified, lawful and proper.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/17/08 **DATE OF COMPLETION:** 02/20/09 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on February 11, 2009.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/18/08 **DATE OF COMPLETION:** 02/27/09 **PAGE#** 1 of 3

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

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

FINDINGS OF FACT: The complainant stated that he was walking home with his friend. The complainant stated that he and his friend had just left a bar and they were talking loud and singing while walking in the middle of the street. The officer stated he noticed the complainant walking in the roadway and yelling obscenities. The officer stated he noticed the complainant's speech was slurred. The officer stated he detained the complainant to conduct a well-being check. The complainant did admit to having several alcoholic drinks that evening, talking loud to his friend, and walking in the middle of the street. The evidence proved that the acts, which provided the basics for the allegations, occurred; however, such acts were justified, lawful and proper.

SUMMARY OF ALLEGATIONS #2 The officer used unnecessary force.

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

FINDINGS OF FACT: The complainant stated the officer grabbed him from behind, threw him to the ground and placed him in handcuffs. The officer stated that after he handcuffed the complainant, the complainant began thrashing his upper body and spitting. In order to control the complainant, the officer stated he used a rear leg sweep to bring the complainant to the ground in order to control him. There are two independent witnesses to the incident listed in the incident report, but both have failed to respond to multiple Office of Citizen Complaints attempts to contact them. There was insufficient evidence to either prove, or disprove the allegations made in the complaint.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/18/08 **DATE OF COMPLETION:** 02/27/09 **PAGE #** 2 of 3

SUMMARY OF ALLEGATIONS #3 The officer used racial slurs.

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

FINDINGS OF FACT: The complainant stated the officer used racial slurs toward him during the incident. The officer denied using any racial or derogatory statements to the complainant. The complainant admitted he was not sure exactly what he heard the officer say, but he heard the officer utter racial slurs. There are two independent witnesses to the incident listed in the incident report, but both have failed to respond to multiple Office of Citizen Complaints attempts to contact them. There was insufficient evidence to either prove, or disprove the allegations made in the complaint.

SUMMARY OF ALLEGATIONS #4 The officer failed to process the complainant's property.

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

FINDINGS OF FACT: The complainant stated he was taken in an ambulance to the hospital for the injuries he sustained during the incident. The complainant stated when he was released from the hospital he was not given his shoes, clothes, wallet, and an unspecified amount of money he had on him. The officer stated he did not process the complainant's property. The officer stated the complainant's property was given to the medics who transported the complainant to the hospital. There was insufficient evidence to either prove, or disprove the allegations made in the complaint.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/18/08 **DATE OF COMPLETION:** 02/27/09 **PAGE #** 3 of 3

SUMMARY OF ALLEGATIONS #5 The officer interfered with the rights of onlookers.

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

FINDINGS OF FACT: The complainant stated the officer would not allow his friend to document the incident by taking photographs. The complainant stated the officer threatened to arrest the complainant's friend for attempting to take photographs. The officer stated the complainant's friend kept trying to approach the complainant during the incident, but due to the fact that the officer was by himself, he asked the complainant's friend to wait at the corner until he was finished dealing with the complainant for officer safety. Numerous attempts were made to contact the complainant's friend, but the complainant's friend never responded to the attempts. There is insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATIONS #

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/18/08 **DATE OF COMPLETION:** 02/09/09 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant stated the building property manager and a maintenance worker came to his apartment and removed postings he had displayed on his front door. The complainant felt he had the right to hang these postings on his front door. The property manager contacted SFPD and the officer responded. The complainant stated the officer was very unfriendly, rude and abrupt toward him and began taking the remnants of the removed political postings down from his door. The officer stated he responded to the complainants building due to a request from the housing authority. According to the complainant's lease agreement provided by the property manager, no postings are to be hung on the outside of any apartment in the building. The officer stated that while he was at the complainant's apartment he tried to discuss the complainant's concerns about the complainant's neighbors and the complainant's political postings, but the complainant continued to be very argumentive and used derogatory comments when he referred to his neighbors. The officer stated that he did not see or witness anyone take any postings down from the complainant's door. The officer further stated that he did not remove any of the complainant's postings from the complainant's door. The officer stated he remained professional and calm while dealing with the complainant. A witness officer also stated that the officer handled the complainant in a calm and professional manner. The witness officer also did not see any postings or witness anyone take any postings down from the complainant's door. There was insufficient evidence to either prove, or disprove the allegation made in the complaint.

SUMMARY OF ALLEGATION #2: The officer's actions were racially motivated.

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

FINDINGS OF FACT: The complainant stated he felt the officer's actions were racially motivated. The complainant felt that since he and the officer were not of the same ethnic background that the officer's actions were racially motivated. The complainant did not state any other reasons or provide any evidence for his belief that the officer's actions were racially motivated. The officer stated he was responding to a call from the housing authority. There had been several complaints about the complainant by his neighbors. The officer stated he did not do or say anything that could be construed as racially biased nor could his actions be construed as racially motivated. A witness officer also stated that he did not witness the officer do or say anything that could be construed as racially biased. The evidence proved that the acts alleged in the complaint did not occur, or that the named member was not involved in the acts alleged.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/18/08 **DATE OF COMPLETION:** 05/19/09 **PAGE#** 1 of 3

SUMMARY OF ALLEGATION #1: The officer behaved inappropriately.

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

FINDINGS OF FACT: The complainant alleged that the officer behaved inappropriately during the contact. The officer denied the allegation. No witnesses came forward. There is insufficient evidence to either prove or disprove the allegation.

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

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

FINDINGS OF FACT: The complainant alleged that the officer failed to provide, promptly and politely, his name and star number. The officer denied the allegation and stated he provided the complainant his last name and star number. The officer stated he further told the complainant that his name and star number would appear on the citation. No witnesses came forward. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/18/08 **DATE OF COMPLETION:** 05/19/09 **PAGE#** 2 of 3

SUMMARY OF ALLEGATION #3: The officer wrote an inaccurate citation.

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

FINDINGS OF FACT: The complainant alleged that the officer wrote an inaccurate citation. The officer stated that the error was a typographical error. While the evidence does establish that a clerical error was made. There is no evidence that the clerical error constituted sustainable misconduct. There is insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #4: The officer behaved inappropriately

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

FINDINGS OF FACT: The complainant alleged that the officer behaved inappropriately. The officer denied behaving inappropriately toward the complainant. No other witnesses came forward. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/18/08 **DATE OF COMPLETION:** 05/19/09 **PAGE#** 3 of 3

SUMMARY OF ALLEGATION #5: The officer failed to take an OCC complaint.

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

FINDINGS OF FACT: The complainant alleged that the officer failed to take her OCC complaint. The officer was not identified. No witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/19/08 **DATE OF COMPLETION:** 02/03/09 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1-2: The officers detained the complainant's son without justification.

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

FINDINGS OF FACT: By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on January 23, 2009.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/21/08 **DATE OF COMPLETION:** 02/07/09 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer made sexually derogatory comments.

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

FINDINGS OF FACT: The complainant alleged that the officer made sexually derogatory comments during the contact. The officer denied the allegation. Two witnesses denied that the officer made sexually derogatory comments. The evidence proved that the act alleged in the complaint did not occur.

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

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

FINDINGS OF FACT: The complainant alleged that the officer threatened her. The officer denied the allegation. Two witnesses denied that the complainant was threatened. No other witnesses came forward. The evidence proved that the act alleged in the complaint did not occur.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/26/08 **DATE OF COMPLETION:** 02/07/09 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant stated the officer arrested her without any justification. Department records, the Cold Show Admonition Forms signed by the victim and the statements made by the witness officer, confirm the complainant was positively identified as one of the suspects. The complainant was arrested. The evidence proved that the acts, which provide the basis for the allegations, occurred, however, such acts were justified, lawful and proper.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/02/08 **DATE OF COMPLETION:** 02/07/09 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The officer stopped the complainant's vehicle for having expired vehicle registration tags. The complainant admits that his vehicle had expired vehicle registration tags and he did not have a current proof of auto insurance card in the vehicle. The officer issued the complainant the traffic citations for 5208(a) CVC, expired vehicle registration tags and 16028(a) CV, failure to provide proof of financial responsibility. The evidence proved that the acts, which provided the basis for the allegations, occurred; however, such acts were justified, lawful, and proper.

SUMMARY OF ALLEGATION #2: The officer failed to provide required information to the complainant.

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

FINDINGS OF FACT: The officer does not recall if he told the complainant it was a fix it ticket. The officer stated he routinely explains the procedure to rectify a fix it ticket when he issues a traffic citation and tells the violator it is a fix it ticket. The witness officer does not recall if the officer told the complainant it was a "fix it ticket." There was insufficient evidence to either prove or disprove the allegation made in the complaint.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/08/08 **DATE of COMPLETION:** 02/02/09 **PAGE #1** of 1

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

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

FINDINGS OF FACT: The complainant brought forward issues that are outside the jurisdiction of the OCC. This complaint has been forwarded to:

San Francisco Sheriff's Department
Investigative Services Unit
25 Van Ness Avenue #350
San Francisco, CA 94102

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/12/08 **DATE OF COMPLETION:** 02/19/09 **PAGE#** 1 of 2

SUMMARY OF ALLEGATION #1: The unidentified officer displayed intimidating and threatening behavior towards the complainant.

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

FINDINGS OF FACT: The complainant stated he wished to acquire an attorney and seek legal advice regarding the incident. The complainant requested a withdrawal of the complaint.

SUMMARY OF ALLEGATION #2: The unidentified officer used profanity towards the complainant.

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

FINDINGS OF FACT: The complainant stated he wished to acquire an attorney and seek legal advice regarding the incident. The complainant requested a withdrawal of the complaint.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/12/08 **DATE OF COMPLETION:** 02/19/09 **PAGE#** 2 of 2

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

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

FINDINGS OF FACT: The complainant stated he wished to acquire an attorney and seek legal advice regarding the incident. The complainant requested a withdrawal of the complaint.

SUMMARY OF ALLEGATION #4: The unidentified officer searched and seized the complainant's personal property without cause.

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

FINDINGS OF FACT: The complainant stated he wished to acquire an attorney and seek legal advice regarding the incident. The complainant requested a withdrawal of the complaint.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/12/08 **DATE OF COMPLETION:** 02/07/09 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1-2: The officer used unnecessary force during an arrest.

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

FINDINGS OF FACT: By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on January 30, 2009.

SUMMARY OF ALLEGATION #3-4: The officers violated the rights of onlookers.

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

FINDINGS OF FACT: By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on January 30, 2009.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/18/08 **DATE OF COMPLETION:** 02/18/09 **PAGE#** 1 of 2

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

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

FINDINGS OF FACT: The complainant alleged that the officers issued him citations without cause. The officer stated he cited the complainant once for obstructing a public sidewalk. No witnesses came forward. There is insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #2-3: The officers seized the complainant's properties without cause.

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

FINDINGS OF FACT: The complainant alleged that the officers seized his properties without cause. The officers stated the complainant's properties were seized as evidence. No witnesses came forward. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/18/08 **DATE OF COMPLETION:** 02/18/09 **PAGE#** 2 of 2

SUMMARY OF ALLEGATION #4-5: The officers harassed the complainant.

CATEGORY OF CONDUCT: CRD

FINDING: NS

DEPT. ACTION:

FINDINGS OF FACT: The complainant alleged that the officers repeatedly contacted him mainly to harass him. The officers denied the allegations. No witnesses came forward. There is insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT:

FINDING:

DEPT. ACTION:

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/13/09 **DATE OF COMPLETION:** 02/19/09 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: During a taped interview with OCC the complainant requested a withdrawal of the complaint.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/24/08 **DATE OF COMPLETION:** 02/03/09 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on January 30, 2009.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/02/09 **DATE OF COMPLETION:** 02/12/09 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant stated that an SFPD officer told her that her “broken window” incident was related to another incident regarding windows being broken in the same housing project earlier that day, which the complainant felt it was not. The complainant could not identify the officer that made the alleged “erroneous” assertion. She refused to provide the names and contact information for three potential witnesses and objected to OCC’s attempts to obtain their statements. The Department records showed that two police reports were written by SFPD officers that day regarding “broken windows” incidents (including one in the complainant’s house). The contents of these reports showed that the incidents were related. The evidence showed that the acts, which provided the basis for the allegation, occurred; however, such acts were justified, lawful, and proper.

SUMMARY OF ALLEGATION #2: The officer failed to respond to the scene in a timely manner.

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

FINDINGS OF FACT: The complainant stated that she and her friend made numerous 911 calls but the police failed to respond in a timely manner. The complainant could not identify the officer(s), who she believed were responsible for the alleged misconduct. She also refused to provide the names and contact information for three potential witnesses to this incident and objected to OCC’s attempts to obtain their statements. The records of the Emergency Communications Division showed that two 911 calls to the Communications were made on the day of the incident from the complainant’s phone number. The records also showed that the first police units were on the scene within minutes after the Communications’ broadcasts. The evidence showed that the acts, which provided the basis for the allegations, occurred; however, such acts were justified, lawful, and proper.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/31/08 **DATE OF COMPLETION:** 02/26/09 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant stated he allowed a friend to borrow his vehicle. The officer stated that the vehicle was towed pursuant to California Vehicle Code section 12500(a), which states, in part, "A person may not drive a motor vehicle upon a highway, unless the person then holds a valid driver's license issued under this code, except..." The evidence proved that the acts, which provided the basis for the allegations, occurred; however, such acts were justified, lawful and proper. The complainant's friend did not have a valid Drivers License.

SUMMARY OF ALLEGATION #2: The officer failed to provide required information.

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

FINDINGS OF FACT: The complainant alleged that he asked the officer at least five or six times to provide the name of his department and station. The complainant said the officer was non-responsive at first and then provided the information. The officer stated he provided the information to the complainant when requested. Known witnesses were unavailable to be interviewed. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/01/09 **DATE OF COMPLETION:** 02/25/09 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1-2: The officer behaved inappropriately.

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

FINDINGS OF FACT: By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on February 20, 2009.

SUMMARY OF ALLEGATION #3-4: The officer drove his patrol unit inappropriately.

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

FINDINGS OF FACT: By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on February 20, 2009

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/05/09 **DATE OF COMPLETION:** 02/27/09 **PAGE #1** of 2

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

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

FINDINGS OF FACT: The complainant stated he was riding his bicycle on the sidewalk for safety reasons because he noticed his headlamp was not properly working. The complainant stated the officer stopped him and questioned him regarding if he had ever been arrested and asked if he had any identification. The complainant told the officer he did not have any identification and the officer proceeded to handcuff the complainant. The complainant stated he was handcuffed for approximately 30 minutes until a back up unit was able to bring a copy of his DMV photo. The officer stated that he noticed the complainant riding his bicycle on the sidewalk, in violation of Section 96 of the San Francisco Traffic Code. The officer stated he asked the complainant to walk his bike but the complainant did not comply. The officer stated he then noticed the complainant's headlamp not working properly and this was a violation of 2120 (d) (1) CVC, riding a bicycle during darkness without an illuminated head light. The officer was going to issue a citation for the offenses but without the complainant having any identification he was going to transport the complainant to the police station but waited at the scene for a backup unit to provide a copy of the complainant's DMV photo. The complainant admitted to committing the above listed violations. The evidence proved that the acts which provided the basis for the allegations occurred; however; such acts were justified, lawful, and proper

SUMMARY OF ALLEGATIONS #2: The officer searched the complainant's personal property.

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

FINDINGS OF FACT: The complainant stated that while he was handcuffed and sitting on the sidewalk, the officer searched his bag that was attached to his bicycle. The officer stated that since the complainant did not have any identification, he was going to transport the complainant to the police station to properly identify him. The officer stated that he did a transport search of the complainant's bag for officer safety. The evidence proved that the acts which provided the basis for the allegations occurred; however; such acts were justified, lawful, and proper

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/05/09 **DATE OF COMPLETION:** 02/27/09 **PAGE #2 of 2**

SUMMARY OF ALLEGATIONS #3: The officer displayed inappropriate behavior.

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

FINDINGS OF FACT: The complainant stated the officer was confrontational, insensitive, arrogant, and robotic during the incident. The complainant did not say the officer said or did anything specifically to warrant his claims, just that it was the officer's demeanor during the incident that made him feel this way. The officer stated he was professional and courteous toward the complainant during the incident. Both parties stated there were no independent witnesses to this incident. There is insufficient evidence to either prove or disprove the allegations made in the complaint.

SUMMARY OF ALLEGATIONS #:

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

FINDINGS OF FACT: