

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

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

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

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

**FINDINGS OF FACT:** The complainant withdrew the complaint.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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**DATE OF COMPLAINT:** 11/02/04    **DATE OF COMPLETION:** 10/24/05    **PAGE#** 1 of 5

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

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

**FINDINGS OF FACT:** The complainant stated the officer took one person's word as fact, only focused on three tenants of her apartment building including herself and no one else in the building, and conducted an interview in the presence of another person. The officer denied the allegation. There is insufficient evidence to prove or disprove the allegation.

**SUMMARY OF ALLEGATIONS #2:** The officer employed selective enforcement.

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

**FINDINGS OF FACT:** The complainant stated that she could not believe the SFPD would have a full-blown investigation over missing keys. She also stated that the officer based his investigation on the building manager's information to take action against her and other tenants because of a friendship between the inspector and the manager. The officer denied the allegation. There is insufficient evidence to prove or disprove the allegation.

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**SUMMARY OF ALLEGATIONS #3:** The officer misused his police authority

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

**FINDINGS OF FACT:** The complainant and co-complainants suspected that the officer was a friend of the building manager. They believed that the officer was using this friendship to harass them for the building manager. The officer denied the allegation. The manager denied having any relationship with the officer. One witness had no information regarding a relationship between building manager and the officer. There is insufficient evidence to prove or disprove this allegation

**SUMMARY OF ALLEGATIONS #4:** The officer failed to properly prepare and process a search warrant.

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

**FINDINGS OF FACT:** The complainant stated that the affidavit was written based on knowingly fraudulent, fictitious, and false statements of unreliable witnesses. The officer denied the allegation. He said that the additional information reported to him was documented in his chronology, which was presented to the magistrate in the search warrant packet. There is insufficient evidence to prove or disprove the allegation.

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**SUMMARY OF ALLEGATIONS #:**5-8: The officers searched the complainant's residence and other residences without cause.

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

**FINDINGS OF FACT:** The complainant stated that the officer searched her residence and other tenants based on a search warrant with knowingly fraudulent, fictitious, and false statements of knowingly unreliable witnesses. The officers denied the allegation. One witness stated in his OCC interview that the information written on the affidavit is not what he stated to the officer and that the officer took his statement out of context. There were no witnesses to this interview and no tape recording was done. There is insufficient evidence to prove or disprove the allegation.

**SUMMARY OF ALLEGATIONS # 9:** The officer searched beyond the scope of the search warrant.

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

**FINDINGS OF FACT:** The complainant stated that her purse was searched during the search of her apartment and she believed that was out of the scope of the search warrant. The officer did search the complainant's purse, because it could have contained items specified in the search warrant. Because the validity of the warrant is in dispute, there is insufficient evidence to prove or disprove the allegation.

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**SUMMARY OF ALLEGATION #10:** The officer failed to provide a receipt of items seized.

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

**FINDINGS OF FACT:** Complainant stated the officer did not provide her with a property receipt and that a week later she received one via mail. The officer stated he provided a copy of the search warrant when they entered and when they were about to leave she could not find her copy so the officer provided another copy and an inventory list of what they seized. The officer said he made sure he had another copy of the inventory mailed to the complainant. There were no other witnesses. There is insufficient evidence to prove or disprove the allegation.

**SUMMARY OF ALLEGATION #11:** The officer failed to provide her name and star number when requested.

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

**FINDINGS OF FACT:** The complainant stated that the officer refused to provide her name and star number when requested. The officer denied the allegation. A witness officer did not know if this occurred or not. There were no other witnesses. There is insufficient evidence to prove or disprove the allegation.

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**SUMMARY OF ALLEGATION #12-14:** The officers made inappropriate comments and behaved inappropriately.

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

**FINDINGS OF FACT:** Complainant and co-complainants stated the officers made unnecessary remarks, used inappropriate language, and tried to humiliate them by their actions. The officers denied the allegation. There were no witnesses. There is insufficient evidence to prove or disprove the allegation.

**SUMMARY OF ALLEGATION #15:** The officer failed to return the complainant's property.

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

**FINDINGS OF FACT:** The complainant stated that her keys were never returned. She said she did not request her property back because an inspector told her when the case was closed she could get her property back and she has not been informed that the case is closed. The officer denied the allegation and said the complainant has not requested her belongings. There is insufficient evidence to prove or disprove the allegation.

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**DATE OF COMPLAINT:** 09/22/05    **DATE OF COMPLETION:** 10/25/05    **PAGE#** 1 of 2

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

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

**FINDINGS OF FACT:** The complainant stated that a friend of hers was murdered in her home, and that several days after the murder, the newsletter issued by her police station claimed that a specific individual had committed the murder, and that he had been killed in retaliation. The complainant stated that the individual named in the newsletter had not murdered her friend, and that this statement indicated that the police department had closed its investigation into her friend's murder. Department records indicate that the police station newsletter stated that the two homicides were related, but did not claim that the suspect had been identified. Department records also established that the case was considered open, with an active investigation, after the newsletter appeared. The officer responsible for the police station's newsletter is no longer a member of the Department.

**SUMMARY OF ALLEGATION #2:** The San Francisco Police Department failed to properly investigate a homicide.

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

**FINDINGS OF FACT:** The complainant stated that a friend of hers was murdered in her home, and that several days after the murder, the newsletter issued by her local police station claimed that a specific individual had committed the murder, and that he had been killed in retaliation. The complainant stated that the individual named in the newsletter had not murdered her friend, and that this statement indicated that the police department had closed its investigation into her friend's murder. Department records indicate that the police station newsletter stated that the two homicides were related, but did not claim that the suspect had been identified. Department records also established that the case was considered open, with an active investigation, after the newsletter appeared.

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**SUMMARY OF ALLEGATION # 3:** The officer placed a reward poster on the complainant's home without permission.

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

**FINDINGS OF FACT:** The complainant stated that her friend was murdered in her home. Three months later, the complainant returned home and found that an unknown party had placed two posters offering a reward for information in her friend's homicide on her house, having gained entry through her front gate. The complainant stated that she suspects that San Francisco police officers placed the posters on her home, although the posters were not issued by the San Francisco Police Department. There is insufficient evidence to identify an officer or to determine whether Department personnel were responsible for placing the posters on the complainant's home.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**



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

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

**FINDINGS OF FACT:** The complaint raised matters outside OCC's jurisdiction and is being referred to the Department of Building Inspections:

Housing Inspections Services  
1660 Mission Street 6<sup>th</sup> Floor  
San Francisco, CA 94103

**SUMMARY OF ALLEGATION #**

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

**FINDINGS OF FACT:**

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

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

**FINDINGS OF FACT:** The complainant stated that the named officer improperly told her to leave a hospital emergency room where her son was being treated. The named and two witness officers denied the allegation. A witness who stated she was there for part of the encounter said an officer told the complainant to leave, but could not describe the incident. One witness said she did not recall the details of the incident. Another witness stated through an intermediary that the witness recalled an incident in which a woman meeting the description of the complainant was being disruptive and was asked to leave. That witness, however, would not come forward for an interview. Three other possible witnesses did not respond to requests for interviews. There were no other witnesses. There is insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #2:** The officer used excessive force during an investigation.

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

**FINDINGS OF FACT:** The complainant stated that the named officer pushed her. The named officer and two witness officers denied the allegation. One witness stated that she did not see the officer push the complainant, but acknowledged that she had not been there the entire encounter. Several other witnesses either did not recall the details of the incident or did not respond to requests for interviews. There is insufficient evidence to either prove or disprove the allegation.

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**SUMMARY OF ALLEGATION #3:** The officer behaved inappropriately.

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

**FINDINGS OF FACT:** The complainant stated that the officer behaved rudely, yelled and interrupted her when she tried to speak. The named and two witness officers denied the allegation. A witness named by the complainant said she thought the officer was rude, but could not cite any comments or actions to support her opinion. Several other witnesses did not recall the details of the incident or did not respond to requests for interviews. There is insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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

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

**FINDINGS OF FACT:** The complaint raises matters not rationally within OCC's jurisdiction.

**SUMMARY OF ALLEGATION #:**

**FINDINGS OF FACT:**

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

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

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

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

Lt. Allen Kennedy  
SFSD, Internal Affairs  
25 Van Ness Avenue, 3<sup>rd</sup> Floor  
San Francisco, CA 94102

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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**SUMMARY OF ALLEGATION #1:** The officer's actions were inappropriate.

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

**FINDINGS OF FACT:** The officer denied the allegation, stating that the complainant failed to disclose sufficient information regarding the origination of the complaint and was vague as to whether the comments were directed to her. There were no independent witnesses. The investigation failed to disclose sufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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

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

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

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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**SUMMARY OF ALLEGATION #1:** The officer used profanity.

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

**FINDINGS OF FACT:** There were multiple officers engaged in the detention and subduing of the detainee. Other officers arrived on scene to assist in crowd control. All officers listed in Department records were interviewed and have denied using profane and or uncivil language. One complainant was unable to identify any officer alleged to have uttered profane and or uncivil language. Two of the other complainants were not present at the scene during the detention and were relying hearsay information. There is insufficient evidence to identify the named member. There is insufficient evidence to prove or disprove the allegation.

**SUMMARY OF ALLEGATIONS #2 - 5:** The officers used unnecessary force.

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

**FINDINGS OF FACT:** The officers denied the allegation. Witness officers denied witnessing any unnecessary force. The force used to subdue the detainee who violently resisted arrest was according to the Medical Examiner Report was not the cause of the decedent death. The physical evidence shows that the decedent died as a result of ingesting a plastic bag which caused an “upper airway obstruction”. There is insufficient evidence to either prove or disprove the allegation. The identify of the fourth officer who allegedly used unnecessary force was not determined. There are conflicting facts in this allegation and therefore a definitive finding cannot be reached.

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**SUMMARY OF ALLEGATION #6:** The officer threatened a by-stander.

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

**FINDINGS OF FACT:** There were multiple officers engaged in the detention and subduing of the detainee. Other officers arrived on scene to assist in crowd control. All officers listed in Department records were interviewed and have denied threatening by-standers. The complainant was unable to identify any officer alleged to have uttered the alleged threat. There is insufficient evidence to identify the named member. There is insufficient evidence to prove or disprove the allegation.

**SUMMARY OF ALLEGATION #7:** The officer failed to take required action.

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

**FINDINGS OF FACT:** The emergency first aid actions taken by the officers at the scene were reasonable and within the letter of the law and officer training. The evidence shows that officers contacted emergency personnel expeditiously and that emergency personal responded in a timely manner. There were numerous officers involved in this incident each of who performed various functions related to the detained individual in need of medical attention and none who were specifically identified as having acted in a negligent manner. The officers at the scene acted in a supportive and coordinated manner. There is no evidence of neglect by any of the officers involved in this detention.

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**SUMMARY OF ALLEGATION #1:** The officer attempted to tow the complainant's vehicle without cause.

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

**FINDINGS OF FACT:** The complainant stated that the officer attempted to tow her vehicle without justification or cause. The officer stated that he placed a 72-hour notice on the complainant's car and towed the car when the vehicle remained in the same position for the 72 hours. No other witnesses came forward during the investigation. There is insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #2:** The officer posted a tow notice on the complainant's vehicle without justification.

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

**FINDINGS OF FACT:** The officer stated that he received a complaint regarding the complainant's vehicle parked in the same position for several days. The officer responded and placed a 72 hours tow notice on the vehicle pursuant to the complaint he received. The complainant stated that the vehicle was not parked in the same position for any length of time either before or after the notice was posted. No witnesses came forward during the investigation. There is insufficient evidence to prove or disprove the allegation.

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

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

**FINDINGS OF FACT:** The complainant stated that the officers pushed the door into her leg, causing injury. The officers at the scene either denied the allegation or did not recall the incident. One officer reported that the door was slammed on his foot. The investigation was unable to identify any specific officer. There were no other witnesses. There is insufficient evidence to reach a definitive finding.

**SUMMARY OF ALLEGATIONS #2 - 6:** The officers failed to announce themselves as police officers.

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

**FINDINGS OF FACT:** Officers either denied the allegation or did not recall the incident. There were no other witnesses. There is insufficient evidence to reach a definitive finding.

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**SUMMARY OF ALLEGATION #7:** The officer drew a firearm without justification.

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

**FINDINGS OF FACT:** Officers either denied the allegation or did not recall the incident. The investigation was unable to identify any specific officer. There were no other witnesses. There is insufficient evidence to reach a definitive finding.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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

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

**FINDINGS OF FACT:** The complainant stated that officers came to the home she shares with her son, who is on parole, and conducted a parole search of the entire two-story building, even though her son lived downstairs and the upstairs unit was being renovated. The complainant could not be contacted by OCC for a follow-up interview to determine the layout of her house and to establish how the two units are divided. The officers who detained the complainant's son stated that they informed his parole agent of their intention to conduct a parole search at his residence. The parole agent stated that he had visited the home of the complainant and her son many times, and that it is a one-unit building. The parole agent stated that he told the officers that the entire building was subject to a parole search. The named officer stated that the entire building was searched. Department of Building Inspection records describe the building as a two-unit building. Parole agent as well as officers identified building as one unit. However, two doorbells are shown in picture of the front door. There is insufficient evidence to prove or disprove allegation.

**SUMMARY OF ALLEGATION #2:** The officer damaged the complainant's property.

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

**FINDINGS OF FACT:** The complainant stated that officers came to the home she shares with her son, who is on parole, and conducted a parole search, during which they damaged the gate to her home, and damaged an interior door. The named officer, who supervised the search and gained entry to the home, stated that the gate was damaged, and that when he attempted to open it, it fell off its hinges. The named officer stated that he did not damage an interior door. Witness officers who participated in the search confirmed his account. The complainant could not be contacted by OCC for a follow-up interview to obtain more specific information about the damage, and to document the damage. There is insufficient evidence to prove or disprove the allegation. Several officers described gate as already damaged.

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**OCC ADDED ALLEGATIONS**

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

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

**FINDINGS OF FACT:** The complainant stated that officers came to the home she shares with her son, who is on parole, and conducted a parole search, during which they damaged the gate to her home, and damaged an interior door. Department records indicate that no report of property damage was made. The named officer, who gained entry to the home, stated that the gate was damaged, and that when he attempted to open it, it fell off its hinges. The named officer stated that he did not damage an interior door. Witness officers who participated in the search confirmed his account. The complainant could not be contacted by OCC for a follow-up interview to obtain more specific information about the damage, and to document the damage. There is insufficient evidence to prove or disprove the allegation. Several witness officers stated gate was damaged when they arrived.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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

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

**FINDINGS OF FACT:** The complainant stated that a neighbor had violated a restraining order. The officers interviewed the complainant and another witness, but were unable to contact the alleged offender. The officers prepared a report and referred the complainant to the appropriate investigation bureau. The officers' actions were appropriate and satisfied Department requirements.

**SUMMARY OF ALLEGATION #3:** The officer failed to maintain required knowledge.

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

**FINDINGS OF FACT:** The complainant stated that the officer made a remark that indicated that he lacked knowledge of a legal procedure. The officer denied the allegation. There were no witnesses. There is insufficient evidence to prove or disprove the allegation

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**SUMMARY OF ALLEGATION #4, 5 and 6:** The officers behaved in an inappropriate manner.

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

**FINDINGS OF FACT:** The complainant stated that the officers were dismissive and rude to her. The officers denied the allegation. There were no witnesses. There is insufficient evidence to prove or disprove the allegation.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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**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:**

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**SUMMARY OF ALLEGATION # 1-2:**The officers initiated a traffic stop without justification.

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

**FINDINGS OF FACT:** The evidence established that the co-complainant pulled over on his own. As such, the action complained of did not occur.

**SUMMARY OF ALLEGATION #3-4:** The officers conducted an improper traffic stop upon the complainant.

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

**FINDINGS OF FACT:** The officers approached the co-complainant's vehicle in a manner that ignored basic officer safety protocols. The officers should have conducted a felony traffic stop, following Department training. The officers failed to get the co-complainant out of his vehicle, failed to seek cover for themselves, approached the vehicle from opposite sides, increasing the risk of crossfire. Additionally, one officer, opened the passenger's side door and reached into the co-complainant's vehicle, which the Department specifically advises against. As a result of this action, the co-complainant attempted to flee the scene and one officer discharged his weapon into the co-complainant's vehicle. A preponderance of evidence established that the officers conducted an improper traffic stop. The allegation is sustained.

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**SUMMARY OF ALLEGATION # 5:** The officer improperly discharged his weapon.

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

**FINDINGS OF FACT:** A preponderance of the evidence established that the officer failed to employ alternative methods of controlling this situation prior to resorting to the discharge of his Department issued firearm. The evidence also established that the officer's own actions exacerbated the situation which resulted in the officer's belief that discharging his weapon was necessary. When the officer discharged his weapon, he did so in a reckless and irresponsible manner. The allegation is sustained.

**SUMMARY OF ALLEGATION # 6:** The officer exhibited inappropriate conduct.

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

**FINDINGS OF FACT:** The complainant alleged that promises were made to provide medical attention to the co-complainant if he turned himself in and those promises were unfulfilled. The investigation revealed that members of the Department might have made these statements to the complainant, but that these were statements of fact. The investigation could not specifically identify which officer made these promises to the complainant. The allegation is not sustained.

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**SUMMARY OF ALLEGATION # 7:** The Department has no procedure for psychological review of an officer who has been involved in a shooting incident.

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

**FINDINGS OF FACT:** The Department is currently developing a protocol to address this issue.

**SUMMARY OF ALLEGATION # 8:** The officer failed to provide medical attention as promised.

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

**FINDINGS OF FACT:** The investigation did not reveal the identity of the involved officer.

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

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

**FINDINGS OF FACT:** The complainant stated that the officer harasses him. The officer stated that he makes contact with the complainant when the complainant is involved in criminal activity. No witnesses were identified or came forward during the investigation. There is insufficient evidence to prove or disprove the allegation.

**SUMMARY OF ALLEGATION #2:**

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

**FINDINGS OF FACT:**

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**DATE OF COMPLAINT:** 12/29/04 **DATE OF COMPLETION:** 10/20/05 **PAGE#** 1 of 2

**SUMMARY OF ALLEGATION #1:** The officer behaved inappropriately and made threatening remarks toward the complainant.

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

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

**SUMMARY OF ALLEGATIONS #2-3:** The officers failed to properly investigate.

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

**FINDINGS OF FACT:** The evidence proved that the act, which provided the basis for the allegation, occurred. However, the act was justified, lawful and proper.

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**SUMMARY OF ALLEGATIONS #4-5:** The officers searched the complainant's residence without cause.

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

**FINDINGS OF FACT:** The inspectors stated that they had a search warrant for the search. The evidence proved that the act, which provided the basis for the allegation, occurred. However, the act was justified, lawful and proper.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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

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

**FINDINGS OF FACT:** The officer stated that he did not detain the complainant. There were no witnesses to the contact. There is insufficient evidence to either prove or disprove the allegation.

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

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

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

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**SUMMARY OF ALLEGATION #1:** The officer interfered with the rights of onlookers.

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

**FINDINGS OF FACT:** The complainant stated that he sought and received a threatening response from the named officer when asking a series of questions as to why he could not care for an intoxicated friend who had been recently arrested. One percipient witness stated that the complainant stood next to him, the only difference was that the complainant was talking and asking questions of the officer while the witness stated that he remained silent during the incident. This same witness recalled that he and the complainant were approximately 20 feet from the scene of the arrest of another person in their party. A second witness gave a conflicting statement, noting that the officer told him if he did not step away and shut up, he would be "taken away like his buddy." The second witness did not have as clear a recollection regarding the incident. The complainant and witnesses admit to being intoxicated to different degrees. There is insufficient evidence to prove or disprove the allegation.

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

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

**FINDINGS OF FACT:** The complainant stated that he asked the officer why he could not care for his intoxicated friend and take him home. The officer stated in his OCC interview that he detained the complainant for integrity and fully explained his reasoning before detaining the complainant. Two of the four witnesses were interviewed but their statements were inconsistent. The two witnesses were unwilling to be interviewed by the OCC. There was insufficient evidence to prove or disprove the allegation brought by the complainant. The allegation is not sustained.

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**SUMMARY OF ALLEGATION #3:** The officer failed to comply with the care and the custody of a prisoner.

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

**FINDINGS OF FACT:** The complainant stated the officer failed to buckle him in with a safety belt to the patrol car seat on the trip to County Jail. The officer denied the allegation. The Office of Citizen Complaints interviewed the party arrested and transported along with the complainant. That party admitted that he was intoxicated at the time of his arrest and did not recall the entire transport sequence. He recalled asking to be buckled in but did not recall whether he was actually buckled in or not stating that when he tried to buckle the transports in that presented an officer safety issue. The witness officer was questioned regarding the same sequence of events. He admitted he did not recall the incident at all until his memory was refreshed by the named officer hours before his OCC interview. During his OCC interview, the witness officer continually confused the arrested parties' names and their actions at the scene. There was insufficient evidence to prove or disprove the allegation.

**SUMMARY OF ALLEGATION #4:** The officer made a racially derogatory remark.

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

**FINDINGS OF FACT:** The officer denied the allegation, stating that it was the complainant and the witness who used racial slurs in the patrol car. The witness did not support the complainant's allegation. The other witnesses at the scene did not overhear this aspect of the incident. There was insufficient evidence to prove or disprove the allegation.

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

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

**FINDINGS OF FACT:** The complainant stated that prior to when he was brought through the County Jail Number 9 sallyport, the named officer squeezed his little finger, causing him to complain of pain. During the incident being complained of, the complainant was accompanied by a witness who had been arrested for being drunk in public at the same time as he was, as well as another police officer. The officer denied the allegation. He stated that when he and his partner arrived at County Jail Number 9, his partner unloaded the first prisoner from the patrol car without incident and waited for him to do the same. He stated that the complainant refused to exit the patrol car. The officer stated that he removed the complainant from the patrol car by lifting him out of the car by picking him up, using his arm under the complainant's armpit. He denied squeezing the complainant's little finger. The witness stated that he overheard the complainant complain of pain. He explained that he heard the complainant complain of pain as he walked into the jail ahead of the complainant, but did not see the named officer's alleged act of unnecessary force. The witness officer was questioned regarding the same sequence of events. He admitted he did not recall the incident at all until his memory was refreshed by the named officer hours before his OCC interview. During his OCC interview, the witness officer continually confused the arrested parties' names and their actions at the scene. There were no additional witnesses. There was insufficient evidence to prove or disprove the allegation made by the complainant.

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**SUMMARY OF ALLEGATION #6:** The officer denied the complainant the use of facilities for basic necessities.

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

**FINDINGS OF FACT:** The complainant stated that when he was brought to County Jail by the named officer, he was denied use of basic amenities, including use of the toilet and a drink of water. The officer denied the allegation. He stated that he heard the complainant request the use of the toilet and told him that there was one in the cell where he was being held. The complainant had requested that his handcuffs be removed in order to facilitate his use of the toilet. The officer stated that the toilet was "right there," gesturing to the toilet in the cell. The complainant stated that he was handcuffed behind his back and could not utilize the toilet. The officer stated he had to complete his paperwork and would return later to assist the complainant. The complainant stated that he was forced to manipulate his handcuffed hands from behind his back to a forward position in order to facilitate his use of the toilet. A witness who was arrested at the same time for public intoxication, stated that he was not handcuffed at the time of the incident. He could not recall that the complainant had to request assistance from the officer, but recalled the complainant asking for water, because he recalled asking for water as well. The officer denied hearing that the complainant requested a drink of water. There were no other witnesses and the complainant and the witness were in a cell alone. There was insufficient evidence to prove or disprove the allegation made by the complainant.

**SUMMARY OF ALLEGATION #7:** The officer failed to take required action.

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

**FINDINGS OF FACT:** The complainant requested a sobriety test. The officer acknowledged that the complainant made this request, but denied that he was required to fulfill it. Department regulations are silent on what responsibilities officers have when subjects request sobriety tests and they are transported directly to the county jail.

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**SUMMARY OF ALLEGATION #8:** The officer failed to inform the complainant of his arrest charge.

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

**FINDINGS OF FACT:** The complainant stated he was never told why he was being arrested, alleging he was arrested for making inquiries regarding his friend who was arrested for public intoxication. The witnesses stated that they never heard the officer inform the complainant of the reasons for the arrest at the scene. The officer denied the allegation, stating that he repeatedly told the complainant why he was arrested at the scene as well as on the way to County Jail. There was insufficient evidence to prove or disprove the allegation made by the complainant.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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

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

**FINDINGS OF FACT:** The officer denied the allegation. A witness officer stated that he did not hear the alleged comments. No other witnesses came forward during the investigation. There is insufficient evidence to either prove or disprove the allegation.

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

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

**FINDINGS OF FACT:** The officer denied the allegation. A witness officer stated that he did not hear the alleged profanity. No other witnesses came forward during this investigation. There is insufficient evidence to either prove or disprove the allegation.

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**SUMMARY OF ALLEGATION #1:** The officer exhibited inappropriate behavior and used inappropriate language.

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

**FINDINGS OF FACT:** The complainant alleged that the officer made inappropriate comments and acted inappropriately. The officer and a witness officer denied the allegation.. No Witnesses came forward during the investigation. There is insufficient evidence to either prove or disprove the allegation.

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

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

**FINDINGS OF FACT:** The complainant alleged that the officer used unnecessary force. The officer and a witness officer denied the allegation. Both officers stated that a bent rear wrist control was used to gain control of the uncooperative complainant. No witnesses came forward during the investigation. There is insufficient evidence to either prove or disprove the allegation.

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**SUMMARY OF ALLEGATION #3:** The officer made a sexually derogatory comment.

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

**FINDINGS OF FACT:** The officer denied making the alleged comment. A witness officer stated he did not hear the alleged comment. No witnesses came forward during the investigation. There is insufficient evidence to prove or disprove the allegation.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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**SUMMARY OF ALLEGATION #1:** The officer made a racially derogatory comment.

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

**FINDINGS OF FACT:** The officer and another officer on scene denied the allegation. Office of Citizen Complaints attempts to locate another witness on scene were not successful. There is insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #2:**The officer made a sexually derogatory remark.

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

**FINDINGS OF FACT:** The officer and another officer on scene denied the allegation. Office of Citizen Complaints attempts to locate another witness on scene were not successful. There is insufficient evidence to either prove or disprove the allegation.

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**SUMMARY OF ALLEGATION #3-4:** The officers failed to provide their names and star numbers.

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

**FINDINGS OF FACT:** The officers denied the allegation. Office of Citizen Complaints attempts to locate another witness on scene were not successful. There is insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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**SUMMARY OF ALLEGATION #1:** The officer failed to write a complete and accurate police report.

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

**FINDINGS OF FACT:** The officer stated that he wrote the police report by documenting the complainant's statement to him. There are no witnesses to the contact with the complainant. There is insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #2 and #3:** The officers acted inappropriately.

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

**FINDINGS OF FACT:** The officers denied the allegation. There are no witnesses to their contact with the complainant. There is insufficient evidence to either prove or disprove the allegation

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**SUMMARY OF ALLEGATION #4:** An officer failed to return a telephone call.

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

**FINDINGS OF FACT:** Complainant was not able to give information regarding who took a message requesting a call back, and the officer questioned did not know the identity either. There is no way to identify the person who took a message for a call back, and no way to further investigate this allegation. There is insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #5:** An officer failed to complete an Incident Report containing the complainant's information.

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

**FINDINGS OF FACT:** A supplemental report containing the complainant's information was prepared. The report was completed. The alleged act was appropriate and proper.

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**SUMMARY OF ALLEGATION #1:** The officer failed to investigate on February 27, 2005.

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

**FINDINGS OF FACT:** The complainant stated that the officer drove away without investigating her complaint when she declined to discuss it indoors. The officer stated that the complainant walked away, saying, "forget it," and refused to come back to give her needed information when she called to her. There were no witnesses. There was insufficient evidence to prove or disprove the allegation.

**SUMMARY OF ALLEGATION #2:** The officer engaged in inappropriate behavior on February 27, 2005.

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

**FINDINGS OF FACT:** The complainant said that the officer insisted on going to a location where the complainant could not tell her story with privacy and exhibited "a poor demeanor" during their contact, driving away when the complainant declined to discuss her private business indoors. The officer stated that she was calm and professional and denied that she drove away when the complainant declined to go indoors out of the rain. There were no witnesses. There was insufficient evidence to prove or disprove the allegation.

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**SUMMARY OF ALLEGATION#3:** The officer failed to provide her name and star number upon request on February 27, 2005.

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

**FINDINGS OF FACT:** The complainant stated that the officer did not respond when she asked for her name and star number. The officer stated that she was not asked. There were no witnesses. There is insufficient evidence to prove or disprove the allegation.

**SUMMARY OF ALLEGATION #4:** The officer acted inappropriately on February 28, 2005.

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

**FINDINGS OF FACT:** The complainant said that the officer interrupted her when she was talking on her cell phone and was “uncivil” to her. Those officers of a certain rank known to be at the station at the time stated that they had no contact with the complainant. The identity of the individual who spoke to the complainant could not be established. There were no witnesses to the conversation. There was insufficient evidence to prove or disprove the allegation or the identity of the officer.

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**SUMMARY OF ALLEGATION #5-6:** The officers failed to take a counter report on February 28, 2005.

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

**FINDINGS OF FACT:** The complainant stated that the officers did not take a report when she called at the station and complained. The officer at the counter stated that the complainant wanted to have a report on the misbehavior of another officer and said that she took the appropriate steps to help the complainant in making the complaint, but said that making a counter report was not the proper step to take. There were no witnesses to the conversation so no confirmation of what was said or asked for. The identity of the male officer to whom the complainant also spoke was not established. There was insufficient evidence to prove or disprove the allegation.

**SUMMARY OF ALLEGATION #7:** The officer detained the complainant without justification on February 28, 2005.

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

**FINDINGS OF FACT:** The complainant stated that an officer at the window of the police station where she had gone to make a complaint asked for the identification without justification, which turned the contact into a detention. The officer who waited on the complainant denied that she had asked the complainant for her identification. There were no witnesses. There was insufficient evidence to prove or disprove the allegation.

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**SUMMARY OF ALLEGATION #8:** The officer engaged in racially biased policing on February 28, 2005.

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

**FINDINGS OF FACT:** The complainant stated that the officer who waited on her at a police station behaved badly to her because of racial bias. She stated that the officer neglected to take action to help the complainant and was impolite because of the complainant's race. The officer denied that race was a factor in her behavior. There were no witnesses and no evidence to prove or disprove the allegation.

**SUMMARY OF ALLEGATION #9:** The officer refused to take required action on February 28, 2005.

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

**FINDINGS OF FACT:** The complainant stated that an officer at the window of the police station where she had gone to make a complaint refused to summon the watch commander to speak to her. The officer stated that she asked a supervising officer to speak to the complainant instead. The officer was not required by Department rules and regulations to summon the watch commander under the circumstances. Her handling of the situation was appropriate and proper.

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**SUMMARY OF ALLEGATION #10:** The officer exhibited rude and unprofessional manners on February 28, 2005.

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

**FINDINGS OF FACT:** The complainant stated that the officer who waited on her at a police station was rude and unprofessional in her contact with the complainant. The officer denied the allegation, stating that she was never rude, that her demeanor was professional and respectful as she helped the complainant. There were no witnesses. There was insufficient evidence to prove or disprove the allegation.

**SUMMARY OF ALLEGATION #11:** The officer failed to take/prepare a report on February 27, 2005.

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

**FINDINGS OF FACT:** The complainant stated that the officer who responded to take a report drove away without doing so when the complainant asked to speak outdoors for privacy reasons. The officer denied that she left and said that the complainant walked away, saying "forget it," without giving her the information she needed to take a report. There were no witnesses. There was insufficient evidence to prove or disprove the allegation.

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

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

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

**SUMMARY OF ALLEGATION #3-8:** The officers searched the complainant's residence without cause.

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

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

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**SUMMARY OF ALLEGATION #9:** The officer arrested the complainant's son without cause.

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

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

**SUMMARY OF ALLEGATION #10:** The officer failed to properly process property.

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

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

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**SUMMARY OF ALLEGATION #11:** The officer damaged the complainant's property.

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

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

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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**SUMMARY OF ALLEGATION # 1-3:** The officers failed to properly investigate.

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

**FINDINGS OF FACT:** The complainant stated he told the officers at the scene he was the victim of a Hit and Run traffic collision. The officers stated the complainant did not tell them he was involved in a Hit and Run accident. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

**SUMMARY OF ALLEGATION # 4-6:** The officers failed to take required action.

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

**FINDINGS OF FACT:** The complainant stated he told the officers that an unknown vehicle struck him and was fleeing the scene. The complainant stated the officers did not try to apprehend the fleeing suspect. The officers stated the complainant did not tell them he was involved in a hit and run accident. The officers stated the complainant did not advise them to pursue and apprehend a suspect. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

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**SUMMARY OF ALLEGATION #7:** The officers intentionally damaged property.

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

**FINDINGS OF FACT:** The complainant stated unknown officers in a vehicle struck and caused his vehicle to lose control. The complainant stated he has no information on the unknown officers and the vehicle involved. The investigation did not disclose any evidence of an officer-involved collision. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

**SUMMARY OF ALLEGATION #8:** The officers made inappropriate comments.

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

**FINDINGS OF FACT:** The complainant stated unknown officers made a rude comment as they left the accident scene. The complainant stated he does not have any further information on the officers or the vehicle. The investigation did not disclose any evidence to support the alleged contact between the complainant and officers. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

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**OCC-ADDED ALLEGATIONS**

**SUMMARY OF OCC-ADDED ALLEGATION #1-3:** The officers failed to write an Accident Report.

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

**FINDINGS OF FACT:** The complainant stated he was the victim of a hit-and-run collision. The officers did not write an accident report. The officers stated there was a collision, but it was a non-injury collision involving the complainant and a parked vehicle, and that there was no hit-and-run to report. Collision Information Cards were completed by the officers and exchanged by the complainant and the registered owner of the damaged, parked, unattended vehicle at the scene. The witnesses stated they did not see another vehicle involved in, near or about the traffic accident. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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**DATE OF COMPLAINT:** 03/07/05 **DATE OF COMPLETION:** 10/26/05 **PAGE#** 1 of 2

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

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

**FINDINGS OF FACT:** The co-complainant stated he was detained for no reason. He said he was not driving, although he was sitting in the driver's seat when he was detained. The officer stated the co-complainant was detained because he was parked in a bus zone and was driving with a suspended license. The witnesses did not respond for an interview. There is sufficient evidence to establish that the co-complainant detention was proper.

**SUMMARY OF ALLEGATION #2:** The officer cited the co-complainant and towed a vehicle without justification.

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

**FINDINGS OF FACT:** The co-complainant admitted he had a suspended license, but stated he was not driving and was only in the driver's seat waiting for the driver. The officer stated he saw the complainant driving the vehicle, circling the block, and playing loud music. The officer stated the car was parked in a bus zone and the co-complainant was in the driver's seat when he asked for the co-complainant's driver's license. The co-complainant's CDL was suspended, so the officer ordered the tow. The co-complainant provided conflicting accounts of where the complainant's vehicle was parked. The co-complainant was cited for parking in a prohibited location. Regardless of where he was parked, there was no dispute that he was an unlicensed driver behind the wheel of a motor vehicle.



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

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

**FINDINGS OF FACT:** The complainant stated the officer was rude and her son told her that the officer had threatened to arrest her. The co-complainant said the officer was rude and threatened to arrest them. The officer denied the allegation, stating that he advised the complainant that she could be arrested because she threatened the officer. One witness corroborated the officer's version. The other witnesses did not respond for an interview. There is insufficient evidence to prove or disprove the allegation.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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

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

**FINDINGS OF FACT:** The officer stated that the complainant was detained after making threatening remarks to her landlord. There were no available witnesses. There was no additional evidence to further prove or disprove this allegation.

**SUMMARY OF ALLEGATION #2:** The officer made the complainant's handcuffs too tight.

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

**FINDINGS OF FACT:** The officer denied making the handcuffs too tight. There were no available witnesses. There was no additional evidence to further prove or disprove this allegation.

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**SUMMARY OF ALLEGATION #3:** The officer made discourteous remarks.

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

**FINDINGS OF FACT:** The officer denied making discourteous remarks. There were no available witnesses. There was no additional evidence to further prove or disprove this allegation.

**SUMMARY OF ALLEGATION #4:** The officer threatened to arrest the complainant.

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

**FINDINGS OF FACT:** The officer denied threatening to arrest the complainant. There were no available witnesses. There was no additional evidence to further prove or disprove this allegation.

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**SUMMARY OF ALLEGATION #5:** The officer failed to conduct a proper investigation.

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

**FINDINGS OF FACT:** The officer stated that she had no duty to question the complainant about an incident report made the previous day by the complainant's landlord. There were no available witnesses. There was no additional evidence to further prove or disprove this allegation.

**SUMMARY OF ALLEGATION #6:** The officer made discourteous remarks.

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

**FINDINGS OF FACT:** The officer is no longer a member of the San Francisco Police Department.

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**SUMMARY OF ALLEGATION #7:** The officer failed to conduct a proper investigation.

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

**FINDINGS OF FACT:** The officer is no longer a member of the San Francisco Police Department.

**SUMMARY OF ALLEGATION:**

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

**FINDINGS OF FACT:**

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**SUMMARY OF ALLEGATION #1-2:** The officers made inappropriate comments.

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

**FINDINGS OF FACT:** The complainant stated that the officers made inappropriate remarks regarding his relationship to her girlfriend and her mental health issues. The officers denied the allegation. There is insufficient evidence to prove or disprove the allegation.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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

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

**FINDINGS OF FACT:** The complainant admitted that the front license plate was not affixed to the front of the vehicle as mandated by Section 5200 of the California Vehicle Code. The officer and his partner confirmed the violation. The officer's actions were lawful and proper.

**SUMMARY OF ALLEGATION #2:** The officer displayed rude attitude or demeanor.

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

**FINDINGS OF FACT:** The officer denied the allegation, and his partner could not recall any aspect of their conversation. There were no other witnesses to either prove or disprove the allegation. There is insufficient evidence to either prove or disprove the allegation.

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**SUMMARY OF ALLEGATION #3:** The officer threatened the complainant.

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

**FINDINGS OF FACT:** The officer and his partner denied the allegation. The officer's partner, however, could not recall any other aspect of their conversation. There were no other witnesses who could either prove or disprove the allegation. There is insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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

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

**FINDINGS OF FACT:** . The complainant stated that the officers stopped her and ordered her to put her hands behind her back to search her. The officers denied the allegation. The officers stated that this was a consensual encounter because they only talked to her about her previous arrest, they did not handcuff her, they did not move her, and the contact was less than five minutes. There were no witnesses. There is insufficient evidence to prove or disprove the allegation.

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

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

**FINDINGS OF FACT:** The complainant said the officer searched her coat pockets and asked if she had any money or weapons. The officer denied the allegation. The other officer also denied that a search took place and added that they did not exit their vehicle. There were no witnesses. There is insufficient evidence to prove or disprove the allegation

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**SUMMARY OF ALLEGATION # 4:** The officer made inappropriate comments.

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

**FINDINGS OF FACT:** The complainant said the officer told her he did not want to see her anymore and did not want to ever see her again and to find somewhere else to eat. The officer denied the allegation. There were no witnesses. There is insufficient evidence to prove or disprove the allegation .

**SUMMARY OF ALLEGATION #5:** The officer threatened the complainant.

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

**FINDINGS OF FACT:** The complainant said the officer told her that every time he sees her that she will be going to jail. The officer denied the allegation. There were no witnesses. There is insufficient evidence to prove or disprove the allegation .

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

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

**FINDINGS OF FACT:** The complainant stated that he was driving his vehicle at the speed limit when the officer detained him. The officer stated that he observed the complainant speeding and paced the complainant at 80 mph. The officer stated that he then effected a traffic stop for the speed violation committed by the complainant. There is insufficient evidence to either prove or disprove the allegation. No other witnesses came forward.

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

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

**FINDINGS OF FACT:** The complainant stated that he was driving at the lawful speed when the officer issued him a speeding citation. The officer stated that he observed the complainant speeding and issued him a citation for the speeding violation. No other witnesses came forward. There is insufficient evidence to either prove or disprove the allegation.

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

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

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

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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

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

**FINDINGS OF FACT:** The complainant stated that she was prevented from walking both eastbound and westbound on California Street during a demonstration. The officers stated that they were given orders to prevent pedestrian and vehicle traffic from going eastbound on California Street. The complainant told a superior officer that she was prevented from walking westbound on California Street. There were no written orders of this street closure. The complainant failed to provide additional clarification of her exact route. There were no other available witnesses. There was no additional evidence to further prove or disprove this allegation.

**SUMMARY OF ALLEGATIONS #3-4:** The officers acted inappropriately and made inappropriate comments.

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

**FINDINGS OF FACT:** The officers denied acting inappropriately and also denied making inappropriate comments. They stated that people in the crowd were yelling at the complainant to let the officers do their job. There were no available witnesses. There was no additional evidence to further prove or disprove this allegation.

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

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

**FINDINGS OF FACT:** The complainant stated that the officer unjustifiably cited her husband for lack of current registration when the couple carried the current registration tabs in the vehicle. The officer acknowledged his issuance of a citation to the complainant's husband, as California Vehicle Code (CVC) §5204(a) required motorists to display current registration tabs on the rear license plate. The OCC investigation determined the aforementioned law to be unambiguous, making no exception for motorists who possessed but did not display the current registration tab on their vehicle's rear license plate. Therefore, the officer's issuance of the above-noted citation to the complainant's husband was justified, lawful, and proper.

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

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

**FINDINGS OF FACT:** The complainant stated that the officer unjustifiably cited her husband for driving on an expired license because the DMV was currently processing a new, valid license for him due to DMV error (i.e., lost husband's photos). The officer acknowledged citing the complainant's husband for driving on an expired license, under CVC §12500(a). The officer noted that SFPD policy permits no citation to issue if the license expiration occurred within the last thirty (30) days; however, the Event History Detail indicated the complainant's license expired nearly seven (7) months prior to this traffic citation stop. Further, the motorist carried no DMV temporary permit, which may have issued had the DMV erred in timely processing the motorist's request for a valid driver's license. As there is no factual dispute regarding the expiration of the complainant's husband's driver's license, the officer's issuance of the above-noted citation to the complainant's husband was justified, lawful, and proper.

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

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

**FINDINGS OF FACT:** The complainant stated that the officer unjustifiably towed their vehicle. The officer stated that it was Department policy to tow a vehicle driven by an unlicensed motorist. Under the San Francisco Traffic Offender Program, Department policy states a motorist violating CVC §12500(a) (unlicensed driver) should be cited and towed. Under CVC 22651(p), an officer may tow a vehicle in violation of CVC §12500(a). Therefore, the officer's towing of the complainant's vehicle was justified, lawful, and proper.

**SUMMARY OF ALLEGATION #4:** The officer exhibited inappropriate behavior.

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

**FINDINGS OF FACT:** The complainant stated that the officer exhibited an unprofessional, "mean" demeanor during the traffic citation stop, did not initially explain why the police action was taken, and ignored the motorists' questions. The officer denied the allegation. There is insufficient evidence to prove or disprove the allegation.

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

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

**FINDINGS OF FACT:** The officer produced evidence showing that he had probable cause to arrest the complainant. The complainant admitted acts that could be construed as probable cause to arrest in his statements to the O.C.C. A private person's arrest form was signed by a citizen, and attached to the incident report that the officer wrote on this incident. There was probable cause to arrest the complainant.

**SUMMARY OF ALLEGATION #2:** The officer displayed a weapon without justification.

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

**FINDINGS OF FACT:** The officer denied this action. There is no evidence to show that the alleged act occurred.



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**SUMMARY OF ALLEGATION #3:** The officer allegedly acted and spoke inappropriately.

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

**FINDINGS OF FACT:** The statements made by the complainant about the officer's conduct show that the complainant inferred inappropriate behavior, but do not show any evidence of actual inappropriate behavior or comments. The officer denied behaving inappropriately.

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

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

**FINDINGS OF FACT:** The complainant's arrest record does not show an arrest in the year he mentioned in his complaint.

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**SUMMARY OF ALLEGATION #5:** The officer used force during an arrest.

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

**FINDINGS OF FACT:** The complainant's arrest record does not show an arrest in the year he mentioned in his complaint. There is no record that unnecessary force was used.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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

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

**FINDINGS OF FACT:** The officer denied the allegation, and the complainant would not disclose contact information she had regarding a witness on scene. There is insufficient evidence to either prove or disprove the allegation.

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

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

**FINDINGS OF FACT:** The officer denied the allegation, and the complainant would not disclose contact information she had regarding a witness on scene. There is insufficient evidence to either prove or disprove the allegation.

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**SUMMARY OF ALLEGATION #3:** The officer failed to provide his star number.

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

**FINDINGS OF FACT:** The officer denied the allegation, and said he provided his name and star number upon the complainant's request. The complainant would not disclose contact information she had regarding a witness on scene during the interview or thereafter. There is insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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

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

**FINDINGS OF FACT:** The complainant stated that he removed his diamond bracelet at the station while being booked but the bracelet was unaccounted for and not returned to him upon his release. The officers denied the allegation, stating that the complainant did not possess the alleged missing bracelet during his arrest or upon being booked. The complainant's family members recalled the complainant wearing the bracelet when being escorted to the patrol car by the arresting officers. There is insufficient evidence to prove or disprove the allegation.

**SUMMARY OF ALLEGATION #4:** The officer failed to write an accurate and complete SFPD Form.

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

**FINDINGS OF FACT:** The complainant stated that the officer processing his personal property erred when noting the complainant possessed a wallet during his arrest when, in fact, he did not. The officer denied the allegation, stating that the check mark indicated the complainant possessed no wallet while being booked. The OCC investigation determined the officer's mark to be confusing but not an error resulting in any harm to the complainant. There is insufficient evidence to prove or disprove that the officer's inaccurately completed a SFPD form.

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

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

**FINDINGS OF FACT:** The complainant alleged that the officer told him that lodging in a public place was illegal. The officer stated that he never told the complainant that lodging in a public place was illegal. There were no available witnesses. There was no additional evidence to further prove or disprove this allegation.

**SUMMARY OF ALLEGATION #2:** The officer had an intimidating manner towards the complainant.

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

**FINDINGS OF FACT:** The officer denied being intimidating and stated that he simply asked the complainant if he needed any help. There were no available witnesses. There was no additional evidence to further prove or disprove this allegation.

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**OCC ADDED ALLEGATIONS**

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

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

**FINDINGS OF FACT:** The OCC alleged that the officer failed to properly prepare an OCC complaint form. The officer stated that he spoke to the complainant on the telephone for an hour and relayed all of the complainant's information onto the 293 form. The officer stated that the complainant did not provide his first name or any contact information. The complainant also failed to provide the OCC with his last name and any contact information. The officer acted properly.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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**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 denied the allegation. There were no witnesses to either prove or disprove the allegation. There is insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #3-4:** The officers behaved in a threatening and intimidating manner.

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

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



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**SUMMARY OF ALLEGATION #5-6:** The officers failed to promptly and politely provide their names and star numbers.

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

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

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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

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

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

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

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

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

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

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

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

**SUMMARY OF ALLEGATION:**

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

**FINDINGS OF FACT**

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**SUMMARY OF ALLEGATION #1:** The officer failed to respond to a non-injury accident.

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

**FINDINGS OF FACT:** The complainant stated that no officer responded to facilitate the exchange of driver's information at the scene, such that the at fault driver fled the scene. Under Department General Order 9.02 II. B.1., officers are required to investigate and report hit & run incidents when requested by a citizen. The Office of Citizen Complaints investigation did not identify a particular police unit's refusal to respond; therefore, the lack of response is attributed to the Department. As there is no identifiable officer(s) to investigate, there is insufficient evidence to prove or disprove the allegation.

**SUMMARY OF ALLEGATION #2:** The officer failed to write a report.

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

**FINDINGS OF FACT:** The complainant stated an officer refused to write a counter report to document another motorist's fleeing the scene minutes after sideswiping the complainant's vehicle. Under Department General Order 9.02 II. B.1., an officer is required to take a counter report of a hit & run incident, even he/she is not at the scene. As the Office of Citizen Complaints investigation did not identify the officer refusing to take the complainant's statement/report, there is insufficient evidence to prove or disprove the allegation.

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**DATE OF COMPLAINT:** 06/01/05 **DATE OF COMPLETION:** 10/20/05 **PAGE#** 2 of 2

**SUMMARY OF ALLEGATION #3:** The officer exhibited inappropriate behavior.

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

**FINDINGS OF FACT:** The complainant stated an officer refused to write a hit & run counter report, sarcastically repeating that is what insurance companies are for. As the Office of Citizen Complaints investigation did not identify the officer whom the complainant alleged sarcastically refused to take his statement/report, 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  
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**DATE OF COMPLAINT:** 06/07/05 **DATE OF COMPLETION:** 10/20/05 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATIONS #1-3:** The officers failed to take required action.

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

**FINDINGS OF FACT:** The complainant alleged that the officers failed to protect a contingency that was protesting a celebration and that as a result, she was assaulted. Three witnesses who were part of the complainant's contingency, including the contingency's security guard, stated that the officers acted properly and promptly responded to the report of the complainant's assault. The complainant's alleged assailant stated that he did not assault that complainant; he also stated that officers acted very professionally. According to the incident report, the officers responded promptly and conducted a thorough investigation. The officers acted properly.

**SUMMARY OF ALLEGATION #4:** The officer(s) engaged in biased policing.

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

**FINDINGS OF FACT:** The officers who allegedly engaged in biased policing could not be identified.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 06/07/05      **DATE OF COMPLETION:** 10/04/05      **PAGE#** 1 of 3

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

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

**FINDINGS OF FACT:** The complainant stated that he was wrongfully arrested for stalking his ex-wife and violating a restraining order that prohibits him from coming within a specified distance of his ex-wife. The complainant stated that his ex-wife was actually following him as he drove to obtain a restraining order against her. Department records, and the tape of a police department interview with the complainant's ex-wife indicate that the ex-wife reported to police that the complainant had followed her to work, and that she felt in fear of the complainant. Department records established that the complainant was in violation of a valid restraining order prohibiting him from coming into contact with his ex-wife, and that his ex-wife had him arrested in another county for domestic violence and for violation of the restraining order. The evidence established that the complainant was arrested based on a domestic violence related complaint made to police by his ex-wife, and that under department regulations, the complainant's arrest was lawful and proper.

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

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

**FINDINGS OF FACT:** The complainant stated that he was wrongfully arrested for stalking his ex-wife and violating a restraining order that prohibits him from coming within a specified distance of his ex-wife. The complainant stated that at the station, the named officer exhibited inappropriate behavior and made inappropriate comments during a tape recorded interview. The named officer and a witness officer denied that the named officer made inappropriate comments, or acted in an inappropriate manner. A tape recording of the named officer's interview with the complainant included only part of the interview. There is insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 06/07/05      **DATE OF COMPLETION:** 10/04/05      **PAGE# 2 of 3**

**SUMMARY OF ALLEGATION #3:** The officer filed false criminal charges against the complainant.

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

**FINDINGS OF FACT:** The complainant stated that he was wrongfully arrested for stalking his ex-wife and violating a restraining order that prohibits him from coming within a specified distance of his ex-wife. The complainant stated that his ex-wife was actually following him as he drove to obtain a restraining order against her. The complainant stated that when he learned that police officers were looking for him, he went to Ingleside police station to tell his side of the story, where he was arrested. Department records, and the tape of a police department interview with the complainant's ex-wife indicate that the ex-wife reported to police officers from Northern police station that the complainant had followed her to work, and that she felt in fear of the complainant. Department records established that the complainant was in violation of a valid restraining order prohibiting him from coming into contact with his ex-wife, and that his ex-wife had him arrested in another county for domestic violence and for violation of the restraining order. Department records state that officers from Northern police station took the report from the complainant's ex-wife, and requested that officers from Ingleside police station attempt to contact the complainant at his home in that district. These records state that the reporting officer from Northern station was advised that the complainant had come to Ingleside station, and that he was detained there. These records state that the arresting officer conferred with his sergeant at Northern Station. These records establish that the named officer did not lodge or approve the charges against the complainant. The named officer stated that after interviewing the complainant and conferring with the arresting officer, he suggested charges to be approved by the sergeant at Northern Station. The evidence established that the complainant was arrested based on a domestic violence related complaint made to police by his ex-wife, and that under department regulations, the complainant's arrest was lawful and proper. The evidence established that the named officer was not responsible for the charges that were lodged against the complainant.

**SUMMARY OF ALLEGATION #4:** The officer wrote an inaccurate incident report.

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

**FINDINGS OF FACT:** The complainant stated that he was wrongfully arrested for stalking his ex-wife and violating a restraining order that prohibits him from coming within a specified distance of his ex-wife. The complainant stated that his ex-wife was actually following him as he drove to obtain a restraining order against her. The complainant stated that the officer wrote an inaccurate incident report that falsely stated that the complainant confessed to stalking his ex-wife. The incident report does not state that the complainant made such a confession. The evidence established that the action alleged in the complaint did not occur.



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

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

**FINDINGS OF FACT:** The complainant stated that the officer who interviewed him following his arrest for stalking his ex-wife failed to provide his name and star number when requested. The named officer stated that he did not recall the complainant asking for his name and star number, and noted that he was in uniform, with his star and name tag displayed during the interview. A witness officer who was present during the interview stated he did not know whether the complainant ever asked the named officer for his name and star number. A tape recording of the interview made by the named officer did not include the start of the interview, where the named officer may have identified himself for the record by giving his name and star number. 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  
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**DATE OF COMPLAINT:** 06/10/05 **DATE OF COMPLETION:** 10/18/05 **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant stated that he was arrested for battery on a police officer and for resisting arrest, even though he did not resist or strike an officer. The officer stated that the complainant fled when the officer approached him and then struck the officer as he ran to overtake the complainant. Photographs confirmed that the officer had a bump or bruise on his face that might have been made by the complainant, but there were no independent witnesses. There was insufficient evidence to prove or disprove the allegation.

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

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

**FINDINGS OF FACT:** The complainant stated that an officer tackled and brought him to the ground for no reason and that officers then put a foot on his neck and grabbed him by the hands, dropping him to the ground three times. The officers stated that one of them used a department-approved sweep to bring the complainant to the ground when he ran from the scene and that the complainant scraped his cheek on a parked car as he went to the ground. The officers denied that the complainant was picked up and dropped to the ground as he alleged. Medical records confirmed that the complainant had a minor abrasion that required sutures and that he smelled strongly of alcohol. There were no independent witnesses to the contact between the officers and the complainant. There was insufficient evidence to prove or disprove the allegation.

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**DATE OF COMPLAINT:** 06/12/05   **DATE OF COMPLETION:** 10/20/05   **PAGE#** 1 of 3

**SUMMARY OF ALLEGATION #1-3:** The officers entered the complainant's apartment without justification.

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

**FINDINGS OF FACT:** The complainant alleged that the officers entered his apartment without legal authority or his consent. The officers denied the allegation, stating the complainant did provide his consent and instructed the officers to secure his premises. There were no witnesses to the incident. There is insufficient evidence to prove or disprove the allegation.

**SUMMARY OF ALLEGATION #4-6:** The officers searched the complainant's apartment without justification or cause.

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

**FINDINGS OF FACT:** The complainant alleged that the officers cursorily searched his apartment while securing the premises. The officers denied searching the complainant's apartment. There is insufficient evidence to either prove or disprove the allegation. No witnesses came forward during the investigation.

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**SUMMARY OF ALLEGATION #7:** The officer detained the complainant without justification.

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

**FINDINGS OF FACT:** The complainant alleged that the officer detained him under California Welfare and Institutions (WI) §5150 without conducting a thorough investigation (i.e., permitting the complainant to explain the circumstances resulting in the San Francisco Police Department call). The officer denied the allegation, stating he provided the complainant a full and fair opportunity to explain what had occurred before making his evaluation pursuant to WI §5150 criteria. There is insufficient evidence to prove or disprove the allegation. There were no witnesses.

**SUMMARY OF ALLEGATION #8:** The officer exhibited inappropriate behavior and made rude comments.

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

**FINDINGS OF FACT:** The complainant alleged that the officer brusquely questioned and lectured him. The officer denied the allegation. There is insufficient evidence to prove or disprove the allegation. There were no witnesses.

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**SUMMARY OF ALLEGATION #9:** The officer failed to take required action pursuant to WI §5157.

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

**FINDINGS OF FACT:** The complainant alleged that the officer failed to follow provisions of WI §5157, including permitting him to inform family/friend of his detention and gather necessary belongings to take along with him. The officer denied the allegation, stating he read the detention advisement under WI §5157 verbatim to the complainant. There is insufficient evidence to prove or disprove the allegation.

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

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

**FINDINGS OF FACT:** The officer denied the allegation, stating the handcuffs were employed to ensure safety for both the complainant and the officers. While handcuffing a person subject to a WI §5150 detention would be an appropriate action for the officer to take, there was insufficient evidence to prove the detention needed to occur. Thus, there is insufficient evidence to prove or disprove that the complainant should have been handcuffed.

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**DATE OF COMPLAINT:** 07/22/04 **DATE OF COMPLETION:** 10/24/05 **PAGE# 1 of 3**

**SUMMARY OF ALLEGATION #1-3:** The officers detained complainant and members of his party without justification.

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

**FINDINGS OF FACT:** The complainant stated that the officers unjustly detained him to seize his video recording, which captured the officers' unjustifiable detention of the complainant's friends for public intoxication and resistance. The officers denied the allegation, stating the complainant's friends violated California Penal Code §647(f) (public intoxication). The officers further stated that they did not detain the complainant but, rather, he consented to the officers' seizing his video recording. There is insufficient evidence to prove or disprove the allegation.

**SUMMARY OF ALLEGATION #4:** The officers used excessive force during an arrest.

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

**FINDINGS OF FACT:** The complainant alleged the officer forcefully slammed his friend to the ground and struck him several times thereafter. The officer denied the allegation, stating he employed a proper maneuver to gain compliance and control of the suspect. There was insufficient evidence to prove or disprove the validity of the force used.

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**SUMMARY OF ALLEGATION #5:** The officer used excessive force during his seizure of personal property.

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

**FINDINGS OF FACT:** The complainant alleged the officer forcibly seized his video recording. The officer denied the allegation, stating the complainant consented to the officer's seizure of the videotape and no force was used. There is insufficient evidence to prove or disprove the allegation.

**SUMMARY OF ALLEGATION #6:** The officer seized personal property without justification.

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

**FINDINGS OF FACT:** The complainant alleged the officer did not have his consent to seize the complainant's videotape recording, which the officer seized by force. The officer denied the allegation. Under Department General Order 5.07 I.D.1., an officer must secure a bystander's non-coerced consent to seize a videotape, absent a warrant to do so. There is insufficient evidence to prove or disprove that the officer secured the complainant's permission to seize the videotape at the scene.

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**SUMMARY OF ALLEGATION #7-9:** The officers failed to provide prompt and appropriate medical attention.

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

**FINDINGS OF FACT:** The complainant stated that the arrestee was bleeding as a result of the force used upon him by the officers. The officers denied the allegation, stating the arrestee suffered only a skin abrasion, which did not bleed. There is insufficient evidence to prove or disprove the allegation.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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**DATE OF COMPLAINT:** 06/27/05 **DATE OF COMPLETION:** 10/06/05 **PAGE#** 1 of 2

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

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

**FINDINGS OF FACT:** The complainant stated that the officer searched him without justification. The named officer and his partner both stated that the complainant was searched for officer safety reasons when the complainant would not comply with their orders to show them what a bulge was underneath his jacket. The officers stated they searched the complainant to determine if the bulge was a weapon. The search found that the complainant did not have a weapon on him. There were no witnesses to the contact. There is insufficient evidence to prove or disprove the allegation.

**SUMMARY OF ALLEGATION #2:** The officer made racial slurs.

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

**FINDINGS OF FACT:** The officer denied the allegation. A second officer stated that he did not hear the named officer make the alleged statements. There were no other witnesses to this contact. The available evidence was insufficient to prove or disprove the allegation.

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**DATE OF COMPLAINT:** 06/27/05 **DATE OF COMPLETION:** 10/06/05 **PAGE#** 2 of 2

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

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

**FINDINGS OF FACT:** The named officer denied the allegation. A second officer stated that the conduct and comments alleged by the complainant did not occur. There were no other witnesses to the officer's encounter with the complainant. The available evidence was insufficient to prove or disprove the allegation.

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

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

**FINDINGS OF FACT:** The complainant stated that he was detained for no reason. The named officer stated that he detained the complainant when he observed the complainant drinking holding an open container of alcohol. There were no independent witnesses to this contact. The available evidence was insufficient to either prove or disprove the allegation.

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**OFFICE OF CITIZEN COMPLAINTS  
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**DATE OF COMPLAINT:** 06/28/05    **DATE OF COMPLETION:** 10/11/05    **PAGE#** 1 of 2

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

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

**FINDINGS OF FACT:** The complainant could not identify the officer, and SFPD records did not reveal any officer at the scene. The responding officers were cancelled prior to arrival at the scene and did not make contact with the complainant. No SFPD officer was assigned to a 10-B assignment at or near the location of the incident, pursuant to department records. The investigation was unable to disclose sufficient evidence to either prove, or disprove the allegation made in the complaint.

**SUMMARY OF ALLEGATION #2:** The officer failed to write an Incident Report.

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

**FINDINGS OF FACT:** The complainant could not identify the officer, and SFPD records did not reveal any officer at the scene. The responding officers were cancelled prior to arrival at the scene and did not make contact with the complainant. No SFPD officer was assigned to a 10-B assignment at or near the location of the incident, pursuant to department records. The investigation was unable to disclose sufficient evidence to either prove, or disprove the allegation made in the complaint.

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**DATE OF COMPLAINT:** 06/28/05    **DATE OF COMPLETION:** 10/11/05    **PAGE# 2 of 2**

**SUMMARY OF ALLEGATION #3:** The officer failed to properly investigate the incident.

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

**FINDINGS OF FACT:** The complainant could not identify the officer, and SFPD records did not reveal any officer at the scene. The responding officers were cancelled prior to arrival at the scene and did not make contact with the complainant. No SFPD officer was assigned to a 10-B assignment at or near the location of the incident, pursuant to department records. The investigation was unable to disclose sufficient evidence to either prove, or disprove the allegation made in the complaint.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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**DATE OF COMPLAINT:** 07/08/05    **DATE OF COMPLETION:** 10/20/05    **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officer was discourteous by using profanity.

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

**FINDINGS OF FACT:** The officer was not identified by the complainant or the witness, nor identified by the ID Polls. This investigation was unable to disclose sufficient evidence to prove or disprove the allegation made in the complaint.

**Officer:** ID PENDING

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

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

**FINDINGS OF FACT:** The officer was not identified by the complainant or the witness, nor identified by the ID Polls. This investigation was unable to disclose sufficient evidence to prove or disprove the allegation made in the complaint.

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**DATE OF COMPLAINT:** 09/03/04 **DATE OF COMPLETION:** 10/18/05 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officer allegedly spoke inappropriately to the complainant.

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

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

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

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

**FINDINGS OF FACT:** The complainant's statement shows that the officer spoke with her, and also spoke with a witness. An Incident Report [IR] was written by the officer. The Incident Report shows contact with a witness. The Incident Report contains a description of the suspect. The investigation was appropriate given the circumstances.

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**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/07/04 **DATE OF COMPLETION:** 10/18/05 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The complainant received a parking citation without cause.

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

**FINDINGS OF FACT:** The complainant stated that she had permission to park in an area where parking was usually prohibited from park staff. However, the complainant stated that she did not show any permission to park to the officer before angrily driving away when the officer began to write a parking citation. The officer stated she did not know of any permission that the complainant may have had to park in this prohibited parking area. The officer apparently had probable cause to issue a citation, as no evidence of permission was shown to her, according to the complainant and the officer in statements made to O.C.C.

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

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

**FINDINGS OF FACT:** The complainant stated that she thought the officer had an anger problem. The officer indicated that she does not have an anger problem in her report to the O.C.C. The complainant stated there were no witnesses.

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**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/26/05   **DATE OF COMPLETION:** 10/24/05   **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant stated that the officer failed to take a photograph of evidence that someone vandalized her residence, and refused to prepare an Incident Report of a restraining order violation. The complainant did not respond to Office of Citizen Complaints requests for an interview. The officer stated that there was a slight delay in taking the photograph due to equipment malfunction. The evidence established that the officer took the photographic evidence, and prepared the required incident report of a restraining order violation. The officer's actions were according to regulations and therefore proper conduct.

**SUMMARY OF ALLEGATION #2:** The officer's comments and behavior were inappropriate.

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

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



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**DATE OF COMPLAINT:** 08/02/05    **DATE OF COMPLETION:** 10/04/05    **PAGE# 1 of 1**

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

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

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

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
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**DATE OF COMPLAINT:** 08/03/05 **DATE OF COMPLETION:** 10/14/05 **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant stated that the officer was negligent for not taking action regarding off leash dogs in a park. The investigation could not 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:**

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**DATE OF COMPLAINT:** 08/05/05 **DATE OF COMPLETION:** 10/19/05 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officer used unnecessary force in the arrest of the complainant.

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

**FINDINGS OF FACT:** The officer denied the allegation. There was insufficient evidence to either prove, or disprove the allegation made in the complaint.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

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

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

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

**FINDINGS OF FACT:** The officer denied the allegation. The evidence proved that the act, which provided the basis for the allegation, occurred: however, such acts were justified, lawful and proper.

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

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

**FINDINGS OF FACT:** The officer denied the allegation. The evidence proved that the act, which provided the basis for the allegation, occurred: however, such acts were justified, lawful and proper.

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COMPLAINT SUMMARY REPORT**

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

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

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

**FINDINGS OF FACT:** The officer denied the allegation. The evidence proved that the act, which provided the basis for the allegation, occurred: however, such acts were justified, lawful and proper.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/18/05    **DATE OF COMPLETION:** 10/11/05    **PAGE#** 1 of 2

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

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

**FINDINGS OF FACT:** The officer denied the allegation, stating that he informed the complainant that his patrol duties might also include GTU enforcement, if he chose to do so, even though not assigned to the GTU office. The officer stated that though his statement is similar, it is far from the context implied by the complainant. The investigation was unable to disclose sufficient evidence to either prove, or disprove the allegation made in the complaint.

**SUMMARY OF ALLEGATION #2:** The officer harassed the complainant on two occasions, August 1, 2005 and August 6, 2005.

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

**FINDINGS OF FACT:** The officer acknowledged the contacts with the complainant, however explained that the complainant has a long history of failing to comply with airport regulations. The officer has spoken to the complainant on many occasions regarding noncompliance, and has issued citations to the complainant, as well. The officer pointed out that the hired drivers that comply with airport regulations have never complained of harassment. The investigation was unable to disclose sufficient evidence to either prove, or disprove the allegation made in the complaint.

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**DATE OF COMPLAINT:** 08/18/05    **DATE OF COMPLETION:** 10/11/05    **PAGE# 2 of 2**

**SUMMARY OF ALLEGATION #3:** The officer issued a citation to the complainant without cause on August 1, 2005.

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

**FINDINGS OF FACT:** The officer issued the comp a citation for an incomplete waybill. According to SFIA 1.4.7(B)(2)(a), the waybill presented by the complainant had approximately (7) seven required items missing. The evidence proved that the acts which provided the basis for the allegations occurred; however, such acts were justified, lawful, and proper.

**SUMMARY OF ALLEGATION #4:** The officer detained the complainant without justification, on August 6, 2005.

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

**FINDINGS OF FACT:** The officer observed the complainant loading passenger bags into his vehicle and requested the complainant present his waybill document. Section 1.4.7(A)(8) of the SFIA regulations state, "The driver of the permittee's vehicle is required to present the waybill to any Airport official who requests to inspect it." The evidence proved that the acts which provided the basis for the allegations occurred; however, such acts were justified, lawful, and proper

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

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

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

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

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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**DATE OF COMPLAINT:** 08/25/05 **DATE OF COMPLETION:** 10/20/05 **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The officers' entry into the complainants' residence was consensual and part of an investigation. 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 officers made inappropriate comments to the complainants.

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

**FINDINGS OF FACT:** The officers did not deny the comments, which were in the form of a suggestion and were intended to assist the complainants and the other party find a resolution to their on-going situation. Based upon the complainant's own statement regarding the comment it is deemed to have been misconstrued and unfounded.

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**DATE OF COMPLAINT:** 10/06/04    **DATE OF COMPLETION:** 10/18/05    **PAGE#** 1 of 3

**SUMMARY OF ALLEGATIONS #1 and #2:** The officers used unnecessary force against the complainant.

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

**FINDINGS OF FACT:** The investigation was unable to identify any officer who allegedly pushed the complainant. Officers at the scene denied pushing or seeing any other officer push the complainant. Several witnesses did not respond to the OCC's request for an interview. There is insufficient evidence to prove or disprove the allegation.

**SUMMARY OF ALLEGATION #3:** The officer confiscated the complainant's property without cause.

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

**FINDINGS OF FACT:** The officer admitted to seizing the property in question but did so pursuant to a validly issued warrant and the items fell within the warrant things to be seized.

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

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

**FINDINGS OF FACT:** The officer handcuffed the complainant pursuant to the execution of a validly issued search warrant. It was within the officer's discretion to handcuff the complainant.

**SUMMARY OF ALLEGATION #5:** The officer caused damage to the complainant's property.

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

**FINDINGS OF FACT:** Officers involved in the incident denied causing any damage or being aware or informed that any damage had occurred. The investigation was unable to identify any specific officer. Several witnesses failed to respond to the OCC's requests for an interview. There is insufficient evidence to prove or disprove the allegation.

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**SUMMARY OF ALLEGATIONS #6 and #7:** The officers harassed the complainant.

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

**FINDINGS OF FACT:** The officers denied the allegation. Several witnesses failed to respond to the OCC's requests for an interview. There is insufficient evidence to prove or disprove the allegation.

**SUMMARY OF ALLEGATIONS #8, and 9:** The officers failed to properly process the complainant's property.

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

**FINDINGS OF FACT:** The officers denied the allegation. Officers at the scene either denied any knowledge of any missing item of property, or knowledge of property processing failure, had no recollection of the incident, or denied participating in the alleged activity. One officer at the scene stated that the currency in question was counted in front of the complainant but did not recall who did so. Several witnesses failed to respond to the OCC's requests for an interview. There is insufficient evidence to prove or disprove the allegation.

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**OFFICE OF CITIZEN COMPLAINTS  
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**DATE OF COMPLAINT:** 08/26/05 **DATE OF COMPLETION:** 10/18/05 **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complaint stated that the officer was sarcastic when he explained the options to her regarding a citation he has just issued to the complainant. The officer denied the allegation and stated that he acted professionally during the contact. There were no independent witnesses to the incident. There is insufficient evidence to prove or disprove the allegation.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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

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

**FINDINGS OF FACT:** The officer instructed a subordinate officer to accept the private person's arrest. The arrest was documented in departmental records.

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

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

**FINDINGS OF FACT:** The officer conducted an investigation into the incident complained of by the complainant. The officer's investigation included interviewing parties along with witnesses. The officer's investigation determined that based upon the evidence presented to him, there was sufficient evidence to conclude that the complainant was guilty of the charges for which she was arrested.

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**SUMMARY OF ALLEGATION #3:** The officer's behavior and comments were improper.

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

**FINDINGS OF FACT:** The officer denied the allegation and there were no witnesses to the conversation. There is insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #4:** The officer misrepresented the truth.

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

**FINDINGS OF FACT:** The officer denied the allegation and there were no witnesses to the initial encounter between the officer and the complainant. There is insufficient evidence to either prove or disprove the allegation.

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**SUMMARY OF ALLEGATION #1:** The officer behaved in a rude manner to the complainant.

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

**FINDINGS OF FACT:** The officer denied the allegation. There was insufficient evidence to either prove, or disprove the allegation made in the complaint.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**



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**DATE OF COMPLAINT:** 09/02/05 **DATE OF COMPLETION:** 10/07/05 **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 denied the allegation. The evidence proved that the act that provided the basis for the allegation occurred; however, such acts were justified, lawful and proper.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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

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

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

**FINDINGS OF FACT:** The officer denied the allegation. The contacts with the complainant is the result of the officer coming into contact with the complainant, in the performance of her lawful duties because he continues to fail to comply with SFIA Regulations. This complaint is without merit.

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

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

**FINDINGS OF FACT:** The complainant was shot and stabbed outside a nightclub. He stated the investigating officer never contacted him for an interview regarding his case. The officer did not return any of his calls, the complainant's property was not returned, and no investigation was done. One witness, the complainant's uncle, stated the officer never showed up at the hospital to interview the complainant. Another witness has left the country. Hospital records are inconclusive regarding police contact with the complainant, but state that the complainant was afraid to make a police report. The officer's chronological log of the case indicates that he made several visits to the hospital, but was unable to interview the complainant due to his medical condition. When the officer was informed of the complainant discharge from the hospital, he was unable to locate the complainant, despite having left messages with the complainant's family. The complainant failed to return a release to obtain more information regarding the phone calls and request for property he made through the DA victim services unit. There is insufficient evidence to prove or disprove the allegation.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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**SUMMARY OF ALLEGATIONS #1-2:** The officers are involved in a continuing pattern of harassment against the complainant.

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

**FINDINGS OF FACT:** The officer denied the allegation. There is insufficient evidence to either prove, or disprove the allegation made in the complaint. There were no independent witnesses to the incident.

**SUMMARY OF ALLEGATION #3:** The officer failed to announce his presence.

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

**FINDINGS OF FACT:** The officer denied the allegation. There is insufficient evidence to either prove, or disprove the allegation made in the complaint. There were no independent witnesses to the incident.

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**SUMMARY OF ALLEGATION #4:** The officer failed to properly process the complainant's property.

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

**FINDINGS OF FACT:** The officer denied the allegation. The evidence proved that the acts, which provided the basis for the allegation, occurred; however, such acts were justified, lawful and proper.

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

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

**FINDINGS OF FACT:** The officer denied the allegation. The evidence proved that the acts, which provided the basis for the allegation, occurred; however, such acts were justified, lawful and proper.

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**SUMMARY OF ALLEGATION #1-2:** The officers acted in an inappropriate manner and made inappropriate comments.

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

**FINDINGS OF FACT:** The complainant alleged that the officers acted inappropriately and made inappropriate comments. The complainant's own letter stated that the officers attempted to assist him in every manner including, but not limited to, speaking with the involved parties, attempting to mediate the situation by offering a coin exchange to the complainant, contacting other city agencies and listening to the complainant at the call location and the station. The evidence showed that the alleged act of inappropriate behavior and comments did not occur.

**SUMMARY OF ALLEGATION #3-4:** The officers failed to write an Incident Report.

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

**FINDINGS OF FACT:** The complainant stated that no officer would write an Incident Report when a merchant refused to accept the complainant's pennies as partial payment for a food purchase. Department General Order 1.03, states that officers are required to write incident reports of all crimes observed or brought to their attention. The investigation determined that no crime had been committed as no law was found to have been broken. The complainant did not identify any law requiring the vendor to accept his pennies. State and/or municipal laws provide a merchant with the right to refuse service to anyone. The investigation determined that the act which provided the basis for the allegation did occur, however such acts were justified and proper.

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**SUMMARY OF ALLEGATION #1 - 3:** The officers failed to write an Incident Report.

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

**FINDINGS OF FACT:** Complainant received an Incident Report for alleged criminal activity he reported. The complainant asked for an Incident Report for activity that was not criminal. There is no duty for officers to write reports on non-criminal activity. This allegation is prima facie proper conduct. Moreover, the officers denied misconduct in their statements to the Office of Citizen Complaints.

**SUMMARY OF ALLEGATION #4:** An officer made inappropriate comments on the telephone to the complainant.

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

**FINDINGS OF FACT:** The complainant was not able to identify the person who answered the telephone. There is no way to identify the person who answered the telephone, as many officers are assigned to this station and any one could have answered the telephone.



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

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

**FINDINGS OF FACT:** The complainant, a taxicab driver who was involved in a traffic collision, stated that the officer failed to interview a witness, another taxicab driver, at the scene. The officer stated there was no witness cab driver at the scene. Another witness, a passenger in the complainant's taxicab, stated there was not another taxicab at the scene. The witness stated he and his friends left the scene before the officers arrived. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

**SUMMARY OF ALLEGATION #2:** The officer wrote an inaccurate traffic collision report.

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

**FINDINGS OF FACT:** The complainant stated he was placed at fault for the traffic collision. The complainant stated the other driver ran a red light. The officer stated both parties were adamant they had the green traffic light, but according to the CA Vehicle Code §21451(a) the complainant should have yielded the right-of-way to the other vehicle. The complainant admitted he had an obstructed view from a building located at the corner as he entered the controlled intersection. According to the Department of Parking and Traffic, the traffic signals are phased in such a way as to prevent conflicting green lights. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

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**SUMMARY OF ALLEGATIONS:** #1-3 The officers searched outside the scope of the search warrant.

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

**FINDINGS OF FACT:** The evidence proved that the acts that provided the basis for the allegations occurred; however, such acts were justified, lawful and proper.

**SUMMARY OF ALLEGATIONS:**

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

**FINDINGS OF FACT:**

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**SUMMARY OF ALLEGATION #1 & 2:** The officers used unnecessary force during a detention.

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

**FINDINGS OF FACT:** The complainant stated that the officers used unnecessary force on him during a detention. The officers stated that they observed the complainant involved in what they believed to be a hand-to-hand narcotics transaction. One of the officers stopped and detained the complainant, and saw a balloon of suspected narcotics inside the complainant's mouth. This officer stated that he pulled the complainant's chin to his chest to prevent him from swallowing the balloon, and took the complainant to the ground using a right bar arm. Both officers denied that the complainant sustained any injuries. One civilian witness stated that he did not recall this incident. Other civilian witnesses could not be located and interviewed. There is insufficient evidence to prove or disprove the allegation.

**SUMMARY OF ALLEGATION # 3 & 4:** The officers handcuffed the complainant without justification.

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

**FINDINGS OF FACT:** The complainant stated that the officers handcuffed him during a detention. The officers stated that they observed the complainant involved in what they believed to be a hand-to-hand narcotics transaction. One of the officers stopped and detained the complainant, and saw a balloon of suspected narcotics inside the complainant's mouth. The officers stated that they handcuffed the complainant because he resisted. One civilian witness stated that he did not recall this incident. Other civilian witnesses could not be located and interviewed. There is insufficient evidence to prove or disprove the allegation.

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**SUMMARY OF ALLEGATION #5:** The officer performed a strip search without cause.

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

**FINDINGS OF FACT:** The complainant stated that during a detention, the officer reached inside his pants and stuck his finger inside his rectum. The named and a witness officer stated that they observed the complainant involved in what they believed to be a hand-to-hand narcotics transaction. The named officer denied reaching inside the complainant's clothing. A witness officer stated that the named officer did not reach inside the complainant's clothing. One civilian witness stated that he did not recall this incident. Other civilian witnesses could not be located and interviewed. There is insufficient evidence to prove or disprove the allegation.

**SUMMARY OF ALLEGATION #6:** The officer's comments were inappropriate and threatening.

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

**FINDINGS OF FACT:** The complainant stated that he went to the police station to complain about an officer who had used unnecessary force and who had searched him improperly during a detention. The complainant stated that the officer who used the unnecessary force came out and threatened to arrest the complainant if he filed a complaint against him. The named officer denied the allegation, and stated that he did not recall the identity of the counter officer who was present. No witnesses were identified. There is insufficient evidence to prove or disprove the allegation.

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**SUMMARY OF ALLEGATION #7:** The officer attempted to dissuade the complainant from filing a citizen's complaint.

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

**FINDINGS OF FACT:** The complainant stated that he went to the police station to complain about an officer who had used unnecessary force and who had searched him improperly during a detention. The complainant stated that the officer who used the unnecessary force came out and threatened to arrest the complainant if he filed a complaint against him. The named officer denied the allegation, and stated that he did not recall the identity of the counter officer who was present. No witnesses were identified. There is insufficient evidence to prove or disprove the allegation.

**SUMMARY OF ALLEGATION #8:** The officer failed to provide an officer's name and star number.

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

**FINDINGS OF FACT:** The complainant stated that he went to the police station to complain about an officer who had used unnecessary force and who had searched him improperly during a detention. The complainant stated that the officer at the counter failed to provide him with the name and star number of the officer who had detained him. The complainant could not identify the officer he spoke to. The officers who detained the complainant could not identify this officer. Attempts by OCC to identify the named officer were unsuccessful. There is insufficient evidence to identify the named officer, or to prove or disprove the allegation.

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**SUMMARY OF ALLEGATION #9:** The officer failed to assist the complainant in filing a complaint.

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

**FINDINGS OF FACT:** The complainant stated that he went to the police station to complain about an officer who had used unnecessary force and who had searched him improperly during a detention. The complainant stated that the officer at the counter failed to accept a citizen's complaint against an officer. The complainant could not identify the officer he spoke to. The officers who detained the complainant could not identify this officer. Attempts by OCC to identify the named officer were unsuccessful. There is insufficient evidence to identify the named officer, or to prove or disprove the allegation.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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

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

**FINDINGS OF FACT:** The complainant stated that a police officer on a bicycle threatened to arrest him and to impound his dog because the complainant did not have any ID at the time. The description provided by the complainant was insufficient to identify and to question the officer involved in this police contact. There were no other witnesses.

**SUMMARY OF ALLEGATION #1:**

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

**FINDINGS OF FACT:**

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

**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:**

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**SUMMARY OF ALLEGATION #1:** The officer threatened to cite the complainant for a traffic violation.

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

**FINDINGS OF FACT:** The complainant did not provide additional requested information needed to conduct an investigation. The officer could not be identified.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/19/05 **DATE OF COMPLETION:** 10/18/05 **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant withdrew the complaint.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

REVISED 04/20/00