

1999 ANNUAL REPORT OF



**The
Office of
Citizen
Complaints**

an agency reporting to the
**San Francisco
Police Commission**

City and County of San Francisco
Willie L. Brown, Jr., Mayor
Report Presented By: Mary C. Dunlap
Director, Office of Citizen Complaints

STAFF OF THE OFFICE OF CITIZEN COMPLAINTS

(as of 5/1/00)

Director: Mary C. Dunlap

Trial Attorneys: Jean Field, James Rodriguez (10/97-4/00)

Policy & Outreach Specialist: River Abeje

Chief Investigator: Donna L. Medley

Senior Investigators:

Charles Gallman, Dennis Maxson, Cheri Toney (acting)

Investigators:

Jeff Apkarian, David Aulet, Erick Baltazar, Pat C. Dalton,
Helen Garza, Eileen Grady, Karol Heppe, Mary Ivas,
Kasi Jammeh, Richard Kung, Sergei Litvinov, Ed McMahon,
Irene Rapoza, Mark Scafidi, Jayson Wechter

Administrative Staff:

IS Business Analyst: Lorrie M. Tanioka

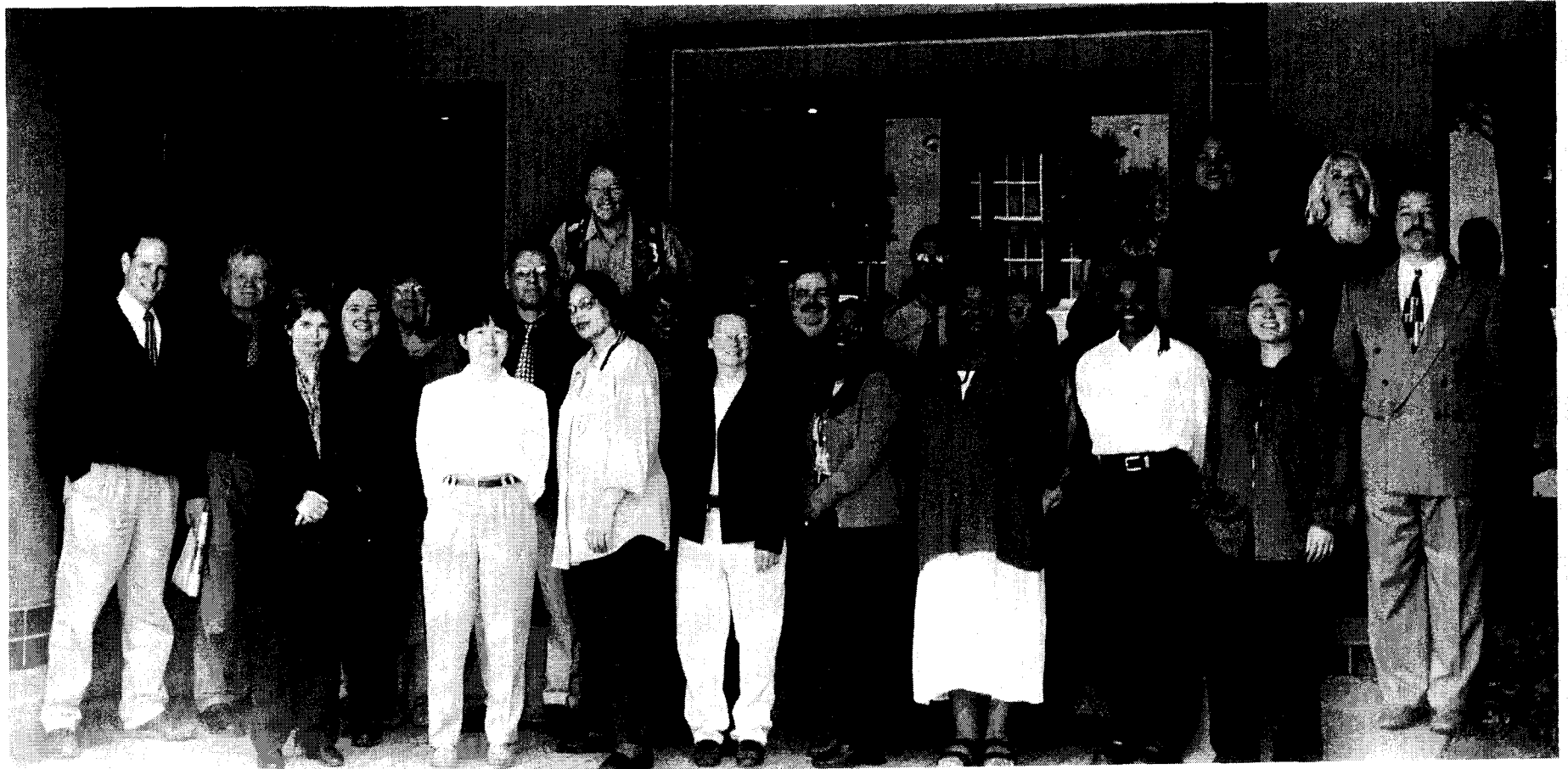
Senior Accounting Clerk: Laura Tham

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Senior Clerk/Typist: Pat Grigerek

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Staff of the OFFICE OF CITIZEN COMPLAINTS (5/1/00)

Front Row (L to R): Mary Ivas; Laura Tham; Linda Taylor; Jean Field; Vanetta Smith; River Abeje; Cheri Toney; Lorrie Tanioka; Second Row (L to R): Mark Scafidi; Dennis Maxson; Eileen Grady; Pat Dalton; Sergei Litvinov; Helen Garza; Erick Baltazar; Ed McMahon; Charles Gallman; Karol Hepe; Richard Kung; David Aulet; Back Row (L to R): Mary C. Dunlap; Caroline LoiOn Lealaimatafao; Pat Grigerek. Not pictured: Jeff Apkarian, Kasi Jammeh; Gwen Lancaster; Donna L. Medley; Irene Rapoza; Jayson Wechter.

Photo Credit: Maureen C. Mason

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OFFICE OF CITIZEN COMPLAINTS

CITY AND COUNTY OF SAN FRANCISCO



Mary C. Dunlap
Director

TO: Hon. Members, San Francisco Police Commission
Hon. Dennis Herrera, President
Hall of Justice, 850 Bryant Street
San Francisco CA. 94103

RE: OCC 1999 Annual Report

Dear President Herrera and Commissioners,

I am pleased to present the 1999 Annual Report of the Office of Citizen Complaints, for review by the San Francisco Police Commission and for the information of the public. As set forth, 1999 has been another year of steady, planful progress for OCC, in terms of staffing and staff training, investigations and case closures, presentation of cases at SFPD Chief's level, policy recommendations and community outreach. The highlights of 1999 include: the leadership and gifts of a new Chief Investigator, Donna L. Medley, who has brought thoughtful oversight to OCC investigations, and skillful management to OCC's investigative team; a 10% increase in closures of complaints (marking the third consecutive year of OCC accomplishing a 10% increase in case closures, from 890 closures in '96 to 1123 closures in '99); completion of a total of 99 sustained cases (8.8% of total closures) and of 12 policy/training recommendations to SFPD; adjudication of 66 OCC sustained cases at Chief's level, with 53 (80%) Sustained by the Chief and resulting in disciplinary action, 4 (6%) held Not Sustained by the Chief, and 9 (14%) resulting in No Further Action by the Chief. OCC attorneys Jean Field and James Rodriguez are especially to be commended for their outstanding work at SFPD Chief's level during 1999.

In the year, OCC staff dealt professionally and successfully with a number of challenges and adversities, including the first year of direct application of a 1-year statute of limitations addressing sustained complaints, both chronic and acute problems with OCC's IT/IS support and databases (aggravated by Y2K considerations), and high levels of training and supervisory needs, partly due to numerous still-relatively-new staff members and recent promotions, following significant staff increases and transitions during 1996-1998, and continuing implementation of the '96 City Charter-mandated staffing ratio of 1 OCC investigator for every 150 SFPD sworn members. The agency's investigative FTEs were fully staffed for almost the entirety of calendar 1999.

1999 saw the filing of OCC's first verified complaint alleging police misconduct, pursuant to a 10 year-old but untested legal procedure. That filing resulted from OCC's disagreement with the Chief of SFPD as to certain of OCC's sustained findings as to allegations in the Mark Garcia family complaint. Charges based upon the verified complaint, and the named officers' defenses, were set for factual hearing and resolution at Chief's level, through a publicly announced procedural agreement between SFPD and OCC (which charges and defenses have since been heard at Chief's level during March-April 2000). The Mark Garcia family complaint to OCC also resulted in the preparation and presentation by OCC in 1997, and the Police Commission's adoption in 1999, of several policy recommendations regarding officer training, record-keeping, and public health and safety, in conjunction with SFPD officers' use of pepper spray. OCC Policy & Outreach Specialist River Abeje worked with particular dedication and insight during 1999 in seeking to advance OCC's several pending policy recommendations through SFPD, and Ms. Abeje and myself actively raised and forwarded the public's and

OCC's own concerns about "DWB/B" datagathering and selective/discriminatory law enforcement issues to SFPD command staff and the Commission. Designated OCC personnel also worked cooperatively with Police Commission members, SFPD command staff and others, on a number of important special projects during 1999, including: a written protocol to guide the OCC/SFPD relationship in Officer-Involved Shooting ("OIS") case investigations; facilitation of OCC access to SFPD records and information in the investigation of civilians' complaints by OCC; practical working agreements between OCC and SFPD as to their respective responsibilities and procedures for compliance with the new statute of limitations governing sustained complaints of police misconduct; better mutual understanding in the vital and often necessarily adversarial working relationships between OCC and officer representatives, especially those from the SF Police Officers Association; and, a project to facilitate prompter fact-finding as to both OCC and MCD sustained cases at the Police Commission level.

Almost all members of OCC staff met, and several persons exceeded, productivity, training and project goals during 1999. One illustration should suffice: consider that December 1999 was the (first) peak of a flu season, the month for long-awaited vacations and special Millenium celebrations, and the month in which OCC computer workstations underwent extensive hands-on software upgrades in conjunction with Y2K preparations; urgent PC learning and technical troubleshooting had to occur literally simultaneously with handling the crunch to complete the caseload for 1999. OCC staff ended December 1999 with a record-breaking 155 case closures for the month (90 is normal, 96 was the total in December '98, and 120 is the monthly goal), including 28 sustained case reports (comprising an especially labor-intensive 18% of the month's total closures). Once again, I am delighted to express my deep pride and gratitude to each of OCC's contributing staff members for their extraordinary diligence, sense of mission, work ethic and efficiency in 1999, detailed in a myriad of ways in the annexed report.

This report also takes the occasion of the end of a century, and the conclusion of 17+ years of OCC's operation as a City agency, to offer glimpses of the agency's casework over the years, and to provide information about OCC's plans for the remainder of calendar 2000 and for FY '00-'01. As the Commission knows, this report has been somewhat delayed (relative to the norm of a March release date for the '96, '97 and '98 annual reports), because of IT/IS support problems before, and database problems after, Y2K. With special appreciation for the already well-demonstrated expertise and energy of OCC's new permanent IS Business Analyst, Lorrie Tanioka, who joined OCC in late March, 2000, and for the continuing exemplary work of Linda Taylor, chief of OCC's administrative team, this report is now in your hands, and it will soon join the public information flow, including availability on OCC's website:

www.ci.sf.ca.us/occ

Indeed, OCC's website is another crowning achievement of 1999, and OCC's "technowhiz", River Abeje, as well as the personnel of the City's Department of Telecommunications and Information Technology ("DTIS"), particularly Jennifer Schuler, must take bows for this public service achievement. OCC receives dozens of public inquiries from around the Bay Area each year, and several inquiries every month from communities across the nation, concerning San Francisco's model of civilian review/police accountability. The website allows substantial personnel time and resources to be saved by providing ready answers to many questions about OCC.

I look forward to the presentation of this 1999 Annual Report of the Office of Citizen Complaints at the next regular meeting of the SF Police Commission, and I thank President Herrera and all members of the Police Commission for your interest, support and concern as to the work and mission of the OCC.

With best regards,


MARY C. DUNLAP

Director, Office of Citizen Complaints

Letter and Report Submitted: 5/25/00

I. OCC STAFF GROWTH/CHANGES

Beginning in 1996, the Office of Citizen Complaints ("OCC") has been legally mandated through a City Charter amendment (SF Charter sec. 4.127) to employ one (1) 8124 Investigator for every one hundred-fifty (150) sworn members of the San Francisco Police Department ("SFPD"). The City funding and requisitions for this level of staffing were fully authorized by the Board of Supervisors and Mayor as of January, 1998. OCC has been engaged since 1996 in finding, training and retaining the best qualified available personnel to fulfill this Charter mandate.

The 15 authorized Investigator positions authorized by the FY '98-'99 OCC budget were filled for almost the entire year, and a 16th Investigator FTE was attributed to OCC, due to increases in SFPD staffing, for FY '99-'00. Because the eligible list for 8124 Investigators expired in October 1999 (after a total of 10 persons were hired from the list during 1997-1999, 8 of whom passed probation and currently serve OCC), OCC worked closely with the Department of Human Resources ("DHR") to achieve recruitment of an excellent, including diverse, pool of candidates, resulting in a list of forty-three (43) persons found to be eligible for and interested in OCC Investigator employment. Like those on the earlier list, all 41 on

the new list meet or exceed the requirements of a bachelor's degree and 2 years of pre-OCC investigative experience (with substitution of experience for post-high school education on a 1-for-1 basis). Although OCC has not yet hired from the new eligibles list, because all OCC Investigator FTEs are now filled, OCC is now in a solid position to maintain well-qualified full staffing in the position (e.g., in case of attrition or additional FTEs due to further SFPD sworn officer additions).

Donna L. Medley began as OCC's Chief Investigator starting in late December 1998. Ms. Medley continues to serve admirably in this position, bringing 25+ years of relevant law enforcement investigative, personnel management and teamwork experience. Ms. Medley has applied a keen sense of mission and a commitment to high levels of staff training, fieldwork and professionalism to OCC.

OCC's provisional IS Business Analyst, Silvia Landau, was displaced (to another City position) by OCC's permanent hire of Lorrie Tanioka, who began at OCC in March 2000 after a process of recruitment, interviews and selection for the permanent position that began in late 1999. Ms. Tanioka also brings exceptional skills and experience to the OCC, and her talents have already proved highly beneficial in IS/IT maintenance, planning, troubleshooting, database development, and staff training, information and assistance.

II. OCC CASELOAD

OCC received 1047 complaints during 1999, and identified a total of 4,767 allegations of police officer misconduct stemming from those complaints (See "Comprehensive Statistical Report (1999)" and "Complaints and Allegations by Unit, Annual 1999", Attachments at pp. 40, 48-49). The volume of civilian complaints filed with OCC during 1999 was roughly average, across OCC's caseload history, and the number of allegations identified was proportionate to the number of complaints received, and consistent with the numbers of allegations identified by OCC during 1997-1999 (See Part V., A Retrospective Look, at pp. 27-33, and, "Allegations, By Number and Category (1999-1987)", at p. 57, for details about caseload over the years of OCC operation, and see, "OCC Special Report: Performance and Productivity as to Complaint Caseload", presented to SF Police Commission (7/21/99), for further information concerning OCC's sharply improved comprehensiveness in identifying and investigating allegations of police misconduct during 1997-1999).

During 1999, OCC closed a total of 1123 complaints, 10% more than in 1998 (1043 closures), 20% more than in 1997 (979 closures) and 30% more than in 1996 (890 closures). This demonstrated progress in efficient closure of cases included backlog reduction (a total of only 1 case filed in 1996 and 10 cases filed in 1997, each of which

has specific reasons for continuing pendency, were open at OCC as of end of 1999), compliance with a new statute of limitations by means of goal-setting and careful supervision, increasingly thorough identification of allegations (see previous paragraph) and improved completeness of fieldwork and other investigative steps by OCC staff, all accomplished under the conscientious and capable oversight of Chief Investigator Medley and of OCC's Senior Investigators, particularly Charles Gallman and Dennis Maxson, and of acting Senior Investigator Cheri Toney during parts of 1999. Please note that OCC is obliged by law (City Charter section 4.127) to investigate all complaints within its jurisdiction that do not show facially proper officer conduct; hence, virtually 100% of OCC's 1123 cases closed in 1999 required and received full investigation in order to be closed correctly, under City Charter sec. 4.127.

In 1999, OCC received 107 requests for investigative hearing following preliminary findings in its closures, and granted 11 (10.2%) of those requests; hearings were held in 10 cases during 1999, and 4 cases awaited investigative hearing at year's end. Investigative hearings are granted for cause, as demonstrated according to written rules. As a general summary of the application of those rules, investigative hearings (and/or further investigation, as appropriate) are granted by the OCC Director wherever OCC is given reason to believe that its preliminary findings may be in error and

that an investigative hearing would remedy the identified error, or in cases where OCC requires the work product of a neutral hearing officer in order to accurately resolve a material dispute of fact.

The achievement of closure during 1999 of all but 11 cases filed in '96-'97 is particularly notable, because of the pressure of the new one-year statute of limitations governing sustained cases, which addresses complaints concerning incidents occurring on or after 1/1/98 (Government Code section 3304 (c)). OCC staff managed to close almost all of its oldest complaints during the same time period that OCC staff was obliged by section 3304(c) to focus upon timely closure of more recent cases. Put another way, backlog reduction was accomplished without jeopardizing OCC's dedication to compliance with the new statute of limitations. The reported reduction in pending numbers of oldest OCC complaints was part of a steady overall reduction of pending caseload: OCC had 509 cases open as of the end of '99, 47 (9.2%) less than at the end of '98 and 66 (12.2%) less than at the end of '97 ("Comparative Overview of O.C.C. Caseload", p.41)

The rate of sustained complaints for 1999 is also roughly average, compared with prior recent years. OCC sustained 99 of 1123 complaints (8.8%) during 1999, as compared with 108/1043 in 1998 (10.4%) and 101/979 (10.3%) in 1998. Because, in late 1998, OCC began a practice of sending all "Failure to Comply with DGO 2.04" (to

wit., failure of SFPD officers to cooperate with OCC's investigations) allegations to SFPD's Management Control Division ("MCD") for resolution, rather than investigating and sustaining or not sustaining such allegations within OCC, the slight decrease in the OCC sustained rate is substantially explained by this change in practice. Of 15 "failure to cooperate" cases sent by OCC that were investigated by MCD and acted upon by the Department during 1999, 12 (80%) were held Sustained by SFPD, and disciplinary action followed. Had OCC investigated and resolved those 15 subject cases itself, as OCC would have done prior to late 1998, OCC's sustained case rate for 1999 would be 9.8% (111/1138).

It must be reiterated, as stated on several prior occasions, that OCC does not have a goal or target for number or percentage of sustained cases. Rather, OCC is committed to neutrally conducting complaint intake, to professionally investigating the allegations raised by each complaint, and to sustaining no more or less than those allegations where "[a] preponderance of the evidence proved that the conduct complained of did occur, and that using as a standard the applicable regulations of the Department, the conduct was improper." (See "Definitions of Findings", at p. 86, and see SFPD DGO 2.04). Thus, although some may propose to measure OCC's effectiveness primarily by the number or percentage of cases that OCC sustains in a given time period, it is OCC's operating position that,

while the number and percentage of sustained cases is one appropriate personnel performance measure (specifically, because of the labor-intensiveness of sustaining a complaint), raw comparisons of OCC's sustained rates from year to year cannot constitute a subtly accurate measure of OCC's overall effectiveness, without regard to study of the frequency of OCC sustained findings being upheld by SFPD at Chief's level and/or by the Police Commission, and without regard to policy recommendations, training recommendations, and other facets of both SFPD institutional improvement and individual changes in behavior related to OCC's role in the officer discipline system.

With these considerations in mind, in studying the number and percentage of cases sustained by OCC, it is highly important to examine statistics showing what happened during 1999 to OCC's sustained cases within SFPD and at the Police Commission. For this purpose, the annexed list entitled "Sustained Cases 1994-1999" (as to which members of the Police Commission receive the additional identifying data as to complainants and officers involved on a confidential basis, due to Penal Code section 832.7) tracks all pending OCC sustained cases sent to SFPD during 1994-1999. (See "Sustained Cases 1994-1999", at pp. 60-71)

Of OCC sustained cases sent to SFPD, a total of 66 officer disciplinary cases were decided at Chief's level during 1999. A total of 53 (80%) of those 66 cases were Sustained by the Chief's designee

after due notice and opportunity for hearing to the named officer(s), and resulted in disciplinary action. Of the remaining 13 cases, 9 (14%) were Not Sustained by the Department, and 4 (6%) were determined by SFPD to raise preclusive statute of limitations or laches issues.

OCC also maintained and strengthened its mediation program, begun in 1995, during 1999. OCC offers mediation, under written rules and through a program created and staffed by Bar Association of San Francisco ("BASF") volunteers and experts, in cases where the alleged misconduct does not predominantly involve issues of unnecessary force, discrimination/slurs, abuse of authority, legal questions, or other features of the civilian complaint that would tend to imbalance the mediation process or trivialize wrongdoing. A total of 22 cases qualified for and were awaiting mediation during 1999, and 6 were mediated; these numbers represent slight but important increases in resort to the mediation program compared to 1997-1998. The OCC mediation program requires the named officer to be eligible (based on prior complaint and discipline history), the complainant(s) to be willing, and the named officer(s) to be willing (with the incentive to officers of having the complaint removed from their disciplinary record if they agree to and appear for mediation). Improved communication and enhanced mutual understanding of officers

and civilians, reportedly resulting from at least some of the mediations, warrants committed continuation of this program.

Officer disciplinary charges arising from at least six (6) pre-1999 OCC cases awaited hearing and resolution at the Police Commission as of the end of 1999; one of those cases has since been remanded by agreement and heard at Chief's level. The rest have been assigned to hearing by individual Commissioners, and it is OCC's understanding that those cases within this group that have not had pretrial/status conferences by the assigned Commissioners will soon receive them in year 2000. OCC attorneys worked with dedication during 1999 and continue to work committedly with the Commission and SFPD to accomplish efficient, just disposition of each Commission-level pending case.

In January, 1991, the SF Police Commission adopted a written procedure purporting to govern situations in which the OCC Director and Chief of SFPD irresolvably disagree as to the propriety of having a disciplinary case heard by the Police Commission (SF Police Commission Resolution 19-91 (1/31/91)). Because of such an irresolvable disagreement, concerning certain of OCC's sustained allegations in the Mark Garcia family complaint (filed 10/96), in June, 1999, OCC presented to Chief Lau and lodged with the Police Commission the first verified complaint presented under Resolution 19-91. During November, 1999, SFPD and OCC agreed to a procedure for

hearing at Chief's level of certain charges resulting from that sustained complaint, and that procedural agreement was made public and was presented as a written stipulation to the Police Commission on December 1, 1999. Pursuant to that stipulated procedure, on two days in March and April, 2000, OCC attorney James Rodriguez, assisted by OCC attorney Jean Field and temporary legal-administrative assistant Vaneta Bagatelos, presented OCC's evidence and arguments in support of the charges arising from the sustained allegations in the Mark Garcia family complaint, and responded to the presented defenses of the officers, during a hearing conducted by the Chief's designee during two (2) days in March-April 2000. As of the writing of this report, OCC awaits the Police Commission's public report as to the Chief's-level findings and disposition in that submitted case.

The Mark Garcia family complaint also resulted in OCC's recommendation of certain policy changes as to pepper spray use, monitoring and data concerning usage, made by OCC to SFPD in-mid 1998 and adopted by the Police Commission on May 12, 1999. In summary, those policy changes require SFPD to assure Department-wide training on pepper spray use and on transportation and treatment of at-risk individuals, require SFPD members to follow specified procedures as to face- and eye-rinsing of all persons exposed to pepper spray, and require implementation of parts of the SFPD "Custody Death Task Force Report" of May, 1996. (OCC 1998 Annual Report, pp. 56-59)

For year 1999 (including policy recommendations for the Fourth Quarter presented in this report, see Attachments at pp. 83-85), after careful research and analysis, by means of written submissions prepared by Policy & Outreach Specialist River Abeje, OCC has offered a total of twelve (12) new policy and training recommendations for SFPD implementation and/or Commission action (See pp. 72-85). The subjects of these policy and training recommendations by OCC, which are currently pending within SFPD for adoption where not already adopted, and which will be presented to the Commission as appropriate if not adopted by SFPD, include:

- Reporting of Prejudice-Based Incidents
- Conflict of Interest
- Provision of Translators
- Booking & Detention, Prisoner Handling, Access to Medications
- Transporting Persons Who Use Mobility Aids
- Animal Control Techniques and Caring for Animals of Arrestees
- Bicycle Riding in Lanes of Traffic
- Use of Vehicle Horns
- Recording Operations of the Vice Crimes Division
- Distribution of Written Communications
- Medical Marijuana: Enforcement of Health & Safety Code 11362.5
- Access to Telephones for Detainees

As to the remainder of the OCC-sustained pending cases, OCC worked closely with MCD and other designated SFPD and Commission personnel, throughout 1999, to move those OCC-sustained cases (see "Sustained Cases 1994-1999", at pp. 64-71) to just resolution as rapidly as possible, consistent with assuring thoroughness of investigations and accuracy of findings by OCC, completeness of review by SFPD, robust due process to officers and full accountability to complainants, all to be guided by the public interest in achieving " ... accountability of every member of the San Francisco Police Department ... to all of the people in or of this City and County" ("OCC Mission Statement", p. 39).

III. OCC PUBLIC CREDIBILITY AND COMMUNITY RELATIONS

During 1999, OCC continued its efforts to serve the diverse, complex communities of San Francisco, and to work (and, at least on the best of days, to be recognized) as SFPD's "professional management consultant" on policing issues, dedicated to the advancement of community policing and improved police-community rapport. Happily for those who work diligently at OCC in service of its mission, those efforts did not go unnoticed during 1999.

OCC's work during this period earned "honorable mentions" in a number of media accounts, including:

- Author Joe Domanick's conclusion that "...the best example of an effective, impartial civilian investigative agency is San Francisco's..." ("Civilian Control of LAPD Is Elusive Despite Reforms", Los Angeles Times (11/14/99));
- Extensive coverage of OCC's mechanism and certain of its Police Commission-level cases, as part of a series of articles about civilian review models across California (Dion Nissenbaum, "Policing the Police", Riverside Press-Enterprise (p. A-1 (8/1/99)));
- Professor Samuel Walker's statement that in "...San Francisco, the Office of Citizen Complaints sends a steady stream of recommendations for policy changes to the police department. Through this policy review function, the OCC does not treat complaints as isolated incidents but uses them as a way of identifying underlying causes..." ("How To Make Cops Accountable: LAPD - Los Angeles Can Emulate Other Cities' Systems", Los Angeles Times (3/6/00); and,
- "San Francisco has what many consider the best example of civilian review in the country." (Baltimore Sun (4/10/99)).

When the specific ways are reflected upon that OCC strived to serve its mission of police accountability to all communities in and of San Francisco, while serving SFPD and its members as well, by taking complaints and investigating and proposing findings to resolve them professionally and correctly, certain OCC staff members' contributions in 1999 come most readily to mind:

- 1) River Abeje's policy and training recommendations, her conscientious attendance of many sessions of a Police Academy 28-week course for new recruits, and her continuing insight into the experiences of new Q2s,
- 2) Dennis Maxson's and Charles Gallman's school appearances to explain OCC and be "role models",
- 3) Karol Heppe's, Mary Ivas' and Vanetta Smith's particular availability for youth issues and support, especially at the City's juvenile detention facility,
- 4) Donna Medley's responsiveness to civic emergencies, real and potential, including her visits to Officer-Involved Shooting ("OIS") scenes, and her Y2K eve and morning "stint" at the Office of Emergency Services,
- 5) monitoring of policing situations, under a specific written policy of OCC requiring neutral and professional observation, at public demonstrations ranging from pre-noticed Critical Mass bicycle rides and political rallies to spontaneous protests

including civil disobedience actions, by an array of trained OCC staff (including particularly Jayson Wechter, Eileen Grady, Kasi Jammeh, Dennis Maxson, River Abeje, Cheri Toney, often and gently overseen by Chief Investigator Medley),

- 6) Mary Ivas' and Karol Heppe's energetic in-office fundraising for the annual Citywide Combined Charities campaign, resulting in generous contributions from over 60% of OCC personnel,
- 7) the friendly, helpful and businesslike reception to civilians and officers alike at OCC's front desk, afforded by Gwen Lancaster, Caroline LoiOn Lealaimatafao, Vanetta Smith, Pat Grigerek, and Linda Taylor, as well as by OCC investigative staff during periods of short-staffing,
- 8) OCC investigative staff members flexing hours and schedules when feasible, and starting work at OCC's offices at 6 am or ending work at 10 or 11 pm, in order to accommodate officer on-duty interviews where feasible (under a "handshake" agreement reached by the OCC Director with SFPD's top command staff in 1997, requiring that SFPD command staff also will flex officer work schedules, when requested by OCC Investigators in order to timely and correctly complete investigations),
- 8) investigative staff working hard to conduct thorough and fact-focussed interviews, while relating appropriately to often uncomfortable interviewees, be they complainants, accused

officers, civilian or officer witnesses, and OCC investigators going to the field where necessary to get answers,

- 9) regular availability of OCC management staff (appreciating most especially the extraordinary responsiveness of Senior Investigator Charles Gallman, who was the OCC Director's nominee for a City Managerial Excellence Award in 1999, based upon a mountain of his good works) as to emergency pages and urgent phone calls from SFPD and civilians alike, during nights, early mornings, weekends, and holidays,
- 10) numerous special meetings to share information with various organizations and delegations, including: (a.) thanks especially to attorney Field and Chief Investigator Medley, a half-day workshop at OCC, emphasizing both complaint processing and mediation, requested and attended by a group of ranking officers, legal advisors and a community leader from the San Diego Police Department's internal affairs division; (b.) a three-hour session with command staff members and police union officers, attorneys and community leaders from Austin, Texas, on the OCC model and civilian review; (c.) a two-hour session with a delegation of 37 senior civil servants visiting from Taipei, Taiwan, with Investigator Richard Kung serving as OCC's liaison,
- 11) appearances by OCC staff at community forums, street fairs, and other events, by invitation, to explain OCC and become more

identifiable, accessible and helpful to the San Francisco public, and,

- 12) the regular provision of bilingual services to complainants, witnesses and community members by David Aulet and Helen Garza (Spanish), Richard Kung and Laura Tham (Chinese), Erick Baltazar (Tagalog), Sergei Litvinov (Russian), and Caroline LoiOn Lealaimatafao (Samoan, Tongan and Tokelauan).

The above list does not begin to include all of the OCC personnel who made noteworthy efforts to reach and be reachable by the broadly dispersed people and groups interested in and affected by OCC, in the wide array of situations addressed. Instead, the list is a little snapshot of our efforts; all OCC staff working together, in and out of the snapshot, have earned the praise that media sources quoted above and others conveyed during 1999.

In considering OCC's public credibility and community relations progress, it also remains crucial to keep in mind the variegated nature and needs of the civilian communities directly served by OCC. In an ongoing effort to determine who is specifically served by OCC, a fourth year of "hand-ground" statistics, in "OCC Complainants By Selected Demographic Characteristics: 1999" (see p. 59) is provided in this report.

(In 2001, OCC's new database system will compile these demographic statistics in a matter of minutes; for OCC's reports in 1997-1999, the task of studying, analyzing and categorizing the relevant data as to 1100-1300 individual complainants required about a day's work for each year. In whatever way this work is done, it remains vital to see some of the facets of who OCC's complainants are.)

In 1999, of the 1129 named individuals filing complaints with OCC (including co-complainants), males comprised 699 (62%), females comprised 364 (33%), 55 left the space blank or declined to state (5%), and 1 person elected, without specific inquiry from OCC, to identify as "transgender" (less than 1%). 370 (33%) of complainants were Caucasian/White, 349 (31%) were African-American, 114 (10%) were Hispanic/Latino/a, 79 (7%) were Asian-American & Pacific Islander, 8 (less than 1%) were Native American, 17 (2%) were Middle Easterner/Arab, 5 (less than 1%) identified as "multiracial", and 177 (16%) left the space blank or declined to state. 771 (69%) were between 20 and 50 years of age, 36 (3%) were between 14 and 19 years of age, and 163 (14%) were over 50 years of age; 149 (13%) left the space blank or declined to state. Without specific inquiry by OCC, 40 persons (4%) self-designated (without a specific inquiry) as "disabled", and 17 (2%) self-designated as "homeless". The numbers of transgender, disabled, and homeless persons who were actually served as complainants by OCC during 1999

were substantially higher, according to information from OCC's investigative staff and scrutiny of the contents of investigative files, than the relatively small numbers who self-designated as "transgender", "disabled" and/or "homeless", without specific inquiry in the demographic information section of their complaints.

Persons of color (i.e., persons designating as other than "White" or "Caucasian") comprised over 50% of OCC's complainants in 1999. The percentage comparisons across 1996-1999 of the constituent racial groups of OCC complainants are as follows:

	<u>1999:</u>	<u>1998:</u>	<u>1997:</u>	<u>1996:</u>
Caucasian/White	33%	33%	36%	35%
African-American	31%	27%	28%	26%
Hispanic/Latino/a	10%	11%	9%	8%
Asian-American & Pacific Islander	7%	7%	7%	5%
Middle Eastern & Arab descent	2%	2%	data not available	
Native American	<1%	1%	<1%	<1%
"Multiracial"	<1%	<1%	<1%	<1%
Blank/Declined	16%	18%	18%	19%

(Source: "...Demographic Characteristics: 1999", at p. 59).

For the fourth consecutive year that statistical reports were prepared as to race of OCC complainants, while other population groups' complaints to OCC ranged from well below to roughly proportionate with their presence in the San Francisco population, the African-American OCC complainant percentage was well in excess of relevant population percentage for San Francisco (31% in 1999, and 26-28% during 1996-1998, as contrasted with an estimate of 10% African-American population according to the 1990 decennial US Census for San Francisco). As was observed in OCC's 1998 Annual Report, "...the continuing statistical disparity [between African-Americans in San Francisco and African-Americans making complaints to OCC]...raises a still-unanswered cluster of questions as to how and why African-Americans experience and report police misconduct to OCC at a rate that is consistently, substantially higher than their share of the SF population." (1998 Annual Report, p. 12).

The Police Commission's initiative requiring SFPD to gather data in traffic stop situations, responsive to "Driving While Brown/Black" ("DWB/B")/ selective enforcement issues, announced by the Commission at its regular public meeting on September 15, 1999, followed by the Commission's further implementing action taken on April 11, 2000, should help to address at least some of the questions raised by the continuing disparity between percentage of

OCC complainants who are African-American persons and percentage of African-Americans in the SF population.

Recent studies demonstrating that African-American and Latino/a youth receive harsher punishments than do Caucasian/white youth in the US juvenile justice system (e.g., "And Justice for All", National Council on Crime and Delinquency report funded by the US Department of Justice (4/26/00)), and other ongoing studies of racial discrimination in law enforcement and the criminal justice system, not to mention abiding public concerns about fairness of policing throughout the nation, oblige the attention of SFPD, the Police Commission and OCC, in our respective roles within the City government of San Francisco. Those studies and expressed public concerns about discriminatory law enforcement and criminal justice in the USA underscore the necessity of paying attention, by race and other relevant characteristics, to who OCC's complainants are, to what the nature of any racially correlated patterns in complaints about SFPD policing are, and to who is stopped in traffic situations by SFPD and why. All of these forms of data-gathering and analysis need to operate as specific elements of an overarching, institutionalized, cooperative, planful and principled opposition by SFPD and its members, the Police Commission and OCC, in our respective roles, to discriminatory law enforcement.

Apropos of this subject, OCC prepared and presented a special report to the Police Commission during 1999, to provide available information concerning the number of complaints registered with OCC during 1998 that raised issues of selective/discriminatory enforcement. ("Allegations of Discriminatory Law Enforcement Against SFPD Officers: A Need For Further Information", Office of Citizen Complaints (5/5/99)). For 1998, in that special report, OCC identified 42 complaints (comprising 4%, out of a total of 1043), not including complaints involving alleged slurs based on race, gender, or the like, "...in which complainants specifically asserted, in writing, that they believe some action was taken or not taken by one or more sworn members of SFPD as to them, because of their actual or perceived race, ethnicity, color, immigration status, gender, gender identity, sexual orientation, and/or age."

("Allegations...", cited above, p. 8) A follow-up study for this current report conducted by the OCC Director, examining all OCC complaints filed in 1999, shows a rise to 98 complaints (9%, out of a total of 1123) containing specific assertions by complainants of discriminatory law enforcement actions, as defined in the quotation above, allegedly taken by one or more SFPD officers.

At present, OCC does not have the means to adduce information, whether from its own existing database, from within SFPD's current records and information, or discoverable elsewhere, to

authoritatively resolve most individual allegations of selective enforcement in favor of decisive findings such as "Sustained", "Proper Conduct" or "Unfounded". At present, OCC can make such decisive findings about discriminatory enforcement allegations only in rare cases, namely, those where there is a witnessed statement or expression of an officer's discriminatory intent, or an officer's own admission of prejudice or bias, enabling individual allegations of selective enforcement to be sustained on the discoverable evidence, and those where there is specific evidence disproving discriminatory intent, warranting a finding of "Proper Conduct" or "Unfounded" based on the discoverable evidence.

Racially and other invidiously discriminatory law enforcement harms civilian victims and the public interest, and undermines good policing and every officer committed to good policing. Likewise, false public beliefs that discriminatory law enforcement is occurring, which cannot be reasonably dispelled in the absence of responsive information, jeopardize civic peace, and undermine good policing by defaming law-abiding officers.

Both of these dimensions of harm in the discriminatory law enforcement conundrum - true complaints of discrimination, and false complaints of discrimination - necessarily concern the OCC and profoundly affect its work. Accordingly, OCC enthusiastically anticipates that, beginning in year 2001, OCC will have its own new

and far more accessible, report-flexible database to enable closer study and comparison of individualized OCC complaints, as well as to enable identification and study of racially and otherwise correlated patterns of misconduct complaints, based on data going back fifteen (15) full years (to 1/1/86). These analytical and reporting capacities within OCC's new database system, particularly when combined with the availability of non-individualized statistics based upon data gathered by SFPD as to race and other demographic characteristics of persons stopped in traffic situations, should enable OCC to better address some of the most pressing questions and concerns about selective and discriminatory law enforcement currently pending. Also, then, specific individualized complaints of discriminatory law enforcement can be resolved more authoritatively by OCC on their facts.

IV. OCC/SF POLICE DEPARTMENT RELATIONS

Although OCC is designed to be independent from SFPD (e.g., by City Charter, no OCC staff member can ever have been an SFPD sworn member), OCC is also designed to be interdependent with SFPD (e.g., both the Chief of SFPD and the Director of OCC report directly in the Charter structure, and weekly at public meetings, to the SF Police

Commission). Even as 1999 marked OCC's first filing of a verified complaint, deriving from the Mark Garcia family case as to which the OCC Director and the Chief of SFPD disagreed irreconcilably on the merits of filing individual disciplinary charges based upon OCC's sustained findings of officer misconduct, as to which case the efforts of the OCC Director and Chief of SFPD failed to resolve said differences by reasoned discussion (see Part II. of this Report, above, for further information on this subject), 1999 also afforded OCC and SFPD a number of opportunities where projects of mutual importance were advanced by just such reasoned discussion, including:

- a written protocol to govern OCC/SFPD interactions as to Officer-Involved Shooting ("OIS") incidents and investigations;
- improved accessibility to OCC of relevant information, records and expertise in the hands of SFPD bearing upon resolution of civilian complaints by OCC investigative staff;
- more efficient handling of sustained complaints by both OCC and SFPD under the new one-year statute of limitations imposed by California Government Code section 3304(c);
- connection of OCC's Information System Local Access Network ("LAN") to SFPD's new personnel and record-keeping computerized Information Systems, and to the new Citywide "911" system.

OCC also reached out to improve communications with SF police labor associations, including the SF Police Officers Association ("POA"), SF Officers for Justice ("OFJ"), and other representative groups. On May 21, 1999, as part of OCC's curriculum of training for its new investigative staff, at a meeting table featuring pizza and general goodwill, and following OCC staff's viewing/reviewing of a segment of "Hearts of the City" (from a series of moving and beautifully crafted videos that convey the humanity of SFPD officers, made by SFPD Officers Andrew Cohen, Robert Mammone and others), OCC staff and POA, OFJ and other associations' reps and members "went around the circle", relating and discussing officers' impressions and experiences with OCC. While it would be inappropriate for the author of this report, as OCC Director, to try to paraphrase or characterize the messages from any of the individual police officers attending this meeting, almost all of the participants indicated that such meetings are a good idea, and should happen again, and regularly. While OCC's relationships with officer reps and advocates are systemically adversarial, the premise of the meeting, and the spirit of almost all of its participants, was that we can all benefit by interpersonal courtesy and respectfulness, appreciation of each other's roles and functions, and mutual professionalism. OCC will host at least one similar meeting in 2000, "the parties willing".

In summing up the relationship between OCC and SFPD during 1999, perhaps no better statement can be offered than the following:

"[a]ccording to San Francisco Police Chief Fred H. Lau, who has run the department since 1996, the system is working. He characterizes his relationship with the OCC as good, adding that the office provides 'a conduit for people to voice their concerns about policing', as well as a 'check and balance for the public'. The public, he says, 'feels that the OCC is an institutional advocate for their concerns'". (Joe Domanick, "Civilian Control of LAPD Is Elusive Despite Reforms", Los Angeles Times (11/14/99)).

V. A RETROSPECTIVE LOOK: 18 YEARS OF OCC OPERATIONS

The Office of Citizen Complaints was founded by a community-generated ballot initiative that passed in 1981 by a substantial majority vote, requiring that a civilian agency be created to intake and investigate civilian complaints of police misconduct in San Francisco. OCC began its earliest operations in 1982, and was staffed as of August, 1983. Working in a three-room office space

located within the Hall of Justice, the original Director, Eugene Swann, and his staff of 8 investigative and 2 administrative personnel began taking and investigating complaints in 1983; OCC staff members' employment requisitions and hiring documents were signed and approved by SFPD sworn administrative personnel.

OCC today is a larger, stronger, better-funded and less SFPD-
enmeshed version of the original agency. Operating from a total of 37 separately enclosed office spaces (affording room for tens of thousands of hardfiles and other paper records in active use, cable computer equipment, 30 PC workstations and other LAN equipment, and other physical properties, as well as providing discrete private office spaces to conduct literally thousands of officer and civilian interviews and other legally confidential functions each year, as well as to enable daily meetings among staff groups and with complainants, witnesses, members of SFPD and the public), occupying approximately 3200 square feet of non-SFPD office space located at 480-2nd Street (since 1995), with 31 FTEs and 30 currently employed personnel, under a total annual budget of approximately \$2.5 million from the City's and Airport's General Funds, governed by Charter-driven requirements that OCC staff be separate and independent from SFPD officers, that there be one (1) investigator at OCC for every one hundred-fifty (150) sworn SFPD personnel, and that OCC be required to investigate and make findings in all civilian-generated

complaints of police misconduct other than those establishing proper officer conduct on their face, as well as to "...prepare recommendations quarterly concerning policies or practices of [SFPD] ... which could be changed or amended to avoid unnecessary tension with the public or a definable segment of the public while insuring effective police services..." (City Charter sec. 4.127), it is possible that even those who campaigned for the establishment of OCC 18 years ago, and who envisioned the power of their idea, would be pleasantly surprised at the strength of OCC today.

The most important feature of OCC remains its ability to investigate, and to recommend and advocate for disciplinary as well as policy resolutions as to, an average of 1000 civilian complaints of alleged officer misconduct per year. Factual investigation and Department General Order-based resolution of civilian complaints of SFPD sworn officer misconduct remain OCC's "raison d'etre".

Based on OCC Annual and End-of-Year reports dating back to 1987, statistics show that OCC investigated approximately twice the number of allegations per year in 1997-1999 that it investigated per year in 1987-1996 (a total of 4554-4825 allegations each year during 1997-1999, compared to a total of 1999-3127 allegations during 1987-1996), and that OCC sustained roughly twice or more the number of allegations of misconduct in 1997-1999 (a total of 179-229) that it sustained in 1987-1989 (a total of 94-108) ("Allegations, By Number

and Category 1999-1987" and "Allegations, Sustained By OCC, By Number and Category 1999-1987", at pp. 57-58). Along with becoming better-staffed and better-funded over the years, the author of this report respectfully proposes that these increases in numbers of allegations identified and investigated, and in numbers of allegations sustained, reasonably may be taken, particularly where accompanied by other indicia of OCC effectiveness (e.g., an 80-84% sustained rate of OCC cases at Chief's level, and see discussion in Part II., above), to strongly suggest that OCC as an agency has become more professionally rigorous and successful in identifying, analyzing, investigating and making factual findings as to allegations of police misconduct. (See also, "OCC Special Report: Performance and Productivity As To Complaint Caseload", presented to SF Police Commission (7/21/99)).

Of the allegations sustained by OCC between 1987 and 1999, sustained Unnecessary Force allegations have risen and fallen across the years 1987-1992 (ranging from a high of 42 in 1988 to a low of 10 in 1990); promisingly, sustained Unnecessary Force allegations have stayed at between 4-13 per year, during 1993-1999. ("Allegations, Sustained By OCC...", p. 58) Likewise, sustained allegations of Discourtesy have remained relatively small but variable in number, with no identifiable pattern of increases or decreases; the low number is 4 sustained allegations of Discourtesy in 1988 and the high number is 21 allegations of Discourtesy sustained in 1991. Sustained

complaints of Racial/Sexual Slurs are rare (hopefully due to infrequency of occurrence, but, also, in the experience of OCC investigative and management staff, due in part to the difficulty of garnering confirming evidence as to a societally offensive behavior that often is alleged to have happened unwitnessed, or "one-on-one"); the high as to sustained Racial/Sexual Slur allegations was 5 in 1994; 0 sustained cases of Racial/Sexual Slurs were presented in 1987, 1988 and 1998. (Allegations, Sustained By OCC...", p. 58)

While, promisingly, sustained Unnecessary Force allegations have substantially decreased overall, between 1987 and 1999, and while, also promisingly, sustained Discourtesy and Racial Slur allegations have remained relatively rare, as enumerated above, sustained allegations of Unwarranted Action, Conduct Reflecting Discredit and Neglect of Duty have increased steadily and substantially over the same 13 year-long period. ("Allegations, Sustained By OCC..." p. 58)

The range of sustained Unwarranted Action allegations during 1987-1999 increased from a low of 9 in 1989 to a high of 48 in 1999; the range of sustained Conduct Reflecting Discredit allegations during 1987-1999 increased from a low of 7 in 1987 to a high of 40 in 1999; the range of sustained Neglect of Duty allegations during 1987-1999 increased from a low of 20 in 1988 to a high of 127 in 1998.

Obviously, the above-summarized data are subject to numerous and varying interpretations. Although these comparative data derived

from most (13 of 17) of the total years of OCC's operations as of 1999, probably cannot or should not be offered confidently or categorically to establish any other specific proposition, these data underscore the important and continuing work and mission of the OCC.

These comparative data also emphasize the ongoing necessity of a close and positive working relationship between OCC and SFPD, including the full cooperation of SFPD members with OCC that is legally mandated by City Charter section 4.127 and SFPD DGO 2.04. Constructive responses to sustained complaints of misconduct, even if few in number, depends upon clear communication and harmonious working relationships, concerning a panoply of both officer discipline and policy/training issues, between OCC and SFPD.

OCC and SFPD must work together if the auspicious patterns of decrease in certain types of officer misconduct are to be preserved. To maintain the continuing drop in sustained Unnecessary Force allegations, and to assure that it means what it appears to mean, both individual complaints and patterns of complaints must be monitored and analyzed closely by both OCC and SFPD's MCD, Legal/RMO and command staff, to assure that the drop in sustained Unnecessary Force allegations does not mask an increase in sustained allegations of Unnecessary Force involving increasingly serious consequences (i.e., fewer sustained cases of Unnecessary Force, but involving escalating levels of wrongful force, resulting in death or serious

bodily injury, such as sustained cases of misconduct in conjunction with Officer-Involved Shootings). Similarly, to address those areas where both allegations and sustained allegations of officer misconduct have risen continuously and significantly over the 13-year period studied (i.e., Unwarranted Action; Conduct Reflecting Discredit; Neglect of Duty), and to maintain the hopeful trends of smaller numbers of certain other types of sustained misconduct (i.e., Discourtesy and Racial/Sexual Slurs), attentive monitoring and analysis of individual complaints and of patterns of complaints, by OCC and SFPD working together, remain obligatory parts of the OCC/SFPD relationship.

The brief glimpse at certain features of OCC and caseload statistics for 1987-1999 offered here points up the continuing need for OCC as a City agency. It also emphasizes the need for OCC and SFPD to regularly continue to think, have dialogue and do problem-solving together, if OCC is to be most effective in providing opportunities for SFPD and its members to learn the array of important lessons posed by the volume of factually investigated and legally resolved civilian complaints at the heart of OCC's work.

As the classic USA folk ballad frames it, OCC "has come a long, long way" since it began its work in a relatively small space in the Hall of Justice, under SFPD's physical and administrative wing, during 1982 and 1983. Given OCC's mission "...to achieve

accountability of every member of the San Francisco Police Department, in whatever rank, position and location, to all of the people in or of" the City and County of San Francisco (OCC Mission Statement, p. 39), it can safely be ventured that OCC as a municipal agency, and the strong model of civilian oversight of police that OCC epitomizes, continue to have "... a long, long way to go".

VI. LOOKING FORWARD: FY '00-'01 GOALS

As of Fiscal Year '00-'01 (starting on July 1, 2000), OCC joins all other City agencies in having to meet written, concrete performance-based goals to receive its share of City funds. OCC's specific written goals, submitted as part of OCC's proposed budget to the Mayor and Board of Supervisors for FY '00-'01, require:

- 1) compliance by OCC staff with the terms of an extant one-year statute of limitations in at least 90% of OCC's sustained cases,
- 2) reduction of OCC case backlog by a 10% annual increase in total closures (which seems all the more feasible when the fact of full staffing of OCC Investigator positions, and the 1997-1999 progressive accomplishment of a 30% overall increase in closures by OCC staff, are taken into account),
- 3) achievement of a 2/3 ratio as to charges tried or settled within 90 days of filing with the Police Commission against total

charges filed with the Commission (a goal that will obviously require Police Commission and SFPD cooperation in efficient presentation and resolution of charges from OCC cases), and, 4) achievement of a ratio of 2/3 as to policy and training recommendations accepted by SFPD or acted upon by the Police Commission within 180 days of public filing against the total number of recommendations filed (again, a goal that will obviously require Police Commission and SFPD cooperation).

The public, for which we all work in one sense or another, has had two primary criticisms of OCC over the years: that OCC is inefficient, and that OCC is unfair. Some SFPD members and their representatives and advocates also have voiced these criticisms on various occasions, over the years of OCC's operations. The above-recited goals, specifically set forth in OCC's budget for FY '00-'01, address both of those criticisms, the first directly, and the second by affirming that "justice delayed is justice denied". OCC must remain committed to both efficiency and fairness, not as polar values or as a paradox, but as two complementary principles to guide every action and decision.

OCC's success in meeting the goals set forth above undeniably depends upon the performances of OCC staff members. But, success in meeting these goals will be interdependent as well. OCC's ability to

meet its goals inescapably relies upon obedience by SFPD officers as to OCC's jurisdiction, timely response to notices of interviews and Member Response Forms (interrogatories), upon members' compliance with DGO 2.04 as ordered by the Chief of SFPD, and upon SFPD Management Control Division's investigation and enforcement of discipline where officers are noncompliant with OCC's rules and procedures, and, fundamentally, upon cooperation by SFPD command and legal staff and the SF Police Commission in accommodating and supporting OCC's investigations, and in acting promptly and decisively upon the sustained complaints and policy recommendations that OCC presents.

VII. CONCLUSION

In 1999, in sum, OCC accomplished: continuing full staffing and training of new investigators and administrative staff members; continuing implementation of a goal of 8-per-month case closures by each OCC Investigator, and other personnel accountability innovations; through fresh and experienced leadership of new Chief Investigator Donna Medley, and by the hard, dedicated work of of Senior Investigators Charles Gallman, Dennis Maxson, administrative chief Linda Taylor, and OCC investigative and administrative

personnel, a 10% increase in case closures (for the third year in a row); an 80% (53/66) rate of SFPD Chief's-level affirmance of, and imposition of officer discipline based on, OCC sustained complaints; an 80% (12/15) rate of SFPD Management Control Division sustaining, and imposing officer discipline due to, OCC investigators' documented allegations of failure to cooperate against SFPD named and witness officers pursuant to DGO 2.04; 12 policy recommendations to SFPD and the Police Commission designed to improve SF policing; and, a myriad of other training, outreach, inter-agency and community service tasks.

During 1999, the Office of Citizen Complaints served its mission, the public and the police department of this City with dedication, efficiency, cooperation, reasoned advocacy and overarching professionalism. During 2000, this course of service and progress are pledged to continue.

Respectfully submitted,


BY: Mary C. Dunlap, Director
Office of Citizen Complaints

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MISSION STATEMENT OF THE OFFICE OF CITIZEN COMPLAINTS

The Office of Citizen Complaints ("the O.C.C.") was founded by the people of the City and County of San Francisco in the year 1983. By means of a popular vote strongly affirming a ballot measure, the O.C.C. was born. The highest purpose, essence and meaning of the O.C.C. is and has always been to achieve accountability of every member of the San Francisco Police Department, in each and every rank, position and location, to all of the people in or of this City and County.

San Francisco is a special city, one to which the world looks for inspiration, ethical guidance and humanitarian models in addressing problems both contemporary and chronic. Whether it is a matter of finding the best medical, emotional, legal and moral prototypes for the care and support of people with AIDS, HIV-positive people, and their loved ones, or locating the most expert methods for maintaining civil order during and after devastating earthquakes, or learning how most effectively to diversify local government to serve and reflect the multicultural human rainbow, or doing formative work on a host of other persistent problems affecting health, safety, welfare and the environment, San Francisco is a leader in our region, state, nation and in the world. In accomplishing civilian review and oversight, prevention, deterrence, and discipline, as to police brutality, inequality of enforcement, and in the challenge of overcoming police misconduct, San Francisco is looked to as a leader, and San Francisco must become a better leader.

But how shall we do this? Every person working at the O.C.C. can make a crucial difference. Every individual who works at the O.C.C., paid or volunteer, temporary or permanent, regardless of job title, position, level of experience, political beliefs or personal identity, must be dedicated and re-dedicated to meeting certain standards. These are:

- (1.) To show to every person who has business with the O.C.C. the utmost courtesy, respect, and understanding of their situation;
- (2.) To realize that an honest, just, effective and duly restrained police force is instrumental to civic peace;
- (3.) To realize that the responsibilities of the O.C.C. in achieving an honest, just, effective and duly restrained police force serve a sacred public trust; and, to make choices and decisions harmonious with that public trust, based on fairness and truth, and never upon partisanship or sentiment, as to each complaint presented, and as to each problem encountered;
- (4.) To appreciate that the work of the O.C.C. will be unwelcome, unpopular and misunderstood among some, and not to be deterred or distracted by those reactions, but rather to stay focussed on the central and justifying mission of the Office of Citizen Complaints, namely, to achieve accountability of every member of the San Francisco Police Department, in whatever rank, position and location, to all of the people in or of this City and County.

By: Mary C. Dunlap, Director (7/29/96)

**OFFICE OF CITIZEN COMPLAINTS:
 COMPREHENSIVE STATISTICAL REPORT
 01/01/99 TO 12/31/99**

	1ST QUARTER TOTAL	2ND QUARTER TOTAL	3RD QUARTER TOTAL	October 1999	November 1999	December 1999	YTD TOTAL
Number of Cases Received	267	258	286	73	90	100	1074
Total Mergers/Voids 1999	15	6	4	0	1	1	27
Adjusted No. of Cases Received	252	252	282	73	89	99	1047
Total Mergers/Voids 1998	6	6	7	2	3	0	24
Number of 1996 Cases Closed	0	0	1	0	0	0	1
Number of 1997 Cases Closed	18	24	17	9	2	7	77
Number of 1998 Cases Closed	131	129	92	19	18	33	422
Number of 1999 Cases Closed	56	144	176	67	65	115	623
Total Number of Cases Closed	205	297	286	95	85	155	1123
Number of 1996 Cases Pending	2	2	1	1	1	1	1
Number of 1997 Cases Pending	62	38	21	21	12	10	10
Number of 1998 Cases Pending	337	202	112	112	93	75	75
Number of 1999 Cases Pending	195	304	410	413	438	423	423
Total Number of Cases Pending	596	546	544	547	544	509	509
Total Info. Only 1999	25	33	18	1	5	14	96
Total Info. Only 1998	15	8	13	7	3	6	52
Number of Cases Sustained	14	19	28	6	4	28	99

**OFFICE OF CITIZEN COMPLAINTS:
COMPARATIVE OVERVIEW OF O.C.C. CASELOAD, '99 - '98 - '97**

		YEAR	YEAR	YEAR
		1999	1998	1997
Complaints Filed	YTD TOTAL	1074	1057	1123
	1st Quarter Total	267	276	287
	2nd Quarter Total	258	289	260
	3rd Quarter Total	286	253	281
	October	73	96	118
	November	90	81	77
	December	100	62	100
Cases Closed	YTD TOTAL	1123	1043	979
	1st Quarter Total	205	230	217
	2nd Quarter Total	297	286	311
	3rd Quarter Total	286	297	262
	October	95	67	74
	November	85	67	48
	December	155	96	67
Cases Pending	January	577	600	480
	February	562	597	496
	March	596	614	515
	April	585	607	462
	May	495	612	469
	June	546	610	464
	July	547	589	457
	August	540	583	440
	September	542	556	475
	October	547	583	516
	November	544	590	545
	December	509	556	575
Sustained Cases	YTD TOTAL	99	108	101
	1st Quarter Total	14	21	10
	2nd Quarter Total	19	38	37
	3rd Quarter Total	28	28	28
	October	6	3	6
	November	4	4	5
	December	28	14	15

**OFFICE OF CITIZEN COMPLAINTS:
 INVESTIGATIVE HEARING REQUESTS
 01/01/1999 TO 12/31/1999**

	FIRST QUARTER	SECOND QUARTER	THIRD QUARTER	OCTOBER 1999	NOVEMBER 1999	DECEMBER 1999	YTD TOTAL
Number of Requests	23	43	23	5	6	7	107
Number of Hearing(s) Granted	1	6	2	1	1	0	11
Number of Requests Denied	16	36	19	6	3	7	87
Number of Requests Pending Hearing(s)*	9	n/a	n/a	1	3	4	n/a
Number of Hearings Held	2	7	0	1	0	0	10

* Action specified may reflect hearings granted in previous months.

**MEDIATION REPORT
 01/01/1999 TO 12/31/1999**

	FIRST QUARTER	SECOND QUARTER	THIRD QUARTER	OCTOBER 1999	NOVEMBER 1999	DECEMBER 1999	YTD TOTAL
Number of New Eligible Cases	1	25	12	4	9	2	53
Number Refused by Complainant *	0	1	9	5	0	2	17
Number Refused by Officer *	0	0	0	2	1	1	4
Number of Cases Pending Mediation *	1	n/a	n/a	11	15	16	n/a
Number of Cases Mediated *	0	1	2	1	1	1	6

* Action specified may reflect hearings granted in previous months.

**OFFICE OF CITIZEN COMPLAINTS:
HOW COMPLAINTS WERE RECEIVED
01/01/1999 TO 12/31/1999**

MONTH	IN PERSON	PHONE	MAIL	SFPD	OTHER	TOTALS
January	30	31	17	4	20	102
February	15	18	14	5	7	59
March	43	20	22	4	17	106
TOTAL 1ST QUARTER	88	69	53	13	44	267
April	24	31	18	6	10	89
May	35	18	23	5	13	94
June	26	23	13	2	11	75
TOTAL 2ND QUARTER	85	72	54	13	34	258
July	30	21	29	4	14	98
August	23	17	20	4	29	93
September	22	28	21	7	17	95
TOTAL 3RD QUARTER	75	66	70	15	60	286
October	23	27	13	5	5	73
November	31	22	24	9	4	90
December	32	29	21	5	13	100
TOTAL 4TH QUARTER	86	78	58	19	22	263
YEAR TO DATE TOTAL	334	285	235	60	160	1074

**OFFICE OF CITIZEN COMPLAINTS:
COMPLAINTS AND ALLEGATIONS BY UNIT, DECEMBER 1999
12/01/1999 TO 12/31/1999**

ALLEGATION NUMBERS

UNIT	Complaint Count	Unnecessary Force	Unwarranted Action	Conduct			Sexual Slur	Discourtesy	Procedure	Policy	Training Failure	Total Allegations	Total Officers
				Reflecting Discredit	Neglect of Duty	Racial Slur							
=-Unknown Assignment	53	6	33	20	29	0	0	13	0	0	0	101	58
1J -Tenderloin Task Force	2	4	4	2	2	1	0	0	0	0	0	13	4
3A -Central Station	4	0	3	2	0	0	0	3	0	0	0	8	5
3B -Southern Station	5	1	10	2	3	0	0	3	0	0	0	19	6
3C -Bayview Station	6	0	3	8	4	0	0	1	0	0	0	16	7
3D -Mission Station	11	6	13	10	14	1	0	5	0	0	0	49	16
3E -Northern Station	5	0	3	0	5	0	0	3	0	0	0	11	6
3F -Park Station	7	0	9	6	3	0	0	3	0	0	0	21	7
3G -Richmond Station	3	1	3	3	1	0	0	1	0	0	0	9	4
3H -Ingleside Station	7	4	12	9	5	1	0	4	0	0	0	35	10
3I -Taraval Station	4	0	9	6	7	0	0	0	0	0	0	22	7
4A -Traffic Administra	1	0	0	1	1	0	0	0	0	0	0	2	1
4B -Solo Motorcycle	1	0	0	0	1	0	0	1	0	0	0	2	1
4K -Special Motorcycle	3	0	4	0	0	0	0	1	0	0	0	5	3
4T -Headquarters Compa	2	0	2	4	0	0	1	0	0	0	0	7	1
5A -Night Investigatio	1	0	4	2	4	0	0	0	0	0	0	10	2
5N -Narcotics	2	3	0	3	2	0	0	3	0	0	0	11	3
TOTAL	117	25	112	78	81	3	1	41	0	0	0	341	141

**OFFICE OF CITIZEN COMPLAINTS:
COMPLAINTS AND ALLEGATIONS BY UNIT, DECEMBER 1998
12/01/1998 TO 12/31/1998**

ALLEGATION NUMBERS

UNIT	Complaint Count	Unnecessary Force	Unwarranted Action	Conduct					Discourtesy Procedure	Policy	Training Failure	Total Allegations	Total Officers
				Reflecting Discredit	Neglect of Duty	Racial Slur	Sexual Slur						
=-Unknown Assignment	22	2	13	7	7	0	0	6	0	0	0	35	27
1J -Tenderloin Task Force	7	4	11	5	4	0	0	4	0	0	0	28	12
3A -Central Station	3	0	6	3	2	0	0	0	0	0	0	11	4
3B -Southern Station	3	1	18	10	0	0	0	2	0	0	0	31	7
3C -Bayview Station	4	3	6	5	3	0	0	2	0	0	0	19	6
3D -Mission Station	8	3	3	7	7	0	0	3	0	0	0	23	10
3E -Northern Station	5	3	5	1	4	0	0	1	0	0	0	14	8
3F -Park Station	4	5	3	4	5	0	0	3	0	0	0	20	7
3G -Richmond Station	1	0	0	2	0	0	0	0	0	0	0	2	1
3H -Ingleside Station	1	1	5	1	1	0	0	0	0	0	0	8	2
3I -Taraval Station	3	0	5	2	1	0	0	0	0	0	0	8	4
Muni Transit Company	4	1	10	3	2	0	0	0	0	0	0	16	6
3T -Crime Supression Unit	2	0	1	2	0	0	0	0	0	0	0	3	2
3U -Field Operations HQ	2	0	0	3	1	0	0	0	0	0	0	4	2
3Y -Tactical/Honda	1	0	0	2	0	0	0	0	0	0	0	2	1
4C -E & I Staff	3	0	0	1	4	0	0	0	0	0	0	5	3
4T -Headquarters Company	1	0	1	0	0	1	0	1	0	0	0	3	1
5D -Burglary	1	0	0	0	1	0	0	0	0	0	0	2	1
5U -Investigations HQ	2	0	0	2	0	0	0	0	0	0	0	4	2
AB -Airport Bureau	1	0	0	0	4	0	0	0	0	0	0	5	2
IO1-Info only (Referral)	2	0	1	0	1	0	0	0	0	0	0	4	0
IO2-Info only	2	0	1	0	1	0	0	0	0	0	0	4	0
TOTAL	82	23	89	60	48	1	0	22	0	0	0	251	108

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**OFFICE OF CITIZEN COMPLAINTS:
COMPLAINTS AND ALLEGATIONS BY UNIT - Fourth Quarter, 1999
10/01/1999 TO 12/31/1999**

ALLEGATION NUMBERS

UNIT	Complaint Count	Unnecessary Force	Unwarranted Action	Conduct			Sexual Slur	Discourtesy	Procedure	Policy	Training Failure	Total Allegations	Total Officers
				Reflecting Discredit	Neglect of Duty	Racial Slur							
=-Unknown Assignment	133	24	103	74	80	2	0	31	0	0	0	314	152
1J -Tenderloin Task Force	13	13	21	11	20	1	0	3	0	0	0	69	21
1T -Academy/Range Staf	1	1	4	1	0	0	0	0	0	0	0	6	1
3A -Central Station	11	4	7	5	13	0	0	4	0	0	0	33	12
3B -Southern Station	20	2	46	19	13	0	0	8	0	0	0	88	25
3C -Bayview Station	19	10	26	14	32	0	0	7	0	0	0	89	32
3D -Mission Station	21	8	32	22	32	1	0	8	0	0	0	103	30
3E -Northern Station	14	9	31	9	8	1	0	3	0	0	0	61	23
3F -Park Station	17	10	35	21	10	0	0	8	0	0	0	84	27
3G -Richmond Station	10	3	20	10	2	0	0	3	0	0	0	38	14
3H -Ingleside Station	13	5	16	16	5	1	0	5	0	0	0	48	15
3I -Taraval Station	13	1	26	17	15	0	0	3	0	0	0	62	21
3P -Night Operations	1	1	1	1	0	0	0	0	0	0	0	3	1
3T -Crime Supression U	1	0	0	1	0	0	0	1	0	0	0	2	1
3U -Field Operations H	1	0	2	2	2	0	0	0	0	0	0	6	2
3Y -Tactical/Honda	1	0	2	1	0	0	0	1	0	0	0	4	1
4A -Traffic Administra	1	0	0	1	1	0	0	0	0	0	0	2	1
4B -Solo Motorcycle	4	1	2	3	5	0	0	3	0	0	0	14	4
4C -E & I Staff	1	0	1	1	0	0	0	0	0	0	0	2	1
4K -Special Motorcycle	4	0	6	1	0	0	0	1	0	0	0	8	4
Muni Transit Company	3	0	6	2	1	0	0	0	0	0	0	9	4
4T -Headquarters Compa	4	0	2	4	6	0	1	2	0	0	0	15	4
5A -Night Investigatio	1	0	4	2	4	0	0	0	0	0	0	10	2
5I -Sex Crimes	1	0	0	0	1	0	0	0	0	0	0	1	1
5N -Narcotics	5	4	11	6	7	0	1	3	0	0	0	32	7
5T -Juvenile	1	0	1	2	0	0	0	0	0	0	0	3	1
5V -Vice Crimes/Prostitution	1	0	0	1	0	0	0	0	0	0	0	1	1
AB -Airport Bureau	3	0	2	3	1	0	0	2	0	0	0	8	2
IO1-Info only (Referral)	2	0	1	0	1	0	0	0	0	0	0	2	0
TOTAL	320	96	408	250	259	6	2	96	0	0	0	1117	410

**OFFICE OF CITIZEN COMPLAINTS:
COMPLAINTS AND ALLEGATIONS BY UNIT - FOURTH QUARTER, 1998
10/01/1998 TO 12/31/1998**

ALLEGATION NUMBERS

UNIT	Complaint Count	Unnecessary Force	Unwarranted Action	Conduct							Training Failure	Total Allegations	Total Officers
				Reflecting Discredit	Neglect of Duty	Racial Slur	Sexual Slur	Discourtesy	Procedure	Policy			
=-Unknown Assignment	92	28	81	45	55	1	0	23	0	0	0	233	117
1J -Tenderloin Task Force	19	14	42	15	11	3	2	7	0	0	0	94	28
3A -Central Station	15	3	17	14	15	0	0	5	0	0	0	54	21
3B -Southern Station	18	7	40	24	25	2	0	8	0	0	0	106	28
3C -Bayview Station	13	7	25	9	10	0	0	9	0	0	0	60	21
3D -Mission Station	19	7	30	14	20	0	0	10	0	0	0	81	24
3E -Northern Station	15	14	28	5	11	1	0	4	0	0	0	63	28
3F -Park Station	17	9	35	16	16	2	0	9	0	0	0	87	24
3G -Richmond Station	6	0	3	5	2	0	0	2	0	0	0	12	8
3H -Ingleside Station	12	8	39	5	9	0	1	5	0	0	0	67	14
3I -Taraval Station	11	2	38	9	10	0	0	1	0	0	0	60	17
3M -Muni Transi Divis	3	0	2	2	1	0	0	2	0	0	0	7	3
3T -Crime Supression Unit	2	0	1	2	0	0	0	0	0	0	0	3	2
3U -Field Operations HQ	3	1	0	3	1	0	0	0	0	0	0	5	3
3Y -Tactical/Honda	1	0	0	2	0	0	0	0	0	0	0	2	1
4B -Solo Motorcycle	1	1	0	1	2	0	0	0	0	0	0	4	1
4C -E & I Staff	7	0	1	2	5	1	0	4	0	0	0	13	7
Muni Transit Company	4	1	5	4	1	0	0	2	0	0	0	13	3
4T -Headquarters Company	6	1	14	4	1	1	0	1	0	0	0	22	9
5A -Night Investigation	2	0	8	0	7	0	0	1	0	0	0	16	3
5D -Burglary	1	0	0	0	1	0	0	0	0	0	0	1	1
5G -General Works	2	0	0	2	1	0	0	0	0	0	0	3	2
5I -Sex Crimes	1	0	0	2	0	0	0	0	0	0	0	2	1
5U -Investigations HQ	2	0	0	2	0	0	0	0	0	0	0	2	2
5V -Vice Crimes/Prostitution	2	2	5	2	1	0	0	2	0	0	0	12	3
AB -Airport Bureau	6	0	3	4	5	0	0	2	0	0	0	14	6
IO1-Info only (Referral)	13	2	4	7	8	0	0	4	0	0	0	25	0
IO2-Info only	6	0	4	0	2	0	0	0	0	0	0	6	0
TOTAL	299	107	425	200	220	11	3	101	0	0	0	1067	377

**OFFICE OF CITIZEN COMPLAINTS:
COMPLAINTS AND ALLEGATIONS BY UNIT, ANNUAL 1999
01/01/1999 TO 12/31/1999**

ALLEGATION NUMBERS

UNIT	Complaint Count	Unnecessary Force	Unwarranted Action	Conduct			Racial Slur	Sexual Slur	Discourtesy	Procedure	Policy	Training Failure	Total Allegations	Total Officers
				Reflecting Discredit	Neglect of Duty									
=-Unknown Assignment	463	81	315	199	238	4	3	79	9	1	0	929	547	
1A -Chief's Office	1	0	0	0	1	0	0	1	0	0	0	2	1	
1I -Internal Affairs	1	0	0	0	1	0	0	0	0	0	0	1	1	
1J -Tenderloin Task Force	66	49	130	66	97	8	3	20	0	0	0	373	62	
1S -Academy Recruits	1	1	0	1	0	0	0	1	0	0	0	3	1	
1T -Academy/Range Staf	2	2	5	1	0	0	0	0	0	0	0	8	2	
1V -Planning & Researc	2	0	2	1	0	0	0	0	0	0	0	3	2	
2C -Crime Lab	1	1	0	0	0	0	0	0	0	0	0	1	1	
2G -Permits	4	2	2	1	3	0	0	2	0	0	0	10	5	
2U -Support Services H	6	4	2	4	4	0	0	2	0	0	0	16	4	
3A -Central Station	75	28	82	64	62	2	2	21	0	0	0	261	70	
3B -Southern Station	84	25	134	80	70	3	4	33	0	0	0	349	74	
3C -Bayview Station	73	20	127	65	72	0	2	26	0	0	0	312	88	
3D -Mission Station	83	23	186	88	96	6	2	26	0	0	0	427	81	
3E -Northern Station	76	34	123	49	66	2	2	20	0	0	0	296	78	
3F -Park Station	52	23	105	42	47	0	0	17	0	0	0	234	53	
3G -Richmond Station	47	8	119	44	42	0	0	17	0	0	0	230	48	
3H -Ingleside Station	57	25	117	54	57	2	0	34	0	0	0	289	65	
3I -Taraval Station	73	26	132	87	80	4	1	32	0	0	0	362	70	
3M -Muni Transit Divis	2	0	1	0	6	0	0	1	0	0	0	8	4	
3P -Night Operations	3	1	17	2	5	0	0	1	0	0	0	26	5	
3T -Crime Supression U	1	0	0	1	0	0	0	1	0	0	0	2	1	
3U -Field Operations H	12	9	13	5	11	0	0	2	0	0	0	40	16	
3X -Mounted Unit	7	0	5	3	3	0	0	2	0	0	0	13	8	
3Y -Tactical/Honda	1	0	2	1	0	0	0	1	0	0	0	4	1	
4A -Traffic Administra	3	0	2	1	1	0	0	1	0	0	0	5	2	
4B -Solo Motorcycle	10	2	4	7	9	0	0	3	0	0	0	25	10	
4C -E & I Staff	26	4	28	20	11	1	0	12	0	0	0	76	26	
4K -Special Motorcycle	6	0	7	3	2	0	0	1	0	0	0	13	5	
Muni Transit Company	12	0	16	11	9	0	0	3	0	0	0	39	14	
4T -Headquarters Compa	10	0	12	13	9	0	1	2	0	0	0	37	12	

UNIT	Complaint Count	Unnecessary Force	Unwarranted Action	Conduct				Discourtesy	Procedure	Policy	Training Failure	Total Allegations	Total Officers
				Reflecting Discredit	Neglect of Duty	Racial Slur	Sexual Slur						
5A -Night Investigatio	4	0	5	4	7	0	0	0	0	0	0	16	5
5B -Hit & Run	1	0	4	2	0	0	0	0	0	0	0	6	2
5C -Auto	2	0	2	4	2	1	0	2	0	0	0	11	2
5D -Burglary	3	0	5	1	2	0	0	0	0	0	0	8	3
5E -Fencing	1	0	4	0	1	0	0	0	0	0	0	5	1
5F -Fraud	1	0	0	0	1	0	0	0	0	0	0	1	1
5G -General Works	2	0	2	3	1	0	0	0	0	0	0	6	1
5H -Homicide	2	0	2	2	2	0	0	1	0	0	0	7	1
5I -Sex Crimes	3	0	0	0	4	0	0	0	0	0	0	4	3
5N -Narcotics	21	11	47	23	36	2	1	11	0	0	0	131	26
5S -S Squad	1	0	2	0	1	0	0	0	0	0	0	3	1
5T -Juvenile	2	0	1	5	1	0	0	0	0	0	0	7	2
5U -Investigations HQ	11	1	12	7	7	0	0	2	0	0	0	29	10
5V -Vice Crimes/Prostitution	9	5	21	18	11	0	0	2	0	0	0	57	15
AB -Airport Bureau	11	0	13	11	2	0	0	3	0	0	0	29	10
IO1-Info only (Referral)	26	8	12	7	8	0	2	2	0	0	0	39	0
IO2-Info only	11	0	6	2	6	0	0	0	0	0	0	14	0
TOTAL	1371	393	1826	1002	1094	35	23	384	9	1	0	4767	1440

**OFFICE OF CITIZEN COMPLAINTS:
COMPLAINTS AND ALLEGATIONS BY UNIT
01/01/1998 TO 12/31/1998**

ALLEGATION NUMBERS

UNIT	Complaint Count	Unnecessary Force	Unwarranted Action	Conduct						Training Failure	Total Allegations	Total Officers	
				Reflecting Discredit	Neglect of Duty	Racial Slur	Sexual Slur	Discourtesy	Procedure Policy				
=-Unknown Assignment	393	115	290	167	227	11	8	89	4	0	0	911	511
1J -Tenderloin Task Force	69	57	171	65	68	4	9	19	0	0	0	393	55
1Q -Personnel Staff	1	0	0	1	0	0	0	0	0	0	0	1	1
1V -Planning & Research	1	0	0	0	0	0	0	1	0	0	0	1	1
1Z -Housing Police	3	0	5	0	0	1	0	2	0	0	0	8	4
2F -Records Section	1	0	0	1	0	0	0	0	0	0	0	1	1
2G -Permits	1	0	1	1	0	0	0	0	0	0	0	2	1
2U -Support Services HQ	2	0	0	2	0	0	0	1	0	0	0	3	2
3A -Central Station	57	13	65	42	42	0	2	18	0	0	0	182	55
3B -Southern Station	78	26	142	61	79	2	0	31	0	0	0	341	79
3C -Bayview Station	75	24	144	76	59	1	0	23	0	0	0	327	73
3D -Mission Station	79	35	138	82	80	0	1	34	0	0	0	370	75
3E -Northern Station	87	46	136	61	95	6	2	47	0	0	0	393	102
3F -Park Station	59	22	100	40	47	3	0	20	0	0	0	232	57
3G -Richmond Station	45	19	56	37	43	1	2	36	0	0	0	194	45
3H -Ingleside Station	53	28	136	38	42	0	3	22	0	0	0	269	60
3I -Taraval Station	56	14	120	70	51	1	2	14	0	0	0	272	57
Muni Transit Company	23	4	25	17	8	0	0	10	0	0	0	64	20
3T -Crime Supression Unit	3	0	1	2	0	0	0	1	0	0	0	4	3
3U -Field Operations HQ	9	1	14	6	6	0	0	2	0	0	0	29	8
3X -Mounted Unit	2	0	4	1	0	0	0	1	0	0	0	6	2
3Y -Tactical/Honda	7	3	5	7	4	1	0	1	0	0	0	21	7
4A -Traffic Administration	1	0	0	0	3	0	0	0	0	0	0	3	1
4B -Solo Motorcycle	9	1	4	7	4	0	0	2	0	0	0	18	8
4C -E & I Staff	8	0	1	3	5	1	0	4	0	0	0	14	8
4K -Special Motorcycle	3	0	3	0	1	0	0	1	0	0	0	5	1

**OFFICE OF CITIZEN COMPLAINTS:
COMPLAINTS AND ALLEGATIONS BY UNIT
01/01/1998 TO 12/31/1998**

ALLEGATION NUMBERS

UNIT	Complaint Count	Unnecessary Force	Unwarranted Action	Conduct						Training Failure	Total Allegations	Total Officers	
				Reflecting Discredit	Neglect of Duty	Racial Slur	Sexual Slur	Discourtesy	Procedure Policy				
4T -Headquarters Company	25	10	43	16	12	1	0	9	0	0	0	91	31
5A -Night Investigation	5	0	15	0	9	0	0	3	0	0	0	27	5
5C -Auto	2	0	2	1	1	0	0	1	0	0	0	5	2
5D -Burglary	2	0	0	1	2	0	0	1	0	0	0	4	2
5F -Fraud	1	0	2	1	1	0	0	0	0	0	0	4	1
5G -General Works	10	0	3	8	6	0	0	1	0	0	0	18	8
5H -Homicide	3	0	0	1	2	0	0	2	0	0	0	5	3
5I -Sex Crimes	1	0	0	2	0	0	0	0	0	0	0	2	1
5N -Narcotics	7	3	13	2	8	0	0	0	0	0	0	26	7
5T -Juvenile	4	1	5	3	5	0	0	1	0	0	0	15	4
5U -Investigations HQ	6	1	5	6	0	0	0	3	0	0	0	15	9
5V -Vice Crimes/Prostitution	17	9	54	14	8	0	0	5	0	0	0	90	16
AB -Airport Bureau	17	3	23	16	11	3	0	6	0	0	0	62	14
IO1-Info only (Referral)	47	7	19	22	33	2	0	13	0	0	0	96	0
IO2-Info only	26	1	15	11	3	0	0	0	0	0	0	30	0
TOTAL	1298	443	1760	891	965	38	29	424	4	0	0	4554	1340

**OFFICE OF CITIZEN COMPLAINTS:
FINDINGS IN ALLEGATIONS CLOSED
01/01/1999 TO 12/31/1999**

SUSTAINED

	UF	UA	CRD	ND	RS	SS	D	SUBTOTAL	POLICY REC.	TRAINING FAILURE	TOTAL
1ST QUARTER TOTAL	0	8	2	12	0	0	1	23	2	0	25
2ND QUARTER TOTAL	5	6	8	17	0	0	4	40	0	0	40
3RD QUARTER TOTAL	7	12	14	22	0	1	5	61	0	4	65
October	0	2	1	6	0	0	3	12	0	0	12
November	0	6	3	6	0	0	0	15	0	0	15
December	1	14	12	38	0	1	6	72	0	0	72
YTD TOTAL	13	48	40	101	0	2	19	223	2	4	229

NOT SUSTAINED

	UF	UA	CRD	ND	RS	SS	D	SUBTOTAL	POLICY REC.	TRAINING FAILURE	TOTAL
1ST QUARTER TOTAL	49	103	138	95	7	3	58	453	0	0	453
2ND QUARTER TOTAL	72	160	144	176	7	11	69	639	0	0	639
3RD QUARTER TOTAL	108	202	192	139	10	8	75	734	0	0	734
October	25	68	64	48	4	2	36	247	1	0	248
November	37	83	67	67	4	2	39	299	0	0	299
December	65	142	112	126	7	4	48	504	1	0	505
YTD TOTAL	356	758	717	651	39	30	325	2876	2	0	2878

UNFOUNDED

	UF	UA	CRD	ND	RS	SS	D	SUBTOTAL	POLICY REC.	TRAINING FAILURE	TOTAL
1ST QUARTER TOTAL	1	5	6	2	2	0	1	17	0	0	17
2ND QUARTER TOTAL	8	28	18	18	4	0	2	78	0	0	78
3RD QUARTER TOTAL	5	11	11	27	0	0	4	58	0	0	58
October	3	3	4	4	1	0	0	15	0	0	15
November	0	6	1	4	0	0	0	11	0	0	11
December	1	11	4	5	0	0	3	24	0	0	24
YTD TOTAL	18	64	44	60	7	0	10	203	0	0	203

**OFFICE OF CITIZEN COMPLAINTS:
FINDINGS IN ALLEGATIONS CLOSED
01/01/1999 TO 12/31/1999**

PROPER CONDUCT

	UF	UA	CRD	ND	RS	SS	D	SUBTOTAL	POLICY REC.	TRAINING FAILURE	TOTAL
1ST QUARTER TOTAL	9	133	11	39	0	0	1	193	0	0	193
2ND QUARTER TOTAL	20	206	19	35	27	0	3	310	0	0	310
3RD QUARTER TOTAL	10	242	16	85	0	0	2	355	0	0	355
October	11	75	15	13	0	1	1	116	0	0	116
November	2	56	5	23	0	0	2	88	0	0	88
December	3	157	11	56	0	0	0	227	1	0	228
YTD TOTAL	55	869	77	251	27	1	9	1289	1	0	1290

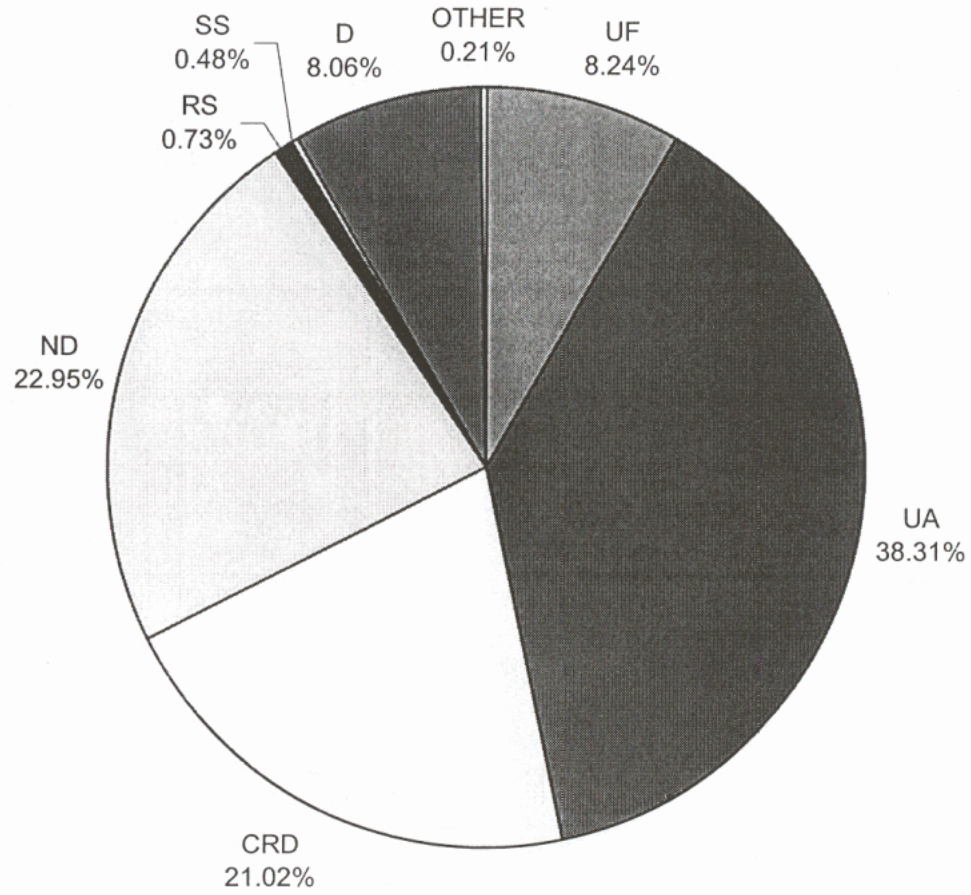
NO FINDING

	UF	UA	CRD	ND	RS	SS	D	SUBTOTAL	POLICY REC.	TRAINING FAILURE	TOTAL
1ST QUARTER TOTAL	3	8	8	1	0	0	3	23	0	0	23
2ND QUARTER TOTAL	8	26	22	20	1	0	9	86	0	0	86
3RD QUARTER TOTAL	12	48	17	18	0	0	7	102	0	0	102
October	3	2	6	9	0	0	3	23	0	0	23
November	6	4	0	5	0	0	5	20	0	0	20
December	3	41	7	12	0	0	9	72	0	0	72
YTD TOTAL	35	129	60	65	1	0	36	326	0	0	326

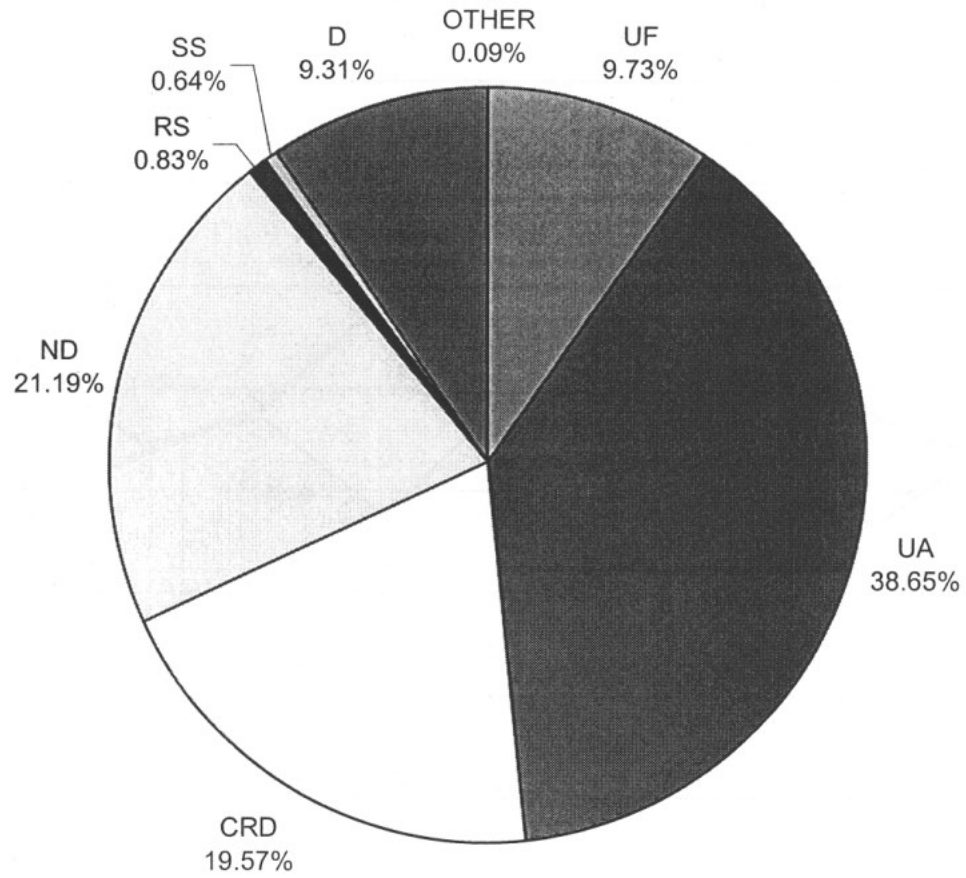
WITHDRAWN

	UF	UA	CRD	ND	RS	SS	D	SUBTOTAL	POLICY REC.	TRAINING FAILURE	TOTAL
1ST QUARTER TOTAL	1	2	5	4	0	0	2	14	0	0	14
2ND QUARTER TOTAL	2	6	8	13	0	0	4	33	0	0	33
3RD QUARTER TOTAL	6	20	8	8	0	0	3	45	0	0	45
October	2	1	3	2	0	0	1	9	0	0	9
November	0	3	0	1	0	0	2	6	0	0	6
December	1	7	1	6	0	0	2	17	0	0	17
YTD TOTAL	12	39	25	34	0	0	14	124	0	0	124

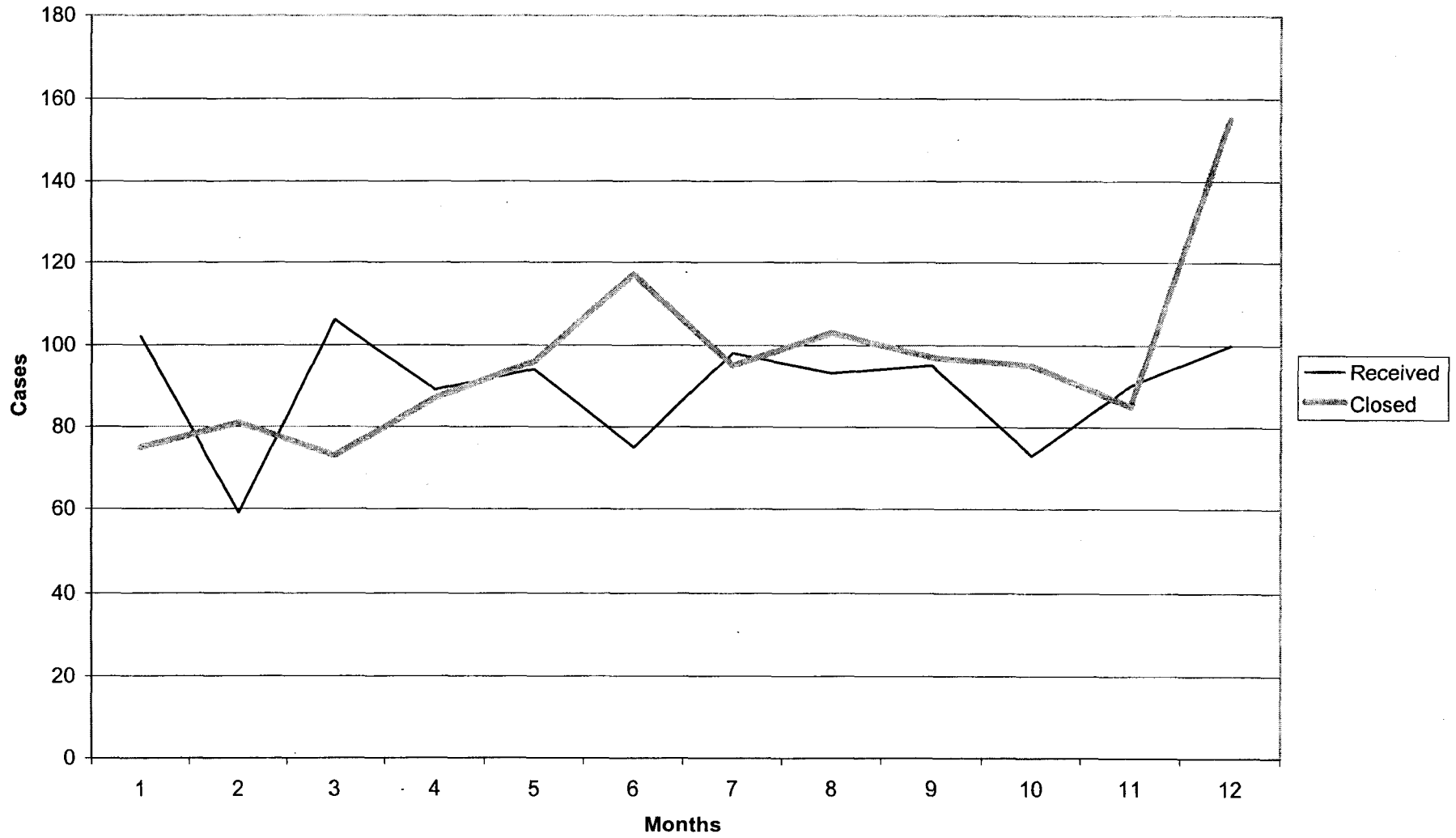
ALLEGATIONS BY PERCENTAGE - 1999



ALLEGATIONS BY PERCENTAGE - 1998



All Cases Received and Closed in 1999



ALLEGATIONS, BY NUMBER AND CATEGORY 1999-1987

Year:	Total	UF Unnecessary Force	UA Unwarranted Action	CRD Conduct Reflecting Discredit	ND Neglect of Duty	RS/SS Racial/ Sexual Slurs	D Dis- courtesy	O Other
1999	4767	393	1826	1002	1094	58	384	10
1998	4554	443	1760	891	965	67	424	4
1997	4825	558	1885	837	1089	70	379	7
1996	2877	343	1126	429	673	47	241	18
1995	2701	406	955	486	617	56	165	16
1994	2710	399	1050	357	570	59	249	26
1993	2457	389	879	333	527	57	253	19
1992	2335	370	870	243	515	32	279	26
1991	3127	575	1133	313	692	57	357	--
1990	2468	479	800	274	531	48	279	23
1989	2517	528	806	195	412	40	323	29
1988	1999	381	732	121	321	52	245	24
1987	2575	502	836	169	455	58	404	37

(Source of Data: OCC Annual and End-of-Year Reports, 1987-1999)

**ALLEGATIONS, SUSTAINED BY OCC,
BY NUMBER AND CATEGORY 1999-1987**

Year:	Total	UF Unnecessary Force	UA Unwarranted Action	CRD Conduct Reflecting Discredit	ND Neglect of Duty	RS/SS Racial/ Sexual Slurs	D Dis- courtesy	O Other	
1999	229	13	48	40	101	2	19	6	
1998	222	9	47	19	127	0	12	8	
1997	179	7	34	15	93	3	14	13	
1996	-----	incomplete data available					-----	-----	-----
1995	99	7	26	9	43	3	6	5	
1994	99	7	17	16	32	5	8	13	
1993	88	4	12	16	38	2	8	8	
1992	153	12	29	21	63	3	12	13	
1991	169	30	19	11	69	2	21	17	
1990	185	10	38	22	75	6	16	18	
1989	94	11	9	15	50	3	6	0	
1988	108	42	13	18	20	0	4	11	
1987	98	26	22	7	24	0	19	0	

(Source of Data: OCC Annual and End-of-Year Reports, 1987-1999)

**OCC COMPLAINANTS, BY SELECTED DEMOGRAPHIC
CHARACTERISTICS: 1999**

	Number:	Percent:
Named Individuals	1119	98%
Anonymous Complainants	20	2%
Organizational Comps.	2	<1%
Total Complainants	1141	100%
 GENDER & GENDER IDENTITY		
Male	699	62%
Female	364	33%
Transgender*	1	<1%
Blank/Declined to State	55	5%
 RACE & ETHNICITY**		
Caucasian/White	370	33%
African-American	349	31%
Asian-American & Pacific Islander	79	7%
Hispanic/Latino(a)	114	10%
Native American	8	<1%
Middle Eastern/Arab***	17	2%
"Multiracial"***	5	<1%
Blank/Declined to State	177	16%
 AGE		
1-13 (by an adult)	0	0%
14-16	9	1%
17-19	27	2%
20-30	246	22%
31-40	269	24%
41-50	256	23%
51-60	110	10%
61-70	36	3%
71-80	14	1%
over 80	3	<1%
Blank/Declined to State	149	13%
Disabled****	40	4%
Homeless****	17	2%

* OCC served a number of transgender persons in 1999; of this number, one (1) transgender person elected to self-designate on the OCC complaint form.

** All designated races were enumerated for each complainant.

*** These racial designations were enumerated separately, starting in 1998, due to complainants' self-designations in these categories.

**** OCC served a number of disabled persons and of homeless persons in 1999; of those numbers, forty (40) disabled persons and seventeen (17) homeless persons chose to self-designate on their OCC complaint forms.

SUSTAINED CASES 1994-1999

ETH	SUSTND ALLEG.	COMP. DATE	DATE MCD	DATE RETD	REMARKS
1	ND / ND	11/01/94	10/24/95	6/3/97	Not Sust.by Chief-Members retrained by C.O.
1	UA / UF	11/07/94	08/09/95	01/31/96	Written Reprimand
9	UF	11/14/94	12/15/95	05/17/96	Sustained - 4 day Suspension
3	POLICY FAILURE	11/16/94	A.Rprt'94	04/04/95*	Auto Status Procedures Changed*
9	D / ND*	11/16/94	06/28/95	02/17/97	Sustained-Admonished/Retrained
1	SS	11/28/94	03/14/95	08/08/95	Sustained - Written Reprimand
3	UF/ND	12/02/94	05/24/95	02/17/98	Sustained-Admonshed/Retrained
1	UA	12/14/94	8/29/95		Pending Chief's Hearing
6	ND	12/25/94	04/17/95	08/09/95	Sustained-Written Reprimand
2	ND	01/04/95	8/01/95		Sustained-Counselled by CO
2	UA	01/04/95	07/28/95	12/05/95	Changed to Pol.Fail.by IHO
X	ND / ND	01/04/95	03/14/95	08/09/95	Terminated/One Day Suspension
	ND,ND / 2;ND	01/06/95	8/24/95		Officer Admonished
	"	"	"		Charges Dismissed by Comm.
	"	"	"		Charges N/S,Comm.
	"	"	"		Charges Withdrawn
	ND;SS;UA;UA;ND;ND;	"	"		Chief's Hearing
	CRD;CRD.	"	"		Chief's Hearing
	"	"	"		Chief's Hearing
	"	"	"		5 day Suspension
	"	"	"		Terminated, Held in Abeyance
	"	"	"		3Yrs. 6 Months Served,Counseling
7	UF	01/12/95	10/18/95	6/03/97	Not Sustained by Chief at Chief's Hearing.
1	CRD	01/24/95	04/18/95	10/17/95	2 Day Suspension
2	UF	02/01/95	03/14/96		Not Sustained By Police Commission
2	CRD	02/03/95	11/17/95	12/06/95	Sustained - Admonished
2	UA	02/06/95	06/01/95	06/20/95	Sustained - Admonished
1	ND	02/03/95	12/11/95	01/21/97	Sustained - Officers Counselled
2	ND	02/15/95	9/06/95	04/13/95	Sustained - Admonished by CO
2	UA / UA	03/20/95	9/06/95	02/17/98	3Days Susp.2 Held Abeya./Officer Resigned
3	ND / ND	03/22/95	07/18/95	11/09/95	Sustained - Written Reprimand
2	ND	03/28/95	06/08/95	12/08/95	5 Day Susp.3 Held in Abey For 2 Yrs
1	UA/D	04/04/95	06/21/95	02/17/98	Sustained-Admonished/Retrained
1	D	04/04/95	08/21/95	01/31/96	Written Reprimand
2	RS,UA / 2	04/19/95	09/21/95	02/17/98	Not Sustained by Police Commission
2	UA	04/25/95	12/27/95	02/17/98	Sustained-Admonished/Retrained
1	ND	05/09/95	06/21/95	08/09/95	Sustained - Admonished
9	UF; US / 7	06/06/95	11/02/95		1ND withdrawn by OCC, 2 sust. by Pol Com
"	"	"	"	"	3ND NS 3 Sus by Pol Comm
"					UF Dismissed,1ND Sus,1 ND withdrawn
1	ND	06/16/95	07/30/97	02/0799	Sustained - No Further Action by Chief
X	UA/UA	6/22/95	10/16/96	06/27/97	Disp. changed by Chief to PC/Retraining

SUSTAINED CASES 1994-1999

ETH	SUSTND ALLEG.	COMP. DATE	DATE MCD	DATE RETD	REMARKS
x	UA,ND, ND,ND	6/27/95	06/10/96	03/15/99	Sustained-Officers Retrained by CO
	CRD/ND	6/27/95	04/10/96	10/08/96	Sustained - Written Reprimand
2	UA/UA/ND	06/30/95	10/03/96	04/13/98	Sustained-Admonished/Counseled by CO
2	UA/UA	06/30/95	05/16/96	04/13/98	Sustained-Amonished/Reprimanded by CO
	UA;UF	07/20/95*	8/24/95		UA,UF,ND dismissed, UA,ND Withdrawn
	UA	07/20/95*	8/24/95		Sustained By Police Commission
	ND	07/20/95*	8/24/95		Pls.see Remarks Under 8/24/95 above
	UF;ND	07/20/95*	8/24/95		UF Dismissed, ND Withdrawn
	"	"	"	"	ND Withdrwan by OCC
	UA;UF	07/20/95*	8/24/95		Sustained by Pol. Comm.
	UA;UF	07/20/95*	8/24/95		Not Sustained by Pol. Comm.
	"	"	"	"	UA Sust. by Pol. Comm.
	UA;UF	07/20/95*	8/24/95		UF NS by Pol.Comm.
	UA;UF;SS;UA	07/20/95*	8/24/95		UA NS by Pol.Comm., SS Sustained
	"	"	"	"	1 UA Withdrawn by OCC
	"	"	"	"	"
	"	"	"	"	"
	UA	07/20/95*	8/24/95		Pls.see Remarks Under 8/24/95 above
	UA	07/20/95*	8/24/95		Pls.see Remarks Under 8/24/95 above
1	CRD/ND	08/01/95	06/11/96	08/19/97	20 day susp. 10 days in abeyance for 2 yrs.
1	POLICY FAILURE	08/04/95			Policy Recommendation
1	RS / UA	08/06/95	01/08/96		Term in abey 2 yrs 90 day susp, 45 in abey
2	CRD	08/07/95	10/12/95	07/17/97	Termination
4	D/ND	08/15/95	06/28/96	06/26/97	D-Insufficient Evidence/ND-Sustained
2	D/RS	08/30/95	05/30/96		Pending Commission Hearing
1	ND/ND	09/05/95	07/05/96		Chief's Hearing
X	PF	09/01/95	10/25/96		Policy Recommendation
2	RS	09/15/95	02/28/96	05/29/96	Sustained - Admonishment
X	ND	09/19/95	07/03/96	12/09/96	Sustained-90 Day Suspension
X	UA / UA	09/12/95	08/07/96	08/01/97	Sustained - Written Reprimand
3	ND	09/20/95		04/01/96	Sustained - Written Reprimand
3	ND / 4	09/26/95	10/24/96	09/21/99	Sustained - Retrained by CO
3	ND / 2 & POL.REC.	09/26/95	"	"	"
2	ND	10/10/95	03/13/96		Officer Resigned 7/30/96
X	CRD	10/18/95	04/04/96	05/30/96	Sustained - Written Reprimand
2	ND	10/31/95	11/20/96	12/02/92	Sustained - Retrained by CO
2	CRD/ND	11/02/95	04/01/96	08/05/96	Sustained - Written Reprimand
1	ND	11/27/95	04/16/97	06/03/97	Sustained - Admonished
1	ND	11/29/95	06/10/96	06/04/97	Sustained - Admonished
2	UA/4;CRD/3;ND;UA/3	11/22/95	09/30/97		Pending MCD
"	UF/CRD/ND/2	"	"	"	"
1	ND/ND/ND/ND	12/07/95	05/13/97	02/24/98	Sustained-1 Officer Admonished, Other

SUSTAINED CASES 1994-1999

ETH	SUSTND ALLEG.	COMP. DATE	DATE MCD	DATE RETD	REMARKS
"	"	"	"	"	Officer 1 Day Suspension Held 1 Yr Abey.
2	ND/ND/ND/ND	11/30/95	11/08/96	03/12/98	Sustained-Admonished&Retrained by CO
1	CRD/ND	12/13/95	03/19/96	06/02/98	Sustained-30 Days Suspension, 18 Days
"	"	"	"	"	Held in Abeyance for 1 Year
1	UA	12/15/95	05/10/96	10/08/96	Verbal Admonishment
1	ND	12/15/95	10/30/96	06/30/97	Chief's Written Reprimand
3	ND	12/28/95	11/05/96	02/20/97	Sustained - Admonished
1	ND/ND	01/08/96	06/10/96	10/08/96	Sustained & Written Reprimand
1	POLICY FAILURE	01/10/96	03/11/97		Policy Recommendation
1	POLICY FAILURE	01/10/96	06/04/97		Policy Recommendation
9	POLICY FAILURE	01/05/96	04/29/97		Policy Recommendation
2	ND/ND/CRD	01/12/96	10/17/96		Member Resigned
X	UA&ND&D	01/19/96	09/09/96	08/30/99	Sustained - 2 Officers Admonished, 3rd
"	"	"	"	"	Suspended for 5 days, 2 in abeyance
1	ND	01/19/96	09/09/96	06/03/97	Sustained & Chief's Written Reprimand
9	ND	01/19/96	06/10/96	08/05/97	Sustained & Admonished by CO
x	ND	01/19/96	04/25/96	12/18/97	Sustained - Admonished by CO
3	UA / UA	02/08/96	10/17/96	08/19/99	No Further Action by SFPD
2	ND	02/20/96	07/08/97	02/23/98	Not Sustained-Poicy Failure
4	UA / UA/ND	02/20/96	05/28/97	06/22/98	Not Sustained
2	CRD	02/20/97	06/18/97	03/02/98	Sust.-2 Days Susp.Held in Abey. Retrained
4	ND/ND/ND/ND	02/29/96	08/08/97	04/09/97	Sustained-Officers Admonished/Retrained
3	UA & ND	03/01/96	09/12/96	10/27/97	Sustained-Admonished by CO
2	ND/ND/PF	03/01/96	01/22/97	02/18/96	Sustained-Admonished&Written Reprimand
9	ND	03/05/96	05/06/97	06/30/97	Sustained-Admonished by CO
9	UA/UA/UA/UA/UA/UA	03/05/96	06/13/97	10/09/97	Sustained - Admonished by CO
"	& POLICY FAILURE	"	"	"	
1	D	3/07/96	06/20/96	09/04/97	Sustained - 1 Day Suspension
1	ND	3/12/96	07/11/96	10/08/96	Sustained- Counseled by CO
3	D	3/13/96	04/26/97	07/01/97	Sustained- Counseled by CO
3	ND	3/15/96	06/13/97	12/02/97	Sustained-Chief's Written Reprimand
X	ND/ND/ND	3/15/96	12/31/97	06/22/98	Sustained-Written Reprimand
x	UA	3/21/96	10/17/97	05/07/99	Changed by MCD & OCC to Policy Failure
3	ND	3/22/96	06/19/98	04/28/99	Sustained - Reprimand
2	ND/ND/ND/D	3/25/96	9/26/97	02/26/98	Sustained-Counseled&Retrained by CO
1	ND	3/25/96	11/17/96	02/26/98	Sustained-Retrained by CO
2	ND	3/26/96	11/20/96		Officer Resigned
1	ND	3/26/96	11/21/96	06/03/97	Sustained - Admonished by CO
3	UF	3/28/96	06/04/97	09/11/97	Not Sustained by Chief
1	ND/ND	04/02/1996	9/04/97	02/26/98	Sustained-Chief's Written Reprimand
3	UA/UF/UA/ND/ND	4/17/96	11/01/96	09/08/99	Sustained-One Officer Admonished by CO
""	""	""	""	""	Second Officer Written Reprimand by Chief

SUSTAINED CASES 1994-1999

ETH	SUSTND ALLEG.	COMP. DATE	DATE MCD	DATE RETD	REMARKS
6	ND	04/10/96	03/04/98	06/22/98	Sustained-Reprimand & Retrained
1	UA	4/17/96	11/21/96	07/17/97	Sustained - Admonished by CO
1	ND	4/19/96	10/25/96		Chief's Hearing
9	ND/ND	04/18/96	03/27/97	03/03/98	Sustained-Officer Admonished by CO
1	ND	04/19/96	1/13/97	02/08/99	Sustained-Written Reprimand by Chief/
"	"	"	"	"	Retrained by CO.
2	RS	04/25/96	11/1/96	02/20/97	Sustained - Written Reprimand
3	ND	04/29/96	04/30/98	12/30/98	Sustained - Written Reprimand
2	D	04/30/96	11/18/96	08/01/97	Sustained - Admonished
3	UA/D	05/08/96	09/17/97	08/12/98	Sustained - Counseled by CO
1	UA/UA	05/09/96	01/02/98	08/19/98	Sustained- Admonished & Retrained by CO
9	UA	06/05/96	05/27/97	12/02/97	Not Sustained by Chief
2	ND/ND/ND/ND	06/10/96	09/12/97	03/12/98	Sustained- Admonished & Retrained by CO
2	ND/D	06/13/96	11/18/96	02/18/98	Sustained-1 Day Susp.Held Abey for 1 Year
4	UA/UA	06/20/96	03/31/98	11/05/98	Not Sustained by SFPD
1	D/ND/ND	06/27/96	01/22/97	04/02/98	Sustained-1 Day Susp.Held Abey for 1 Year
x	ND/ND	06/28/96	01/03/97	06/06/97	Sustained - Chief's Written Reprimand
2	ND/ND	07/01/96	01/13/97	05/25/98	Not Sustained by Chief
x	UA & CRD	06/27/96	04/01/97	06/10/97	Charges Filed with Commission
1	POLICY FAILURE	07/03/96	07/01/98		Policy Failure
2	UA/UA/UA	07/08/96	01/22/97	07/01/97	Sustained - Counseled & Retrained by CO
2	ND	07/11/96	05/13/97	12/03/97	Sustained - Written Reprimand
1	ND	07/19/96	07/03/97	02/20/98	Sustained-Counseled & Reprimanded by CO
4	D	07/22/96	06/03/97	08/01/97	Sustained - Admonished
9	D	07/23/96	04/16/97	06/03/97	Sustained - Admonished
2	ND/ND	07/26/96	01/03/97	07/17/97	Sustained - Admonished & Retrained
9	UA,CRD,UA,ND	07/30/96	03/13/98		Charges filed with MCD
2	ND/PF	08/02/96	06/09/97	09/10/98	Sustained - Admonished by CO
1	CRD	08/05/96	06/06/97		Pending MCD
x	ND/ND	08/12/96	08/08/97	02/26/98	Not Sustained-Policy Failure
2	UA	08/15/96	1/22/97	06/30/97	Proper Conduct by Chief
1	ND/ND/ND	08/20/96	06/19/98		Pending MCD
2	ND	08/24/96	08/05/97	09/22/98	Sustained - Admonished by CO
9	ND/ND/ND	08/29/96	05/13/97		Referred for Chief's Hearing
1	2 Ufx 3 ND	09/01/96	08/31/99		Pending MCD
"	"	"	"	"	"
3	NDxNDxND	09/04/96	09/10/98	11/05/98	Sustained - One Officer Admonished by CO
"	"	"	"	09/08/99	Two Officers Retrained by CO
2	UA / ND	07/28/96	08/10/98	09/10/98	Sustained - Retrained by CO
9	ND / ND	09/20/96	03/31/97	09/05/97	Sustained - Admonished&Retrained
4	ND/ ND	09/23/96	12/12/97	12/30/97	Policy Failure
X	CRD	09/24/96	10/01/97	02/26/98	Sustained 3 Days Suspension

SUSTAINED CASES 1994-1999

ETH	SUSTND ALLEG.	COMP. DATE	DATE MCD	DATE RETD	REMARKS
2	ND,ND	09/25/96	05/05/98	07/16/98	Sustained - Retrained
2	ND	09/30/96	08/11/97	03/05/98	Not Sustained - Policy Failure
1	ND	09/30/96	08/04/97	09/14/98	Sustained-Written Reprimand
1	D / CRD	09/30/96	04/22/97		Pending Chief's Hearing
1	UA/ND/ND	10/17/96	06/25/98		Pending MCD
1	UAxUA	10/12/96	02/24/98	08/19/98	Adjudicated - No Further Action
1	UF	10/18/96	05/13/97	12/29/1998	Proper Conduct by Chief
2	ND(PF)	10/18/96	11/13/97	12/29/1998	Policy Failure
2	UA/UF/D/ND	10/21/96	05/22/97	02/18/98	Sustained-Retrained/5 Days Susp.1 in Abey.
X	ND	10/22/96	0/14/98	06/22/98	Sustained - Written Reprimand
X	ND	10/18/96	08/07/97	06/22/98	Sustained-3 Days Suspension in Abeyance
X	UA	10/18/96	04/14/98	06/30/99	No Further Action by Chief
"	ND,ND	"	"	06/30/99	Sustained - Officers Retrained by CO.
1	UA/ND/ND/UF/ND	10/23/96	06/23/99		OCC Verified Complaint to Chief of Police
"	NDx4/NDx11/ND	"	"	"	Commission Notified on 6/21/99
"	"	"	"	"	"
1	NDxNDxND	10/28/96	09/15/97	04/20/98	Sustained-1 Officer w/Written Reprimand
"	"	"	"	"	1 Officer on Chief's Hearing Not Sustained
1	ND	10/28/96	05/13/98	11/16/98	Not Sustained by Assist.Chief of Police
1	ND	10/29/96	02/20/98	02/08/99	Not Sustained by Assist.Chief of Police
12	ND	10/30/96	02/18/98		Pending MCD
9	CRD/ND&CRD/ND	10/28/96	04/15/97	11/03/1997	Sustained-Admonished&Retrained
1	UA/ND/UA/ND	11/02/96	05/27/97	10/29/97	Sustained-Admonished&Retrained
5	ND / ND	11/01/96	05/06/97	10/05/99	Sustained-1 Officer w/Written Reprimand
"	"	"	"	"	1 Officer Suspended 5 Days, 2 held in Abey.
1	ND	11/07/96	10/02/97	02/11/98	Officer Retired
1	ND/ND	11/13/96	12/12/97	07/31/98	Sustained-Retrained by CO
2	ND	11/08/96	07/04/97	02/23/96	Sustained-Admonished
1	ND	11/22/96	06/13/97	09/04/97	Sustained-Admonished&Retrained
1	ND,ND,ND	11/22/96	06/10/98	03/25/99	Sustained-Officers Retrained
1	ND,ND	11/25/96	06/11/98	12/30/98	One Officer Sustained-Admonished by CO
"	"	"	"	"	Second Officer Not Sustained
1	UA/UA/SS/UF	11/27/96	07/09/97	06/10/97	Charges Filed with Commission
2	UA	12/06/96	09/04/97	02/08/99	Sustained-Officer Retrained by CO
9	ND	12/09/96	05/13/97	02/24/98	Sustained - Officer Reprimanded
1	ND/UA/UA/UA	12/09/96	05/13/97	07/08/97	Sustained - Counseled & Reprimanded
3	ND/ND	12/12/96	03/13/98	03/16/99	Not Sustained by Chief of Police
5	RS	01/07/97	06/13/97	09/04/97	Sustained/Officer Admonished-Retrained
1	ND/ND	01/07/97	12/18/97	04/21/98	Sustained/ 1 Officer Admonished by CO
"	"	"	"	"	1 Officer 1 Day Suspension held in Abeyance
2	UAxUA	01/09/97	01/14/99	05/10/99	Sustained - 1 Officer Retrained; 2nd Officer
"	"	"	"	"	Admonished and Retrained

SUSTAINED CASES 1994-1999

ETH	SUSTND ALLEG.	COMP. DATE	DATE MCD	DATE RETD	REMARKS
3	ND	01/13/97	07/30/97	02/26/98	Sustained-Retrained by CO
3	ND	01/13/97	07/08/97	07/27/98	Sustained-Written Reprimand&Retraining
2	ND/ND/ND	01/13/97	08/13/97	02/16/98	Sustained/One Officer Retrained by CO
"	"	"	"	"	Two Officers Admonished by CO.
3	CRD/ND	01/11/97	07/18/97	12/02/97	Sustained-Reprimanded&Retrained by CO
3	UF/UA/ND/UA/ND/UA	01/22/97	12/31/98		Pending MCD
9	ND	01/17/97	04/29/97	02/30/97	Policy Failure
2	ND, ND, ND, ND	01/30/97	05/01/98	09/23/98	Sustained-Written Reprimand&Admonished
9	ND	01/27/97	01/20/98	08/19/99	Sustained - Officer Retrained by CO
1	UA	01/30/97	01/13/97	07/28/97	Sustained - Admonished by CO
2	UA	02/04/97	12/03/97	11/05/98	Sustained - Admonished by CO
1	UA	02/06/97	04/17/97	06/22/98	Sustained-Counseled by CO
1	UF/D/ND/ND	02/12/97	06/04/97	11/25/97	Officer pled NC, Term in abey 4 yrs 90 days
4	ND	02/13/97	11/13/97	03/16/99	Sustained-Admonished by CO
2	CRD,CRD	02/14/97	'03/10/98	03/02/99	Sust. by OCC, No Further Action by SFPD
6	ND	02/21/97	06/23/97	03/09/98	Sustained-Admonished by CO
9	ND	02/21/97	01/20/98	06/22/98	Sustained-One Named Officer Retrained
3	ND/ND/ND	02/21/97	04/09/98	09/20/99	Sustained-Admonished by CO
1	UA	02/21/97	06/19/98	03/26/99	UA Allegation Not Sustained by OCC
3	UA/ND/ND	03/03/97	11/06/97	08/30/99	Sustained - Officer Suspended for 5 days
"	" " "	" " "	" " "	" " "	2 days held in abey. for a year
4	D	03/10/97	10/09/97	12/02/97	Sustained-Admonished by CO
3	CRD	03/03/97	02/26/98	07/16/98	Sustained- Admonished
2	UAxUAxUAxUA	03/12/97	07/12/98		Pending MCD
2	ND	03/18/97	08/14/98	12/31/98	Sustained-Admonished&Retrained by CO
9	ND	03/24/97	03/04/98	05/13/99	Sustained - Retrained by CO
5	POLICY FAILURE	03/27/98	03/27/98	07/12/1998	Policy Failure
2	ND (PF)	03/28/97	09/26/97	12/02/97	Sustained-admonished by CO & Pol .Rec.
3	ND,ND	03/31/97	04/09/98		Pending MCD
1	NDxND	04/03/97	04/08/99	08/19/99	Sustained-Admonished&Retrained by CO
1	D	04/03/97	08/07/97	09/04/97	Sustained-Admonished&Retrained
3	SS/CRD/ND	03/31/97	01/05/98	06/22/98	Sustained-CRD&ND-5days Suspension
1	CRD	04/07/97	08/08/97	09/04/97	Sustained-Admonished&Retrained
x	ND/ND/ND/ND/ND/ND	04/07/97	06/18/98		Pending MCD
4	ND	04/11/97	08/13/98	08/19/99	Sustained-Chief's Written Reprimand
2	ND/ND/ND	04/11/97	12/27/99		Pending MCD
2	UA(PF)	04/11/97	03/13/98	05/27/98	Changed to Policy Failure
2	CRD	09/28/97	10/28/99		Pending MCD
x	D	04/23/97	09/23/97	02/26/98	Sustained-Counseled by CO
1	CRD,UA	04/23/97	02/24/98	06/02/99	Not Sustained by Chief
4	ND	04/24/97	04/24/98	08/27/98	Changed to Not Sustained by OCC
3/1	ND,ND	04/12/97	03/04/98	09/30/98	Sustained-Admonished by CO

SUSTAINED CASES 1994-1999

ETH	SUSTND ALLEG.	COMP. DATE	DATE MCD	DATE RETD	REMARKS
x	ND	04/20/97	01/07/98	04/21/98	Sustained-Admonished by CO
2	UA	04/21/97	03/04/98	07/14/98	Sustained - Named Officer Retired
1	ND	05/07/97	08/14/97	02/26/98	Sustained-Admonished by CO
	Policy Failure	05/09/97	07/01/98		Policy Failure
1	ND	05/12/97	09/03/97	09/23/97	Sustained-Counseled by CO
7	D	05/15/97	12/15/97	02/26/98	Sustained-Counseled by CO
1	ND	05/19/97	10/15/99		Pending MCD
3	UF,ND,ND	05/20/97	04/13/98	07/28/98	Changed to Not Sustained by OCC
2x2	UA/UA/UA/UA/UA/UA	05/22/97	06/11/98		Pending MCD
1	D	05/22/97	06/11/98	09/14/98	Sustained-1 Day Suspension
x	ND,ND	05/22/97	09/25/98	Dec.98	Not Sustained by Chief
2	NDxND	05/27/97	10/29/99		Pending MCD
x	NDxNDxNDxNDxCRD	06/03/97	08/13/98		Pending MCD
4	ND	06/05/97	05/28/98	09/14/98	Sustained-Chief's Written Reprimand
2	UAxUAxUAxUA	06/09/97	07/30/98		Pending MCD
3	NDxNDxND	06/10/97	09/30/98	02/10/99	Changed by MCD & OCC to Not Sustained
1	UAxDxND	06/10/97	07/15/98	09/17/98	Sustained-Chief's Written Reprimand
1	CRDxNDxND	06/13/97	11/12/97	04/22/98	Sustained-Chief's Written Reprimand
2	UAxND	06/23/97	01/13/99		Pending MCD
2	NDxND	06/25/97	01/06/99		Pending MCD
4	UAx4-UFx3	07/01/97	12/14/98		Pending MCD
1	NDxND	07/07/97	08/10/98	06/30/99	Sustained-Chief's Written Reprimand
"	"	"	"	"	and Retrained by CO
2	CRD	07/09/97	09/14/98	05/12/99	Sustained - Retrained by CO
1	CRDxCRD	07/22/97	08/14/98	09/13/99	Sustained-Suspended 3, days 2 in Abeyance
1	CRD & D	07/30/97	06/11/98	03/08/99	Sust.by OCC,No Further Action by SFPD
1	UA, UA	08/01/97	05/01/98		Pending MCD
1x1	ND,ND,ND/ND	08/05/97	06/30/98	03/23/99	Sustained - Written Reprimand
2	ND	08/11/97	12/09/97	04/21/98	Sustained-Retrained by CO
1	CRDxNDxCRD	08/15/97	01/14/99	03/24/99	Sust.- Officers Admonished & Retrained
x	Policy Failure	08/19/97	02/25/98		Pending MCD
1	UAxNDxND	08/18/97	06/11/98	08/10/98	Charges Filed with Commission
1	NDxUF	08/27/97	12/15/98	03/24/99	Sust.- Officer Admonished & Retrained
1	ND	09/02/97	01/15/98	03/10/98	Sustained-Admonished by CO
1	UF/NDx3&UD/NDx2	08/28/97	06/11/98	07/2/98	Not Sustained by OCC
x	ND	08/23/1997	03/11/98		Pending MCD
2	UA	09/05/97	08/06/98	09/14/98	Sustained-Retrained by CO
9	CRD	08/21/97	08/06/98	11/16/98	Sustained-Admonished by CO
1	ND	09/08/97	11/06/98	03/02/99	No Further Action by Chief
9	NDxND	09/04/97	08/14/98	05/11/99	Sustained - Officers Retrained
2	ND, ND	09/09/97	06/11/98	05/06/99	Sustained by Assistant Chief of Police
2	NDxUFxDxND	09/12/97	08/04/98		Pending MCD

SUSTAINED CASES 1994-1999

ETH	SUSTND ALLEG.	COMP. DATE	DATE MCD	DATE RETD	REMARKS
2	SS	09/10/97	09/15/99		Pending MCD
2	CRD	09/08/97	04/13/98	08/19/99	Sustained - Retrained by CO
2	ND&ND&ND	09/12/97	06/18/99	06/18/99	Pending MCD
3	UA & ND	09/12/97	06/18/99		Pending MCD
9	ND & ND	09/15/97	04/24/98	Dec.98	Not Sustained by OCC
x	ND	09/12/97	10/15/99	12/29/1999	Sustained - Admonished
7	CRD/D	09/26/97	06/25/98		Pending MCD
1	NDxND	09/29/97	09/10/99		Pending MCD
3	ND	09/29/97	05/29/98	12/29/98	Sustained-Chief's Written Reprimand
x	CRD	09/28/97	10/28/99		Pending MCD
9	CRD,ND,ND,UA	10/10/97	01/05/99	05/10/99	Sustained-Officer Admonished & Retrained
3	UA/UA/UA/CRD/ND/ND	10/14/97	12/28/99		Pending MCD
x	ND	10/15/97	05/29/98	09/14/98	Sustained-1 Day Suspension Held in Abey.
2	ND	10/17/97	12/14/99		Pending MCD
3	ND	10/15/97	05/14/98	03/08/99	No Further Action by Chief
3	DxNDxND	10/21/97	09/10/98	03/24/99	Charges Filed with Commission
1	ND	10/21/97	04/24/98		Pending MCD
1	NDxNDxNDxND	10/24/97	02/12/99	06/29/99	Sustained-Chief's Written Reprimand
1	ND	10/30/97	05/28/98	05/12/99	Sustained - Officers Admonished
2	ND	10/10/97	07/10/98	08/12/98	Not Sustained
1	UF, ND, ND	10/31/97	07/10/99		Pending MCD
x	UAxUAxDxND	11/03/97	10/29/99		Pending MCD
1	CRD/POLICY FAILURE	10/03/97	06/19/98		Sustained-Officer Retired
4	UAxND	11/10/97	08/13/98	03/16/99	Sustained--2 Days Suspension held
					in Abeyance for 1 Year - Retraining
5	ND	11/10/97	12/11/98	01/07/99	Sustained--Retrained by CO
1	ND,ND	11/16/97	05/11/98	12/29/98	Sustained-Chief's Written Reprimand
3	D	11/16/97	10/29/99		Pending MCD
1/3	UA x ND	11/14/97	02/12/99	05/10/99	Sustained-Officers Counseled and
					Trained by CO
1	ND & ND	11/19/97	04/13/98	06/22/98	Sustained-Counseled & Retrained by CO
4	NDx4/CRDx2/D	11/26/97	12/31/99		Pending MCD
1	ND	11/26/97	09/11/98	11/16/98	Sustained-Counseled & Retrained by CO
1	ND,ND	12/04/97	06/11/98	12/30/98	One Officer Admonished by CO, Second
					Officer Chief's Written Reprimand
1	NDxND	12/16/97	08/14/98	12/09/98	Policy Failure
3	UA, CRD	12/19/97	04/14/99		Pending MCD
x	ND	12/23/97	09/02/98	02/08/99	Sustained-Officer Retrained by CO
x	UA	12/19/97	05/12/98	12/29/98	Sustained-Admonished & Retrained by CO
2	ND	12/02/97	07/31/98	12/31/98	Not Sustained by Assist. Chief of Police

SUSTAINED CASES 1994-1999

ETH	SUSTND ALLEG.	COMP. DATE	DATE MCD	DATE RETD	REMARKS
2/x	UF/UFND/ND	01/11/98	06/25/99		Sustained-Charges Pending
1/1	***	***	***	***	***
3	ND	01/12/98	01/12/99	05/27/99	Sustained-Admonished
1	ND	01/12/98	02/12/99	08/19/99	Sustained - Admonished by CO
1	ND	01/16/98	05/13/98	06/22/98	Sustained-Counseled & Retrained by CO
1	ND	01/30/98	07/28/98	08/17/98	Alleg. Corrected by OCC -Proper Conduct
1	ND	02/05/98	09/10/98	03/15/99	Sustained-Officer Admonished by CO
1	DxCRD	02/09/98	09/15/99		Pending MCD
1	ND/ND/ND/ND	02/10/98	12/10/99		Pending MCD
x/3	DxCRDxND	02/19/98	12/29/98	03/24/99	Sustained-Admonished
3	CRD	02/23/98	06/14/99	07/29/99	No Further Action by Chief
3	NDxNDxNDxND	02/23/98	08/18/98		Pending MCD
x	D	02/25/98	12/14/98	12/21/98	Referred to C.O.
1	D	03/02/98	12/25/98	06/02/99	Sustained by OCC-Not Sustained by SFPD
1	DxCRD	03/10/98	11/13/98	12/14/98	Pending-Police Commission
2	D	03/10/98	03/22/98		Pending MCD
1	ND	03/11/98	10/28/98		Pending MCD
1	D	03/16/98	07/31/98	05/13/98	Sustained-Admonished&Retrained by CO
1	ND/ND	03/17/98	07/22/99		Pending MCD
1	ND	03/19/98	12/18/98	06/30/98	Sustained-Admonished/Retrained by CO
2	CRDx4ND	03/16/98	09/15/99		Pending MCD
x	D	04/20/98	10/28/98	12/31/98	Sustained-Counseled&Retrained by CO .
x	UA	04/08/98	03/11/99	05/24/99	No Further Action by Chief
2	ND,ND,ND	04/15/98	05/13/99		Pending MCD
x	ND,(PF-ND)	04/23/98	03/25/99	09/15/99	Sustained-Retrained by CO
3	CRD	04/27/98	01/14/99	03/24/1999	Sustained-Admonished by CO
1	ND	04/27/98	07/30/98	05/27/99	Sustained-One Day Suspension
1	CRD	04/27/98	01/14/99	03/26/1999	CRD Allegation Withdrawn by OCC
3	ND, ND	04/27/98	05/11/99	06/22/99	No Further Action by Chief
x	UA	05/08/98	08/26/99		Pending MCD
2	D	05/11/98	12/14/98	03/23/1999	Allegation Withdrawn by OCC
x	2UAx3CRD	05/27/98	12/14/99		Pending MCD
x	ND/D	05/27/98	12/14/99		Pending MCD
4	3xUA,ND,2xCRD	06/02/98	05/14/99	09/15/99	Sustained-Admonished & Retrained by CO
x	UA x UA	06/05/98	10/15/99		Pending MCD
4	D	06/05/98	06/14/99		Pending MCD
1	UA	06/11/98	03/09/99	05/11/99	Sustained-Officer Retrained
1	UA,UA	06/19/98	04/01/99		Pending MCD
2	UA,UA	07/08/98	06/28/99		Pending MCD
1	CRD,ND	07/13/98	05/14/99		Chief's Hearing Set for 08/10/99
x	POLICY FAILURE	07/14/98	12/01/98		Policy Failure
4	UF	07/16/98	07/15/99		Pending MCD

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ETH	SUSTND ALLEG.	COMP. DATE	DATE MCD	DATE RETD	REMARKS
3	UAxCRD	07/21/98	03/12/99		CRD NS per SFPD/OCC-06/14/99
'	'	'	'		UA Chief's Hearing set for 08/10/99
1	CRD	07/13/98	06/01/99		Pending MCD
5	CRD/CRD	07/24/98	10/12/99		Pending MCD
1	CRD	07/17/98	07/15/99	12/29/99	Sustained-Admonished & Retrained by CO
1	D	07/17/98	06/18/99		Pending MCD
2	CRD	07/31/98	07/28/99		Pending MCD
6	UF	08/03/98	08/03/99		Pending MCD
x	ND	08/05/98	06/30/99	09/13/99	Changed to Proper Conduct by OCC
4	UAx3/NDx4	08/12/98	12/31/99		Pending MCD
1	UAxUAxUAxUA	08/17/98	09/23/99		Pending MCD
1	CRD/CRD/ND/ND	08/31/98	08/09/99		Pending MCD
'	UA/UA/UF	'	'	'	'
4	UA	09/15/98	12/28/99		Pending MCD
2	UA/UA	09/30/98	12/27/99		Pending MCD
2	ND/ND	10/06/98	08/13/99		Pending MCD
2	CRD	09/24/98	12/27/99		Pending MCD
1	CRD	09/28/98	09/15/99		Pending MCD
x	CRD	10/14/98	10/12/99		Pending MCD
x	UA	10/15/98	10/12/99	12/29/1999	Sustained-Retrained
3	UA	10/16/98	04/14/99	09/15/1999	Sustained - Retrained by CO
2	ND	10/26/98	11/08/99		Pending MCD
3	D	10/30/98	10/14/99		Pending MCD
5	ND	11/02/98	09/15/99		Pending MCD
2	CRD	11/10/98	06/14/99	08/19/99	Sustained - Admonished & Retrained by CO
1	CRD/ND	11/08/98	06/03/99	09/07/99	Sustained - Chief's Written Reprimand
1	CRD/D/UF	11/23/98	08/13/99		Pending MCD
x	CRD	11/30/98	09/15/99		Pending MCD
x	UA	12/1/98	36503		Pending MCD
x	CRD/UA	12/11/98	08/13/99		Pending MCD
4	ND, (PF-CRD)	12/15/98	04/14/99		Pending MCD
x	CRD/D	12/02/98	08/13/99		Pending MCD
2	ND	01/13/99	12/30/99		Pending MCD
1	UA/UA/UA/UA	01/15/99	12/14/99		Pending MCD
1	D	01/22/99	12/31/99		Pending MCD
1	CRD/CRD	01/22/99	12/17/99		Pending MCD
1	NDxUAxUFxND	03/03/99	09/15/99		Pending MCD
1	UF/CRD	03/18/99	12/28/99		Pending MCD
1	ND x 9/UA	03/08/99	12/31/99		Pending MCD
1	CRD	03/29/99	12/30/99		Pending MCD
1	D	04/16/99	07/15/99		Pending MCD
2	ND	04/22/99	12/31/99		Pending MCD

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ETH	SUSTND ALLEG.	COMP. DATE	DATE MCD	DATE RETD	REMARKS
3	D	04/29/99	12/31/99		Pending MCD
x	NDxND	05/06/99	10/29/99		Pending MCD
x	CRD	05/17/99	09/15/99		Pending MCD
2	UAx3/CRDx2/NDx2/D	05/21/99	12/31/99		Pending MCD
x	UAxD	05/21/99	09/15/99		Pending MCD
3	UA	05/26/99	12/30/99		Pending MCD
1	CRD	06/04/99	12/31/99		Pending MCD
1	SS	06/16/99	12/31/99		Pending MCD
1	ND	06/25/98	08/13/99	12/29/99	Sustained - Counseled and Retrained
x	ND	06/24/99	12/29/99		Pending MCD
x	ND	07/08/99	10/15/99		Pending MCD
2	ND/ND	07/07/99	12/14/99		Pending MCD
2	ND	07/12/99	12/30/99		Pending MCD
2	CRD	08/16/99	12/15/99		Pending MCD
1	D	08/31/99	12/31/99		Pending MCD
3	ND/ND	09/28/99	12/31/99		Pending MCD
x	UA	10/07/99	12/30/99		Pending MCD
2	UA	10/15/99	12/30/99		Pending MCD

**Policy Recommendation
Office of Citizen Complaints**

First Quarter 1999

Reference 98-21; 98-0049/DGO 6.13 II. B

Subject: Reporting of Prejudice Based Incidents

Recommendation:

(1) The Office of Citizen Complaints recommends that the San Francisco Police Department amend DGO 6.13 to add the requirement that an incident be reported as a prejudice-based incident whenever:

- A. A victim communicates that he or she believes the incident is prejudiced-based, and/or
- B. Bias is a factor that escalates the incident.

(2) The Office of Citizen Complaints recommends that the San Francisco Police Department instruct dispatchers to relay all relevant information, including but not limited to information about words used and actions by any person related to the alleged crime, regarding prejudice-based incidents to responding officers.

Background:

In one case complainant, a Caucasian male walked in front of a temporarily stopped van that was participating in a funeral procession. The driver of the van, an African-American woman, shouted "faggot" and other homophobic slurs at complainant. Three or four African-American women jumped out of the vehicle and beat the complainant on the head and shoulders and poured alcoholic beverages on him. (The dispatcher told complainant that she would inform officers that the incident was a hate crime.) The responding officers and supervisor stated that they did not report the incident as prejudiced-based because they believed complainant was battered because he interfered with the funeral procession, not because of complainant's sexual orientation. Officers stated that they interpreted DGO 6.13 to require that prejudiced-based incidents be initially motivated by bias.

In a second case, a dispatcher failed to inform officers responding to the scene that the perpetrators directed homophobic slurs at the victim.

The OCC believes that letter and spirit of DGO 6.13 are consistent with, and will be strengthened, by the proposed amendments.

Prepared by:

River Ginchild Abeje
River Ginchild-Abeje
Policy and Outreach Specialist

Approved by:

Mary C. Dunlap 9/19/99
Mary C. Dunlap
Director

Policy Recommendation
Office of Citizen Complaints
Second Quarter 1999
Reference: OCC #1017-98; DGO 2.01§ 50 & 55
Investigated by Mary Ivas
Subject: Conflict of Interest

Recommendation: The Office of Citizen Complaints recommends that the San Francisco Police Department amend General Order 2.01 §50 and §55 to prohibit officers from making testimonials, providing recommendations or offering referrals, as to particular products, services or businesses, in situations as to which there:

- 1) is an opportunity for corruption or a conflict of interest or
- 2) may be an appearance of corruption or of a conflict of interest.

These include situations in which it is reasonably foreseeable that the testimonial, recommendation or referral will have a financial or personal benefit to the officer that is distinguishable from its effect on the general public and or situations which will prevent the officer from applying disinterested skill.

Background:

Complainant inquired into the possibility of obtaining a permit for a business establishment. The officer produced the business card of a person known to him to provide *pro bono* services and allegedly said, "I strongly recommend" that the permit applicant consult with the person named on the card. Complainant, mistakenly but sincerely, believed that she was obliged to comply with the recommendation.

Complainant and the consultant entered into a fee-for-service contract costing several thousand dollars. Initially, the consultant informed complainant that the permit request had received the approval of the officer. After a dispute regarding the fee, and the scope of service, complainant was referred back to the officer. Concurrently, the officer obtained information that convinced him that complainant was ineligible for a permit. The officer provided the information to the issuing authority, which, in turn, denied the permit. Complainant believed that the denial was based on her dispute with the consultant, whom the officer had recommended.

Prepared by:

River Ginchild Abeje
River Ginchild Abeje
Policy and Outreach Specialist

Approved by:

Mary C. Dunlap 6/29/99
Mary C. Dunlap date
Director

Policy Recommendation
Office of Citizen Complaints
Second Quarter 1999
Reference 98-1020, 98-0258
Subject: Provision of Translators

Recommendation: The Office of Citizen Complaints recommends that the San Francisco Police Department create a General Order that requires officers to request a qualified language translator when

- (1) a civilian requests a translator or
- (2) the officer is unable to provide services due to a language barrier.

It is also recommended that the Department work with service providers to develop techniques to improve response time in providing translators.

Background:

Currently officers encountering a language barrier may contact the Communications Unit, Operations Center or ATT's 911 foreign language translation service to request a translator. However, officers have no protocols or guidelines to consult to determine which situations require a translator.

Two recent cases support these recommendations:

- The complainant entered a district station to report an assault perpetrated by a civilian. Complainant's request for a Spanish language translator was denied based on the responding officer's assessment that the complainant spoke rudimentary English.
- The complainant, a victim of an auto theft, was unable to receive an administrative fee waiver due to lack of intervention by a translator. During the investigatory interview the officer stated that he did not request a translator because he believed the response time would have interrupted unit operations.

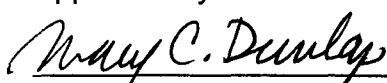
Investigated by Helen Garza and Mark Scafidi

Prepared by:



River Ginchild Abeje
Policy and Outreach Specialist

Approved by:

 6/17/99

Mary C. Dunlap date
Director

Policy Recommendation
Office of Citizen Complaints
Second Quarter 1999
Reference 98-0421, DM-12

Subject: Booking and Detention, Prisoner Handling, Access to Medications

Recommendation: The Office of Citizen Complaints recommends that the San Francisco Police Department amend the Booking and Detention Manual and Department General Orders to require officers to

- (1) provide a release form to confirm prescriptions of arrested persons indicating a need for time specific medications and to allow access to medications when a physician's confirmation is received or
- (2) request immediate medical evaluation for such persons.

Background:

During the course of an arrest complainant informed officers that he is a permanently disabled person with AIDS and heart disease. He also informed officers that he was hungry and needed to take carefully timed antiretroviral medications. Complying with current Department policy, officers denied complainant access to his medications.

Importance of Medications:

Antiretroviral medications are effective HIV/AIDS management therapies. After a retrovirus (i.e., HIV) penetrates a cell, it constructs a DNA version of its genes. This DNA then becomes part of the cell's genetic material. Antiretroviral drugs work by interfering with this stage of the viral life cycle.

Management of Medications is Complex:

Therapy typically requires that a person take a dozen or more pills each day with specific timing and dietary requirements. Some drugs need to be taken with a meal, others within a specific time period before or after a meal; other drugs must be refrigerated. When a person also needs preventive or maintenance doses for opportunistic infections, the total daily pill count increases dramatically. Therefore, medication therapy can be difficult to manage, even under the best of circumstances.

Interruption of Medications Harms Patients:

It is widely accepted that interruption of antiretroviral medications is potentially dangerous for patients. The degree to which interruption is tolerable and how quickly it contributes to complications is not completely understood. What is clear is that if antiretroviral medications are not taken at scheduled intervals the potential benefits of the therapy are greatly diminished and drug resistance often develops. In addition, resistance to one therapy may result in decreased effectiveness of similar therapies and the narrowing or exhaustion of the person's treatment options.

References: *Guidelines for the Use of Antiretroviral Agents in HIV-Infected Adults and Adolescents*, Department of Health and Human Services, May 5, 1999. *Adherence to HAART* (Highly active antiretroviral therapy), Project Inform, June 1998. HIV/AIDS Treatment Information Service, *Glossary of HIV/AIDS-Related Terms*, March 1997.

Policy Recommendation
Office of Citizen Complaints
Second Quarter 1999
Reference 98-0421, DM-12

Subject: Booking and Detention, Prisoner Handling, Access to Medications

Ease of Obtaining Release Form:

Most patients requiring antiretroviral medications are in close contact with their physicians, due in part to the fact that physicians must carefully assess the likelihood of the patient's adherence to the therapy. Therefore, confirmation of the specific medication and the need for ready access is easily obtained. The release form should be directed to a specific physician or medical facility and should limit the request to a list of current medications.

Investigated by Mary E. Ivas

Prepared by:

River Ginchild Abeje
River Ginchild Abeje,
Policy and Outreach Specialist

Approved by:

Mary C. Dunlap 6/21/99
Mary C. Dunlap date
Director

References: *Guidelines for the Use of Antiretroviral Agents in HIV-Infected Adults and Adolescents*, Department of Health and Human Services, May 5, 1999. *Adherence to HAART* (Highly active antiretroviral therapy), Project Inform, June 1998. HIV/AIDS Treatment Information Service, *Glossary of HIV/AIDS-Related Terms*, March 1997.

Policy Recommendation
Office of Citizen Complaints
Second Quarter 1999

Reference: OCC # 0292-97; 0229-98; Disability Awareness Guide (2/98)
Investigated by Richard Kung and Helen Garza

Subject: Transporting Persons who use Mobility Aids¹

Recommendation: The Office of Citizen Complaints recommends that the San Francisco Police Department

1) Re-issue and amend expired bulletin 96-196 (Transporting Prisoners in Mobility Devices) to incorporate recommendations specified in the Department's Disability Awareness Guide to require officers:

a) to contact Communications to arrange for transportation for a prisoner or suspect using a mobility aid, and who cannot, unassisted, transfer his or her weight to a police patrol car.

b) to insure that prisoners or suspects who must be transported in a mobility aid are secured with a 4 point mobility and securement and occupant restraint system with lap belt and shoulder harness.²

c) to contact Communications and arrange for transportation if the mobility aid cannot be folded or collapsed without disassembly.

d) to insure that mobility aids are transported along with the person.

2) Require officers to treat a fall or slip from a mobility aid as a medical issue and call an ambulance.

General Background:

Improper lifting or movement of persons using mobility aids may cause injury to organs, joints and damage to medical equipment. Devices are often equipped with life support systems that should not be disconnected by an untrained person. Many users of mobility aids are unable to transfer from their wheelchairs to a vehicle seat and are therefore required to remain in their devices during transport. The aids are generally not designed to act as a vehicle seat. In addition, forces experienced inside a vehicle may greatly challenge the stability of individuals with reduced postural control and jeopardize their safety. ³ More than one-third (35%) of the injuries to wheelchair users is due to improper or lack of securement in motor vehicles. ⁴

Case Background:

A mobility aid user was required to drag himself from the ground into a police wagon. He was then transported in the back of the wagon without seatbelts or a securing mechanism. In another case the officer dumped complainant from his wheelchair onto a busy sidewalk, causing complainant to lie on his back in the wheelchair. The officer left the scene without requesting assistance for complainant.

Prepared by:

River Ginchild Abeje
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Policy and Outreach Specialist

Approved by:

Mary C. Dunlap 6/25/99
Mary C. Dunlap date
Director

¹ A mobility aid is a wheelchair, or any mobile seating device, either manually or battery powered, that is used to support and convey a disabled person. ² California Department of Transportation Specifications (1999). ³ The Affects of Securement Point Location on Wheelchair Crash Response, Gina E. Bertocci, et al. (1996) Seated Postural Stability of Wheelchair Passengers in Motor Vehicles, Derek G. Kamper, et al. (1996); Wheelchair Users Injuries and Deaths Associated with Motor Vehicle Related Incidents, ⁴ U.S. Department of Transportation National Highway Traffic Safety Administration (1997).

Policy Recommendation
Office of Citizen Complaints
Third Quarter 1999

Reference: OCC #725-98; 0347-98; DGO 6.07; 6.15; DM-12
Investigated by Eileen Grady and Karol Heppe

Subject: Animal Control Techniques and Caring for Animals of Arrestees

Recommendation: The Office of Citizen Complaints recommends that the San Francisco Police Department:

- (1) provide written guidelines and improve training on appropriate animal control techniques to ensure that officers are prepared
 - (a) to assess whether or not a domesticated animal poses a danger to officers or other persons and
 - (b) to handle a threatening domesticated animal correctly.

- (2) issue a Department Bulletin to inform officers that the City's Department of Animal Care and Control must be contacted when an arrestee has an animal in his or her possession and is unable to arrange alternative care for the animal;

- (3) invite appropriate personnel from the City's Department of Animal Care and Control, the San Francisco Society for the Prevention of Cruelty to Animals and other expert institutions to participate in training SFPD sworn personnel, pursuant to (1) and (2) above.

Background:

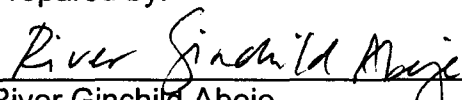
Two officers were properly admitted into complainant's residence to investigate a robbery. Shortly thereafter, complainant arrived with her puppy; also present were two other adults, a mentally and physically disabled child, and an infant.

Confusion ensued in the wake of two events: the disabled child touched the an officer's leg and the puppy began yelping. The officer pulled his gun and threatened to shoot the puppy. The officer later reported that he believed complainant had elicited an attack response from the puppy. Although the complainant was arrested for aggravated assault against a police officer with a deadly weapon — namely the puppy — the officers left the puppy at the scene.

Three days after the incident, a video recording was made of the puppy encountering two other strangers in the residence. A San Francisco County Animal Care and Control Specialist analyzed the video and reported that the puppy is not vicious, nor is it trained or able to respond to commands to attack. The criminal charges against complainant were dismissed.

During the course of OCC investigation of another case, it came to OCC's attention that the SFPD does not have a written policy on handling animals of arrestees. Discussion with SFPD's Vicious and Dangerous Animals Unit reinforced the need for a Department Bulletin and officer training on this subject.

Prepared by:


River Ginchild Abeje
Policy and Outreach Specialist

Approved by:

 8/31/99
Mary C. Dunlap date
Director

Policy Recommendation
Office of Citizen Complaints
Third Quarter 1999
Reference #665-98; Department Bulletin 98-73; CVC 21202
Investigated by Irene Rapoza
Subject: Bicycle Riding in Lanes of Traffic

Recommendation: The Office of Citizen Complaints recommends that the San Francisco Police Department clarify Department Bulletin 98-73.

General Background:

The general rule is that persons operating a bicycle, at a speed less than the normal speed of traffic, shall ride as close as practicable to the right-hand curb or right-hand edge of the road with four exceptions. The recitation of CVC 21202 in bulletin 98-73 incorrectly places CVC 21202 (b) as a 5th exception to CVC 21202(a). Read as a subset to (a), this "5th" exception in conjunction with the bulletin "clarification" (below) has led cyclists to believe, erroneously, that they may ride in the **center** of the left lane on a single direction multi-lane road, which is contrary to state law.

Department Bulletin 98-73, reads in pertinent part, "Clarification: When a bicycle is to the right in a lane, but maintaining a safe distance from parked vehicles, in order to avoid car doors suddenly opened by motorists, this may narrow the lane to the point where it can no longer be shared safely by both the bike and the vehicle. In this instance the bicycle owns the lane and a vehicle must change lanes in order to pass. A bicyclist is not impeding the flow of traffic under these conditions."

CVC 21202 (a) Any person operating a bicycle upon a roadway at a speed less than the normal speed of traffic moving in the same direction at that time shall ride as close as practicable to the right-hand curb or edge of the roadway except under any of the following situations:

- (1) When overtaking and passing another bicycle or vehicle proceeding in the same direction.
- (2) When preparing for a left turn at an intersection or into a private road or driveway.
- (3) When reasonably necessary to avoid conditions (including, but not limited to, fixed or moving objects, vehicles, bicycles, pedestrians, animals, surface hazards, or substandard width lanes) that make it unsafe to continue along the right-hand curb or edge, subject to the provisions of Section 21656. For purposes of this section, a "substandard width lane" is a lane that is too narrow for a bicycle and a vehicle to travel safely side by side within the lane.
- (4) When approaching a place where a right turn is authorized.

(b) Any person operating a bicycle upon a roadway of a highway, which highway carries traffic in one direction only and has two or more marked traffic lanes, may ride as near the **left-hand curb or edge** of that roadway as practicable.

Policy Recommendation
Office of Citizen Complaints
Third Quarter 1999
Reference #665-98; Department Bulletin 98-73; CVC 21202
Investigated by Irene Rapoza
Subject: Bicycle Riding in Lanes of Traffic

Case Background:

Complainant was riding a bicycle in the center of the left lane on Fell Street, a single direction multi-lane roadway. As vehicular traffic slowed behind the bicyclist, the bicyclist was instructed by an officer to move to the right lane near parked cars. The bicyclist refused and asserted that Department Bulletin 98-73 supported his contention that he was riding within department policy. He informed the officer that he had been involved in outreach efforts between the department and bicycle activists that had resulted in the Department Bulletin 98-73. The bicyclist also recounted a previous experience in which he had been injured by a car door opened suddenly by an inattentive driver. The officer cited the bicyclist pursuant to CVC 21202. The citation was later dismissed due to incorrect coding on the citation.

Prepared by:

River Ginchild Abeje
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Policy and Outreach Specialist

Approved by:

Mary C. Dunlap 8/13/99
Mary C. Dunlap date
Director

Policy Recommendation
Office of Citizen Complaints
Third Quarter 1999

Reference: OCC # 0389-98; DGO 5.05¹; California Vehicle Code 27001(a) + (b)²
Investigated by Sergei Litvinov

Subject: Use of Vehicle Horns

Recommendation: The Office of Citizen Complaints recommends that the San Francisco Police Department review training protocols and provide clear written guidelines to ensure that members are properly instructed on the appropriate use of vehicle horns.

Case Background:

Complainant, concerned for the safety of residents and a person slouched in a driveway, contacted the department. The responding officer noted, from the vantage point of the patrol car, that the person had soiled himself. The officer sounded the vehicle horn. In an OCC interview the officer stated that he had used the horn to roust the person from the driveway. The person stood up and staggered away. There was no further interaction between the officer and the person.

Prepared by:

River Ginchild Abeje
River Ginchild Abeje
Policy and Outreach Specialist

Approved by:

Mary C. Dunlap 7/28/99
Mary C. Dunlap date
Director

¹ §II.A. Response and Pursuit Driving: Respond directly to the assignment and observe all traffic laws and regulations.

² California Vehicle Code 27001. (a) The driver of a motor vehicle when reasonably necessary to insure safe operation shall give audible warning with his horn. (b) The horn shall not otherwise be used, except as a theft alarm system which operates as specified in Article 13 (commencing with Section 28085) of this chapter.

Policy Recommendation
Office of Citizen Complaints
Third Quarter 1999

Reference: OCC # 580-99; 957-98; 700-98; 680-98; 618-98; 579-97; 212-96
Unit Orders 97-001, 89-01, 94-05

Investigators: David Aulet, Richard Kung, Sergei Litvinov, Dennis Maxson, Cheri Toney
and Mark Scafidi

Subject: Recording Operations of the Vice Crimes Division

Recommendation: The Office of Citizen Complaints recommends that, during continued implementation of the recording of prostitution abatement incidents, the San Francisco Police Department:

- (1) procure state-of-the-art listening and recording devices,
- (2) update member training on proper operation of the devices,
- (3) establish systematic procedures for conducting and recording incidents,
- (4) provide written guidelines regarding the chain of custody of recordings,
- (5) maintain access logs and
- (6) obtain secured facilities for storage of recordings

to ensure that surveillance recordings are usable and safeguarded to prevent overdubbing, deletions, loss of recordings or unauthorized access.

Background:

The OCC has received numerous complaints in which investigations have yielded partially or totally inaudible recordings that purport to document incidents of solicitation for prostitution. Recordings are stored in an unsecured location and no log is maintained to track access to the recordings. In response to OCC's investigations, officers reported that 10 - 25% of the recordings of these operations contain sections of tape that are unintelligible due to malfunctioning equipment and/or human error.

The general availability of advanced recording equipment makes a 10 - 25% error rate unsatisfactory for purposes of both officer safety and providing evidence as to allegations of illegal activity. As to officer safety, "decoy" officers in a prostitution abatement operation may depend on the devices to relay sounds from an unfolding scene to back-up units. Information relayed via the recording equipment informs back-up officers if and when the situation becomes dangerous to the "decoy" officer. As to probity of tape recordings, a key element of admissibility in a criminal case is whether or not the recorded evidence is usable and unadulterated. Also, frequent occurrences of scrambled, arguably "overdubbed" or missing tapes may lend an appearance of improper manipulation or even corruption to Department operations.

Prepared by:

River Ginchild Abeje
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Policy and Outreach Specialist

Approved by:

Mary C. Dunlap 8/30/99
Mary C. Dunlap date
Director

Policy Recommendation
Office of Citizen Complaints
Fourth Quarter 1999

Reference: OCC # 1060-97; DGO 3.01; Bulletin 96-184; SFPD 184

Investigator: David Aulet

Subject: Distribution of Written Communications

Recommendation:

The OCC recommends that the San Francisco Police Department improve the written communications distribution system to its members.

Background:

In the underlying case, the officer used an outdated and unauthorized Certificate of Release Form. This form serves as an acknowledgment and record of custody for detained persons. A Department Bulletin, issued fourteen (14) months prior to the incident, mandated use of a revised certificate of release form and destruction of earlier versions of the document. The officer stated that the forms available at the station had not been updated, and the officer denied receipt of the instructional bulletin. The officer's assertions were supported by OCC investigations that revealed that the Department's written communication distribution system is sporadic.

Prepared by:

River Ginchild Abeje
River Ginchild Abeje
Policy and Outreach Specialist

Approved by:

Mary C. Dunlap 11/10/99
Mary C. Dunlap date
Director

Policy Recommendation

Office of Citizen Complaints

Fourth Quarter 1999

Reference 97-949; Health and Safety Code § 11362.5

Investigated by David Aulet

Subject: Medical Marijuana; Enforcement of Health and Safety Code § 11362.5

Recommendation: The Office of Citizen Complaints recommends that the San Francisco Police Department

1. create written policy and protocols for handling, processing and return of medical marijuana possessed by detainees and arrested persons.
2. not seize cannabis club or similar identification cards without a valid need.

General Background:

State Proposition 215 (commonly known as the "Medical Marijuana/Compassionate Use Act") was approved by voters in 1996. The statute's ambiguities have caused uncertainties in law enforcement, sometimes leaving qualified patients unprotected and or inconvenienced. Several law enforcement agencies have instituted written policies and procedures to identify and resolve local implementation issues. However, no Departmental policy or protocols interpreting the code's enforcement have been created in San Francisco. In September 1999, State Senate Bill 848, which would have clarified some of the statute's ambiguities, was placed in the legislature's inactive file. Also Governor Davis indicated that he would veto any similar bill. These actions indicate that further guidance from the state legislature is highly unlikely in the near future.

Case Background:

A search incident to complainant's arrest led to the confiscation of one marijuana cigarette that was booked as "evidence — medicinal marijuana." Complainant was not charged with possession of contraband. The supervising officer informed complainant that the Department was obligated to categorize the medicine as evidence. Evidence is defined by the Department as "property (except narcotics) or money that is related or possibly related to a crime." Six weeks later, the Municipal Court of San Francisco acknowledged the physician's recommendation of medical marijuana for complainant's symptoms, and ordered the Department to return complainant's medical marijuana.

Prepared by:

River Ginchild Abeje
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Policy and Outreach Specialist

Approved by:

Mary C. Dunlap 11/10/99
Mary C. Dunlap date
Director

Policy Recommendation
Office of Citizen Complaints
Fourth Quarter 1999
Reference: OCC # 0763-98; Booking and Detention Manual
Investigator: Eileen Grady
Subject: Access to Telephones for Detainees

Recommendation:

The OCC recommends that the San Francisco Police Department provide telephone access to persons who are displaced by Department action and detained at a police facility.

General Background:

Current Department policy allows access to telephones within three (3) hours to persons who have been booked or arrested. However, persons detained at a police facility, who may need, for example, to arrange for dependent care and or transportation, do not receive this minor but important accomodation.

Case Background:

Complainant, a registered nurse, was witness to a vehicle collision that involved a woman and an infant. Complainant remained at the scene in order to offer assistance to injured persons and to provide information to responding officers. A paramedic rejected complainant's offer and shoved her aside physically which caused an altercation. An officer, mistakenly believing that complainant's agitated state was due to the influence of drugs or alcohol, ordered field sobriety tests which complainant could not complete to his satisfaction. Complainant was taken to a District Station where a breathalyzer test was conducted which indicated that complainant was not under the influence of alcohol. The detention ended at half past midnight. Complainant's request to use a telephone to arrange for transportation home was denied.

Prepared by:

River Ginchild Abeje
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Policy and Outreach Specialist

Approved by:

Mary C. Dunlap 11/16/99
Mary C. Dunlap date
Director

DEFINITIONS OF ALLEGATIONS

Unnecessary Force (UF): Any use of force which exceeds the level of force reasonably needed to perform a necessary police action.

Unwarranted Action (UA): An act or action not necessitated by circumstances or which does not effect a legitimate police purpose.

Conduct Reflecting Discredit (CRD): An act or action which, by its nature, reflects badly on the Department and undermines public confidence.

Neglect of Duty (ND): Failure to take action when some action is required under the applicable laws and regulations.

Racial Slur (RS): Behavior or use of language meant to belittle or defame because of race or ethnicity.

Sexual Slur (SS): Behavior or the use of language meant to belittle or defame because of sex or sexual orientation.

Discourtesy (D): Behavior or language commonly known to cause offense, including the use of profanity.

DEFINITIONS OF FINDINGS

Sustained (S): A preponderance of the evidence proved that the conduct complained of did occur, and that using as a standard the applicable regulations of the Department, the conduct was improper.

Not Sustained (NS): The investigation failed to disclose sufficient evidence to either prove, or disprove the allegation made in the complaint.

Proper Conduct (PC): The evidence proved that the acts which provided the basis for the allegations occurred; however, such acts were justified, lawful, and proper.

Unfounded (U): The evidence proved that the acts alleged in the complaint did not occur, or that the named member was not involved in the acts alleged.

Policy Failure (PF): The evidence proved that the act by the member was justified by Departmental policy, procedure, or regulation; however, the OCC recommends a change in the particular policy, procedure, or regulation.

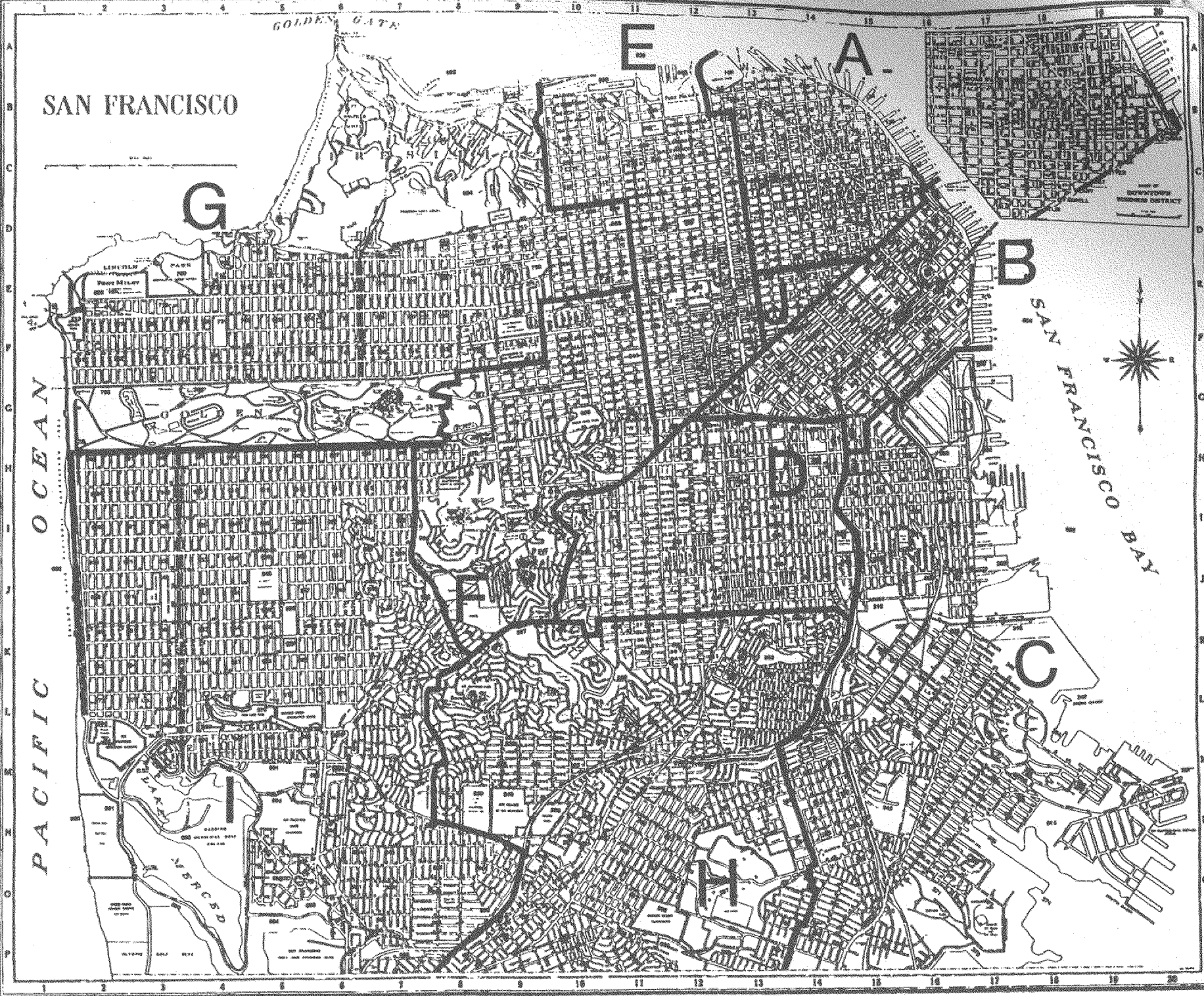
Supervision Failure (SF): The evidence proved that the action complained of was the result of inadequate supervision when viewed in light of applicable law; training; and Departmental policy and procedure.

Training Failure (TF): The evidence proved that the action complained of was the result of inadequate or inappropriate training; or a absence of training when viewed in light of Departmental policy and procedure.

Information Only (IO): The evidence proved that the action complained of did not involve a sworn member of the Department; or that the action described was so obviously imaginary that their occurrence is not admissible by any competent authority. Information Only allegations are not counted as complaints against sworn members of the Department. Complaints against non-sworn employees of the Department are referred to Management Control Division. Complaints against employees of other agencies, are referred to the appropriate agency.

No Finding (NF): The complainant failed to provide additional requested evidence, or the complainant requested a withdrawal of the complaint.

Mediation (M): By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner.

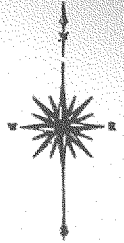


SAN FRANCISCO

GOLDEN GATE

PACIFIC OCEAN

SAN FRANCISCO BAY



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