

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/23/19 **DATE OF COMPLETION:** 12/23/19 **PAGE#** 1 of 1

SUMMARY OF ALLEGATIONS #1-3: The officers behaved and spoke inappropriately.

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

FINDINGS OF FACT: The complainant alleged that three officers on bicycles approached him while he was parked in a loading zone. The complainant alleged that the officers told him to move, yelled and swore at him, and pounded on his vehicle. The complainant said he was trying to find a parking spot to unload material.

The complaint could not provide any identifying information of the officers. The complainant's companion at the time did not respond to requests for an interview. And attempts to identify the officers via identification polls to the District Station resulted in no identification.

The involved officers could not be identified.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/16/2018 DATE OF COMPLETION: 12/4/2019 PAGE# 1 of 4

SUMMARY OF ALLEGATION #1-2: The officer failed to properly investigate.

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

FINDINGS OF FACT: The complainant stated that officers that responded to her home for a reported theft were dismissive and did not perform a complete investigation.

The named officers denied they failed to investigate the call. One of the named officers stated that, despite limited information provided by the complainant, he performed a complete investigation by interviewing the complainant and a witness, gathering suspect information, and writing an incident report to document the theft. He stated that taking fingerprints was unnecessary since the suspect was known to the complainant, and she allowed him entry into her residence. The named officer stated that he later followed up with the sergeant assigned to the investigation and offered his assistance. The second named officer stated she was present as a cover officer and had limited contact with the complainant. She said she assisted in the investigation by taking photos of the scene and searching for surveillance cameras.

Department records show that an incident report was written by one of the named officers which documented their investigation, including the parties interviewed, evidence, and property stolen. A supplemental report written by the sergeant assigned to the investigation indicated that a search warrant had been obtained and served on a later date.

Body Worn Camera (BWC) recordings showed one of the named officers interviewing the complainant and a witness, obtaining suspect information, speaking to one of the suspect's acquaintances by phone, and taking notes. The recordings showed a second named officer taking photos of the scene. The named officers were shown to explain their investigation and provide guidance to the complainant on how to follow up on her case.

The evidence showed that the named officers took reasonable investigative steps while on scene, which was documented in an incident report. Furthermore, the complainant's case was later referred to a sergeant and investigated further.

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

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

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/16/2018 DATE OF COMPLETION: 12/4/2019 PAGE# 2 of 4

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

FINDINGS OF FACT: The complainant stated that the named officer made inappropriate comments and laughed while taking an initial report of theft that occurred at her home. She said the named officer was dismissive and told her that it was unlikely she'd recover her stolen items.

The named officer denied the allegation. The named officer acknowledged telling the complainant that in theft cases it was common that property would be difficult to retrieve. He said he advised her to request police assistance prior to attempting to retrieve the items on her own, due to the possibility of re-victimization. The named officer stated he informed the complainant that without definitive suspect identification, proof of the suspect's involvement, or a search warrant, officers had limited options. The named officer said he documented all of the information and provided the complainant with a report number. He stated that he was understanding and professional throughout their contact.

The named officer's partner stated that the named officer did not make any inappropriate statements nor laugh at the complainant during the investigation.

BWC recordings showed the named officer interviewing the complainant and gathering evidence. The recordings showed that the named officer did make statements to the complainant regarding the viability of retrieving her property and explained that stolen items are often quickly sold. The recordings show that the named officer explained that even if they do not recover the items, the perpetrator could still be prosecuted, and she had the option to sue him in civil court. The recording showed the named officer provide the complainant a Marcy's card for victims' services and resources, the incident report number, and his contact information. The recordings did not show the named officer laughing.

San Francisco Police Department General Order 2.01, Rule 14, Public Courtesy, states, in part: "When acting in the performance of their duties, while on or off duty, members shall treat the public with courtesy and respect and not use harsh, profane or uncivil language."

The BWC recordings showed that the named officer did not laugh at the complainant, and he was calm, cordial, and professional throughout his investigation.

The evidence proved that the acts alleged in the complaint did not occur.

SUMMARY OF ALLEGATION #4: The officers failed to properly investigate.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/16/2018 DATE OF COMPLETION: 12/4/2019 PAGE# 3 of 4
CATEGORY OF CONDUCT: ND FINDING: NF DEPT. ACTION:

FINDINGS OF FACT: The complainant stated that a theft occurred at her home. She stated that she later met officers near the suspect's residence and sought their assistance in retrieving her property. She said that these officers were dismissive of her situation and did nothing further to investigate.

An officer identification poll was sent to the district station where the incident occurred. The poll came back with negative results.

The identity of the alleged officers could not be established.

SUMMARY OF ALLEGATION #5: The officers behaved inappropriately and made inappropriate comments.

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

FINDINGS OF FACT: The complainant stated she met officers near the home of a suspect who had stolen items from her home, and one of them made comments to her that were inappropriate. She also stated that the officers were going to leave her alone in an unsafe area before her transportation arrived.

An officer identification poll was sent to the district station where the incident occurred. The poll came back with negative results.

The identity of the alleged officers could not be established.

SUMMARY OF ALLEGATION #6: The officer failed to take required action.

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

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/16/2018 DATE OF COMPLETION: 12/4/2019 PAGE# 4 of 4

FINDINGS OF FACT: The complainant stated the day after her home was burglarized, she went to a district station to request police assistance and have officers meet her at a specific address. She stated that the officer she spoke with did not record the address or her request properly, which caused her to wait for several hours without being helped.

An officer identification poll was sent to the district station where the incident occurred. The poll came back with negative results.

The identity of the alleged officers could not be established.

SUMMARY OF ALLEGATION #: The complaint raises matters outside the DPA's jurisdiction.

CATEGORY OF CONDUCT: FINDING: IO-1/DEM DEPT. ACTION:

FINDINGS OF FACT: This complaint raises matters outside the DPA's jurisdiction. This complaint was partially referred to:

Division of Emergency Communications
Department of Emergency Management
1011 Turk Street
San Francisco, CA 94102

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/29/19 **DATE OF COMPLETION:** 12/09/19 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer detained a person at gunpoint without justification.

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

FINDINGS OF FACT: The complainant said that the officers entered her son's resident by force, wrongfully pointed their guns at him and unlawfully detained him.

The named officer detained and handcuffed the complainant's son - a shooting suspect - while executing a valid search warrant. The named officer kept his drawn firearm in the low ready position due to the individual being a suspect in a shooting case.

Body Worn Camera footage shows the officer breaching a residence door, breaking through an interior bedroom door and finding the suspect. The named officer detained the subject and escorted him outside of the residence. The event was controlled, and the body worn camera footage does not show any officers pointing their firearms at the suspect.

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

SUMMARY OF ALLEGATION #2: The officer arrested a person without cause.

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

FINDINGS OF FACT: The complainant said that the officer wrongfully arrested her son for a mock criminal act depicted in a video made by her son and others.

The named officer arrested the complainant's son based on a surveillance video that showed the complainant's son illegally firing a firearm.

The officer had probable cause based on the video of the complaint committing a crime. There was no evidence that would have required the officer to disbelieve the video. The evidence proved that the acts that provided the basis for the allegations occurred; however, such acts were justified, lawful, and proper.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/14/19

DATE OF COMPLETION:12/3/19

PAGE# 1 of 1

SUMMARY OF ALLEGATIONS #1-2: The officers arrested a person without cause.

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

FINDINGS OF FACT: The complainant stated that the named officers came to his building and had his case manager call the complainant downstairs to the lobby. When the complainant arrived downstairs, the named officers asked the complainant to identify himself and to identify any tattoos. The named officers subsequently told the complainant he was a fugitive in five states, and he was going to jail. The complainant stated the named officers arrested him without a warrant.

The named officers stated that the complainant had multiple warrants and a paper warrant was not necessary for the complainant's arrest.

Police records verified that at the time of the complainant's arrest, he had active warrants in multiple states.

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

SUMMARY OF ALLEGATIONS #3-4: The officers behaved inappropriately.

CATEGORY OF CONDUCT: CUO FINDING: U DEPT. ACTION:

FINDINGS OF FACT: The complainant stated the named officers were unprofessional because the complainant's arrest was embarrassing and the named officers did not provide an explanation for the complainant's arrest.

The named officers denied the allegation, stating they provided the complainant the reason for his arrest.

The complainant made inconsistent statements.

The evidence proves that the conduct alleged did not occur.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/18/2019 DATE OF COMPLETION: 12/9/2019 PAGE# 1 of 1

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

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

FINDINGS OF FACT: The complainant stated that his parents were involved in a non-injury car accident in which their car was hit by another vehicle. The driver of the other vehicle refused to provide insurance information and the complainant's parents' insurance company was unable to reach the other driver. The complainant stated that the named officer did not get the other party's insurance information. The complainant later called the station but did not hear back from the officer.

Department records show that the named officer is no longer employed by the Department and is no longer subject to discipline.

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

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

FINDINGS OF FACT: The complainant stated that the officer on scene did not obtain the insurance information of the other party and did not respond to his inquiries.

The named officer did not witness the accident. He stated that although he was part of the same unit as the officer on scene, at the time the incident occurred he was at the station writing a police report for another case.

Department records show that the named officer was in the same unit as another responding officer. However, body worn cameras show that only one officer was on scene facilitating the exchange of information between the parties.

The evidence proves that the named member was not involved in the acts alleged.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/22/19 **DATE OF COMPLETION:** 12/1/19 **PAGE# 1 of 1**

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

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

FINDINGS OF FACT: By mutual agreement of the complainant and the named officer, the complaint was mediated and resolved in a non-disciplinary manner on December , 2019.

SUMMARY OF ALLEGATION #2: The officer had a rude attitude or demeanor.

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

FINDINGS OF FACT: By mutual agreement of the complainant and the named officer, the complaint was mediated and resolved in a non-disciplinary manner on December 1, 2019.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/26/19 **DATE OF COMPLETION:** 12/10/19 **PAGE#** 1 of 1

SUMMARY OF ALLEGATIONS #1: The SFPD failed to take required to action

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

FINDINGS OF FACT: The complainant stated that SFPD officers failed to respond to two calls for service regarding homeless subjects sleeping in the doorway of her business.

The complainant declined to meditate the incident and no longer works at the incident location. DPA made several attempts to contact the complainant, to no avail.

Police records showed that officers responded to the complainant's calls for service; however, the calls for service were closed as, "gone on arrival" and "canceled."

The complainant failed to provide additional requested evidence.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/30/19 DATE OF COMPLETION: 12/16/19 PAGE# 1 of 5

SUMMARY OF ALLEGATION #1: The officer engaged in unwarranted action.

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

FINDINGS OF FACT: The complainant stated that he was involved in a disturbance with his ex-partner that resulted in police response. The complainant said the named officer issued the complainant a five-day "Stay-Away Order." The complainant said the named officer issued the stay-away order without cause, but admitted that a judge granted the stay-away order.

Department records showed the named officer responded to a domestic violence call in which the complainant's ex-partner alleged that the complainant assaulted her. The named officer completed an investigation and recorded a Domestic Violence Incident Report. The report stated that based on the ex-partner and complainant's statements and a lack of physical evidence, witnesses, or video footage, officers did not arrest the complainant. Department records showed that there was a history of Domestic Violence involving the complainant and ex-partner. The Incident Report showed the named officer contacted a Superior Court Judge who issued an Emergency Protective Order ("EPO") for the ex-partner against the complainant.

The EPO document showed that the Judge, based on the statements of the ex-partner, stated that there were reasonable grounds for the issuance of the Order, and the Order was necessary to prevent the occurrence or recurrence of Domestic Violence.

Body-Worn Camera footage showed the named officer interviewed the ex-partner and captured her allegation of assault. The footage recorded the complainant's denial of the assault and explanation that the ex-partner was mentally unwell. The footage also recorded the named officer serving the complainant the EPO. The named officer explained the EPO process, including that it was a judge who issued the EPO, and the complainant accepted the service of the EPO.

Department General Order 6.09 Domestic Violence, Section III J 3 states in part, "Members may obtain an EPO any time reasonable cause exists for a member to believe that an adult or child is in immediate and present danger of domestic violence, child abuse, stalking, child abduction, family violence or elder abuse (not including financial abuse) by a family or household member." It also states, "An EPO can only be issued by an on-call Superior Court Judge."

The investigation showed that a Judge issued the EPO based on the allegations made by the complainant's ex-partner. The named officer served the EPO on the complainant. The evidence proved that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/30/19 DATE OF COMPLETION: 12/16/19 PAGE# 2 of 5

SUMMARY OF ALLEGATION #2: The officer engaged in unwarranted action.

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

FINDINGS OF FACT: The complainant stated that a week after being issued with the first EPO, he was arrested when his ex-partner made another false allegation of assault against him. He was subsequently served with another EPO (Complainant alleges without cause) by the named officer.

Department records showed that the named officer responded to a call by the complainant's ex-partner in which she alleged that the complainant assaulted her and wounded her hand. Officers completed an investigation, arrested and booked the complainant, and recorded a Domestic Violence Aggravated Assault Incident Report. The report showed the named officer contacted a Superior Court judge who issued an Emergency Protective Order ("EPO") for the ex-partner against the complainant.

The EPO document showed that the judge, based on the statement of the ex-partner, corroborated by the wound, stated that there were reasonable grounds for the issuance of the Order, and the Order was necessary to prevent the occurrence or recurrence of Domestic Violence.

Body-Worn Camera footage showed officers interviewed the ex-partner and captured her allegation of assault. The footage recorded the wound to the hand and the ex-partner's treatment by paramedics. The footage also recorded the named officer serve the EPO on the complainant while he was in a jail cell. The named officer explained the EPO process, including that it was a judge who issued the EPO, and the complainant accepted the service of the EPO.

Department General Order 6.09 Domestic Violence, Section III J 3 states in part, "Members may obtain an EPO any time reasonable cause exists for a member to believe that an adult or child is in immediate and present danger of domestic violence, child abuse, stalking, child abduction, family violence or elder abuse (not including financial abuse) by a family or household member." It also states, "An EPO can only be issued by an on-call Superior Court Judge."

The investigation showed that a judge issued the EPO based on the allegations made by the complainant's ex-partner. The named officer served the EPO on the complainant.

The evidence proved that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/30/19 DATE OF COMPLETION: 12/16/19 PAGE# 3 of 5

SUMMARY OF ALLEGATION #3: The officer made an arrest without cause.

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

FINDINGS OF FACT: The complainant stated that his ex-partner made a false allegation that he had assaulted her and wounded her hand. The complainant said that the named officer arrested him without cause, based on the false accusation.

Department records showed that the named officer attended a call by the complainant's ex-partner in which she alleged that the complainant assaulted her and wounded her hand. The ex-partner had a deep laceration to her right hand, which she said she received when the complainant pushed her into a window at his apartment. Department records showed that the complainant and his ex-partner had previous recorded Domestic Violence incidents, and the ex-partner stated there were more the 20 undocumented Domestic Violence incidents during their relationship. Department records showed that officers attended the complainant's apartment and observed a window at the front of the property was broken and boarded up. The complainant was arrested and booked by the named officer for Penal Code § 273.5(a) Corporal Injury on a Spouse or Cohabitant, Penal Code § 243(d) Battery Causing Serious Bodily Injury, and Penal Code § 245(a)(1) Assault with a Deadly Weapon.

Body-Worn Camera footage showed officers interviewed the ex-partner and captured her allegation of assault. The footage recorded the wound to the hand and the ex-partner's treatment by paramedics. The footage recorded a conversation between the named officer and other officers before the complainant's arrest in which they discussed the credibility of the ex-partner's account and whether sufficient probable cause existed to make an arrest. Officers concluded that the ex-partner's account, corroborated by the wounded hand, the broken window at the complainant's apartment, and documented history of domestic violence between both parties provided grounds for the arrest.

Department General Order 6.09 Domestic Violence III A 1 states, "Members shall make an arrest whenever reasonable cause exists to believe a felony has occurred."

The evidence proved that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/30/19 DATE OF COMPLETION: 12/16/19 PAGE# 4 of 5

SUMMARY OF ALLEGATION #4: The officer used unnecessary or excessive force.

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

FINDINGS OF FACT: The complainant stated during his arrest the named officer grabbed his neck chains, and forcefully pulled the chains over his head.

Body-worn camera footage showed that the named officer did remove the complainant's neck chains before placing the complainant in a police car. However, the footage showed that the named officer removed the neck chains carefully and did not use unnecessary force.

The evidence proved that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

SUMMARY OF ALLEGATION #5: The officer was inattentive to duty.

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

FINDINGS OF FACT: The complainant said that the day before his arrest, he called the police because his ex-partner broke a window at his apartment. He stated that police attended the scene, and officers followed a blood trail from the broken window to his ex-partner's apartment. The complainant said that officers filed an incident report documenting the damage. He stated the named officer failed to check the Department's computer systems before arresting him. The complainant opined that had the named officer checked the computer system, and the named officer would have discovered that the ex-partner cut her hand breaking the window the day before.

Department records showed that prior to the complainant's arrest an incident report was filed, in which the ex-partner was recorded as a suspect for a broken window at the apartment where the complainant resided. The report documented the responding officer's investigation, which included following a blood trail back to the ex-partner's apartment. However, the 911 call records and incident report showed that the complainant was not the reporting person and was not the owner of the apartment or recorded as the victim of the crime.

Body-worn camera footage showed that the named officer did check the Department computer systems before arresting the complainant. He checked the computer system under the complainant's name. The evidence proved that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/30/19 DATE OF COMPLETION: 12/16/19 PAGE# 5 of 5

SUMMARY OF ALLEGATIONS #6-10: The offices failed to provide his or her name and star number.

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

FINDINGS OF FACT: The complainant stated that after his arrest, he asked the named officers for their names and star numbers. He said that none of the officers provided the information he requested.

Body-worn camera footage showed that the complainant did request the name and star number from the named officers. The footage also documented that the named officers provided their names and star numbers to the complainant

The evidence proved that the act alleged in the complaint did not occur.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/13/19 **DATE OF COMPLETION:** 12/11/19 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: By mutual agreement of the complainant and a representative of Bayview District Station, the complaint was mediated and resolved in a non-disciplinary manner on December 11, 2019.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/13/19 **DATE OF COMPLETION:** 12/11/19 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: By mutual agreement of the complainant and a representative of Bayview District Station, the complaint was mediated and resolved in a non-disciplinary manner on December 11, 2019.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/13/19 DATE OF COMPLETION: 12/31/2019 PAGE# 1 of 1

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

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

FINDINGS OF FACT: By mutual agreement of the complainant and a representative of Bayview District Station, the complaint was mediated and resolved in a non-disciplinary manner on 12/11/19.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/26/19 **DATE OF COMPLETION:** 12/16/19 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: SFPD Bayview District Station is inattentive to duty.

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

FINDINGS OF FACT: By mutual agreement of the complainant and the SFPD, the complaint was mediated and resolved in a non-disciplinary manner on September 25, 2019.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/24/19 **DATE OF COMPLETION:** 12/12/19 **PAGE#** 1 of 4

SUMMARY OF ALLEGATIONS #1-2: The officers detained a person without reasonable suspicion.

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

FINDINGS OF FACT: The complainant stated that he had been living at an abandoned house for approximately one month and had assumed ownership of the property via adverse possession. The previous owner came to the property with contractors, and the complainant refused them entry. The police arrived and detained the complainant for a burglary investigation, despite the complainant insisting that he was the property owner.

The named officers confirmed that they detained the complainant on suspicion of burglary. They stated they were called to the property by the owner because someone had broken into the house. Upon arrival, the named officers spoke with the owner, who produced documentation that proved his ownership. The complainant did not have any documentation, and his explanation of ownership via adverse possession was not plausible.

Departmental Records and officer Body-Worn Camera corroborated the officers' accounts.

Adverse Possession laws (California Civic Process Code Sections 318, 325 & 327) state that to claim adverse possession, a person needs to be in possession of the property for five years and to have paid all property-related taxes for the five years.

The evidence proved that the acts that provided the basis for the allegations occurred; however, such acts were justified, reasonable, and proper.

SUMMARY OF ALLEGATIONS #3 - 6: The officers detained a person without reasonable suspicion.

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

FINDINGS OF FACT: The named officers confirmed that they responded to the incident, but only after the complainant had already been detained for burglary.

Departmental Records and officer Body-Worn Camera corroborated the officers' accounts.

The evidence proved that the named members were not involved in the acts alleged.

SUMMARY OF ALLEGATIONS #7-8: The officers failed to investigate properly.

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

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/24/19 **DATE OF COMPLETION:** 12/12/19 **PAGE#** 2 of 4

FINDINGS OF FACT: The complainant stated that the named officers failed to investigate his claim of adverse possession.

The named officers said that they did not need to investigate the complainant's claim of adverse possession because they knew, based on the information provided by the complainant, that adverse possession did not apply to the complainant's situation.

Body-worn camera footage shows that the complainant telling the officers that the property had been empty for about six months and that he had been residing at the house for about one month.

Adverse Possession laws (California Civic Process Code Sections 318, 325 & 327) state that to claim adverse possession, a person needs to be in possession of the property for five years and to have paid all property-related taxes for the five years.

The evidence proved that the acts that provided the basis for the allegations occurred; however, such acts were justified, reasonable, and proper.

SUMMARY OF ALLEGATIONS #9-12: The officers failed to investigate properly.

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

FINDINGS OF FACT: The named officers confirmed that they responded to the incident but were not involved in the investigation into the complainant's claim of adverse possession.

Departmental Records and officer body-worn camera footage corroborated the officers' accounts.

The evidence proved that the named members were not involved in the acts alleged.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/24/19 **DATE OF COMPLETION:** 12/12/19 **PAGE#** 3 of 4

SUMMARY OF ALLEGATIONS #13-14: The officers engaged in unwarranted action.

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

FINDINGS OF FACT: The complainant stated that the named officers assisted the contractors to enter the building by breaking a plank across the main entrance.

The named officers confirmed assisting the contractors in removing a plank at the request of the property owner.

Body-worn camera footage corroborated the officers' accounts.

The evidence proved that the acts that provided the basis for the allegations occurred; however, such acts were justified, reasonable, and proper.

SUMMARY OF ALLEGATIONS #15-18: The officers unlawfully entered the complainant's property.

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

FINDINGS OF FACT: The named officers stated that they responded to the incident, but that officers had already gained access to the property before their arrival.

Departmental records and footage from body-worn cameras corroborated the officers' accounts.

The evidence proved that the named members were not involved in the acts alleged.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/24/19 **DATE OF COMPLETION:** 12/12/19 **PAGE#** 4 of 4

SUMMARY OF ALLEGATIONS #19-20: The officers engaged in biased policing.

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

FINDINGS OF FACT: The complainant alleged that the named officers treated him unequally because the owner and contractors were of Asian ethnic background, and so were the officers.

The named officers denied the allegation. They stated that they treated all parties equally and based their action and investigation on evidence and facts.

Other officers who responded to the scene stated they did not witness any unfair treatment of the complainant by the named officers.

Body-worn camera footage showed that the named officers were professional towards all involved parties throughout the incident. No evidence was found to support the complainant's claim of unequal treatment.

The evidence proved that the acts alleged in the complaint did not occur.

SUMMARY OF ALLEGATIONS #21-22: The officers failed to comply with DGO 10.11, Body Worn Cameras.

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

FINDINGS OF FACT: During the investigation, it was found that the named officers did not have footage of the incident from their body-worn cameras.

The named officers stated that they did activate their Body Worn Cameras to record the incident and uploaded the footage to the correct storage location. The footage was subsequently located under a linked incident report.

The evidence proved that the acts alleged in the complaint did not occur.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/19/19 DATE OF COMPLETION: 12/16/19 PAGE# 1 of 1

SUMMARY OF ALLEGATION #1: The officer was discourteous when speaking to the complainant.

CATEGORY OF CONDUCT: CUO FINDING: IE DEPT. ACTION:

FINDINGS OF FACT: The complainant stated that the named officer was discourteous and rude when speaking to him about the complainant's limousine status and parking location at the airport.

The named officer stated that he was enforcing "no parking" rules in Terminal 3 at the airport. The named officer contacted the complainant and gave him a verbal warning for being parked along the curbside without a passenger. The complainant responded to the verbal warning with profanity and challenged the named officer's verbal warning. The named officer then observed a passenger enter the complainant's vehicle. The named officer advised the complainant he was free to leave. The named officer stated he acted professionally during the entire encounter with the complainant.

Airport security camera footage showed that the complainant and named officer had brief contact at Terminal 3, Gate 8. There was no audio sound from the airport security camera.

No independent witnesses were located

The evidence failed to prove or disprove that the alleged conduct occurred.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/01/2019 DATE OF COMPLETION:12/9/2019 PAGE# 1 of 1

SUMMARY OF ALLEGATION #1: The officer drove improperly.

CATEGORY OF CONDUCT: ND FINDING: IE DEPT. ACTION:

FINDINGS OF FACT: The complainant stated that he was driving behind a police patrol vehicle when he saw it erratically swerving back and forth across the road. The complainant stated that there was no pattern to the swerving and the vehicle's lights and siren were not activated. He stated that the patrol vehicle almost struck three to four other cars.

The named officer denied the allegation. She stated that at the time of the incident, she was responding to a call for service regarding a battery. She stated that she did not respond code three to that incident and denied erratically swerving her vehicle. She stated that at the time of the incident allegedly observed by the complainant, she was already at the scene of the battery, responding to the call for service.

The CAD for the battery incident showed that the named officer was dispatched to a nearby intersection for a priority 'A' call involving a battery. The named officer was dispatched to the call approximately fifteen minutes prior to the incident the complainant stated he saw.

A witness who was in the vehicle with the complainant confirmed that she also saw the patrol vehicle swerving erratically across the road.

There was insufficient evidence to either prove or disprove the allegation.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/07/2019 DATE OF COMPLETION:12/12/2019 PAGE# 1 of 2

SUMMARY OF ALLEGATIONS #1-2: The officers misrepresented the truth.

CATEGORY OF CONDUCT: CUO FINDING: PC DEPT. ACTION:

FINDINGS OF FACT: The complainant stated the named officers arrested him for a stolen vehicle and then lied in a police report to charge him with a crime. The complainant stated that the named officers lied about a sergeant confirming that the complainant had a “no warrant want” to be still active when he did not have a warrant. Additionally, the complainant said the named officers lied when they said he refused to sign the property receipt form for his seized property. The complainant, however, did not provide a signed form.

The named officers stated that they recognized the complainant from a crime bulletin regarding a vehicle theft. The named officers stated after they identified the complainant, they called the sergeant who issued the crime bulletin and confirmed that the crime bulletin was still active. The named officers then performed a computer query on the complainant and found out that the complainant had an active local warrant for another case. Named officer #2, who wrote the incident report, stated that the statement pointed out by the complainant means that the sergeant confirmed that the complainant who was the subject of the crime bulletin was still wanted for arrest. The named officers stated that the complainant refused to sign the property receipt form.

A sergeant, who issued the crime bulletin, confirmed that one of the named officers called after they saw the complainant on the street. He stated that he told the named officers the complainant’s name and verified that the named officers could arrest the complaint. The witness stated he confirmed that there was no warrant for this case specifically, but the complainant had a separate warrant for another case. The sergeant did not witness the complainant signing the property receipt form while he was in custody.

Body-worn camera did not capture when the officer called the sergeant or after the complainant went into custody.

Department records indicate that the sergeant issued a crime bulletin a few days before the arrest. Court documents show that the complainant had an active local SF warrant for a different case when he was arrested, matching the record on the incident report. Department records also showed that the complainant did not sign the property receipt form.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/07/2019 DATE OF COMPLETION:12/12/2019 PAGE# 2 of 2

A preponderance of the evidence proves that the “no warrant want” refers to the crime bulletin issued by the sergeant. The evidence shows that the named officers arrested the complainant for a local SF warrant for another case. In addition, the evidence gathered indicates that the complainant did not sign the property receipt form while in custody.

The evidence proved that the named officers’ actions were justified, lawful, and proper.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/13/19 **DATE OF COMPLETION:** 12/09/19 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer failed to take a report.

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

FINDINGS OF FACT: The complainant stated that she spoke with someone at the front desk at a police station and advised that two to five San Francisco Police officers were trying to set her up, by framing her to look like a drug user. As the complainant completed her report regarding a non-SFPD officer harassing her and threatening her with an ax, the front desk person threw her report out. The complainant stated that the report is not in the system.

DPA conducted multiple queries to find the location of the incident. An identification poll was sent to the district station and the poll failed to identify anyone said to be involved.

No witnesses were identified.

The officer could not be reasonably identified.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/12/19 **DATE OF COMPLETION:** 12/05/19 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant stated that officers failed to take action against a group that illegally takes over the streets twice a year for a skateboarding media event during which they set off fireworks, drink in public and harass drivers. The complainant stated that officers drove by and took no action.

The district station captain stated that there is no planned skateboarding event and because the skateboarders do not communicate with the station, there is no way to know when or where they will appear. He stated that he does not provide instructions, assign additional officers or take other actions in anticipation of these events as he does not know when and where they will occur. Finally, he stated that he was not made aware of any fireworks, harassed drivers, broken glass or litter.

The complainant left a brief message regarding her complaints but refused to leave her contact information. Accordingly, the DPA was unable to follow up with her to obtain additional information, including verifying the specific date and location of the incident.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/23/19 DATE OF COMPLETION: 12/16/19 PAGE# 1 of 4

SUMMARY OF ALLEGATIONS #1-2: The officers failed to make an arrest.

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

FINDINGS OF FACT: The complainant stated that she called the police because her husband threw Kool-Aid on her and threatened her as he wanted his share of IRS rebate money. She said she informed the named officers that she wanted to press charges against her husband. The complainant stated that the named officers failed to arrest her husband.

Body-worn camera footage showed that the named officers spoke with the complainant who gave the officers the above account. The footage also showed that the officers spoke with the husband. He corroborated that he and the complainant argued about the IRS rebate but also described the complainant threatened him with a metal pole, threw a knife at him, and threw cold coffee over him. The husband said that he did throw Kool-Aid over the complainant, but only after the complainant threw the knife and coffee. The footage showed that officers searched the apartment and found a knife stuck in the bedroom wall, as described by the husband. The footage showed that the named officers discussed the contradictory “he said/she said” nature of the accounts given to them. They opined that based on the serious allegation of knife throwing and the corroborating knife in the bedroom wall, that the complainant was the “dominant aggressor.”

California Penal Code § 13701(b) states, in part, “These policies shall discourage, when appropriate, but not prohibit, dual arrests. Peace officers shall make reasonable efforts to identify the dominant aggressor in any incident. The dominant aggressor is the person determined to be the most significant, rather than the first aggressor. In identifying the dominant aggressor, an officer shall consider the intent of the law to protect victims of domestic violence between the persons involved, and whether either person acted in self-defense.” The named officers’ failure to arrest the husband complied with California Penal Code § 13701(b).

The evidence proved that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/23/19 **DATE OF COMPLETION:** 12/16/19 **PAGE# 2 of 4**

SUMMARY OF ALLEGATION #3-4: The officers failed to properly investigate

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

FINDINGS OF FACT: The complainant stated that the named officers failed to properly investigate her allegation of assault against her husband.

Department Records showed the named officers obtained accounts from both parties, documented physical evidence, completed mandatory Department Domestic Violence checklists, and authored an incident report investigation, including the allegations from both parties. The records also showed the case was assigned to an inspector in the Special Victim's Unit for further investigation. The inspector interviewed both parties and presented the case to the District Attorney. The District Attorney declined to prosecute either party.

Body-worn camera footage showed that the named officers did adequately investigate the incident. The named officers obtained accounts from both parties, documented physical evidence, completed mandatory Department Domestic Violence checklists, and authored an incident report.

The evidence established that the named officers' actions at the scene were justified, lawful, and proper.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/23/19 DATE OF COMPLETION: 12/16/19 PAGE# 3 of 4

SUMMARY OF ALLEGATION #5: The officer made an arrest without cause

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

FINDINGS OF FACT: The complainant stated that the named officer arrested her without cause.

Body-worn camera footage showed that the named officer spoke with the complainant and her husband. The husband corroborated that he and the complainant argued about the IRS rebate but also described the complainant threatened him with a metal pole, threw a knife at him, and threw cold coffee over him. The husband said that he did throw Kool-Aid over the complainant, but only after the complainant threw the knife and coffee. The footage showed that officers searched the apartment and found a knife stuck in the bedroom wall, as described by the husband. Based on this evidence, the named officer arrested and charged the complainant with Penal Code § 245(a)(4) Assault by Means Likely to Produce Great Bodily Injury and Penal Code § 243(e)(1) Domestic Battery.

Department General Order 6.09 Domestic Violence § III.A.1. states, “Members shall make an arrest whenever reasonable cause exists to believe a felony has occurred.” The named officer’s decision to arrest complied with Department General Order 6.09 Domestic Violence § III.A.1.

The evidence proved that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/23/19 **DATE OF COMPLETION:** 12/16/19 **PAGE# 4 of 4**

SUMMARY OF ALLEGATION #: The complaint raises matters outside the DPA's jurisdiction.

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

FINDINGS OF FACT: This complaint raises matters outside the DPA's jurisdiction. This complaint was partially referred to:

San Francisco Sheriff's Department
25 Van Ness Avenue Suite 350
San Francisco, CA, 94103

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/30/19 **DATE OF COMPLETION:** 12/03/19 **PAGE#** 1 of 3

SUMMARY OF ALLEGATIONS #1 - 2: The officers detained a person without justification.

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

FINDINGS OF FACT: The complainant stated he was legally parked when an unknown person started banging on his parked van. The complainant exited his van and a fight ensued between him and the unknown person. Subsequently, the police were called. When the police arrived, the complainant was detained and placed on a 5150 hold.

Pursuant to Department General Order 6.14, officers may detain an individual for psychiatric evaluation under Section 5150 of the Welfare and Institutions Code when the officer believes that as a result of mental illness the individual is a danger to others.

The named officers stated that they made the determination to place the complainant on a mental health detention for several reasons, including the fact that the complainant was highly aggressive, made numerous paranoid and delusional statements, and appeared out of control of his emotions. One of the named officers stated that he believed the complainant to be a danger to others and that, if unattended, he would assault more people.

Records and body worn camera footage revealed that the named officers responded to a Priority A call for service for assault and battery. When they arrived on scene the reporting party stated that after he had knocked on the complainant's van to ask him to leave, the complainant repeatedly tried to punch him and ultimately spat at his face. A neighbor witness confirmed this account. Body worn camera showed the complainant in a highly agitated state.

The complainant's written complaint form included epithets and the attempted DPA telephone interview with the complainant was cut short due to his repeated use of profanities and accusations.

The named officers here reasonably believed that the complainant was a danger to others. Accordingly, the evidence proved that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/30/19 **DATE OF COMPLETION:** 12/03/19 **PAGE#** 2 of 3

SUMMARY OF ALLEGATIONS #3 - 4: The officers misrepresented the truth.

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

FINDINGS OF FACT: The complainant stated that when the named officers brought him to the hospital for psychiatric evaluation, they misrepresented his emotional health to the medical personnel.

The named officers denied the allegation stating, they transported the complainant to the hospital, but did not make any misrepresentations regarding the complainant's emotional health. The named officers stated that they observed the complainant exhibit signs of aggression toward people, was unable to control his temper and continuously yelled at officers and neighbors, he exhibited signs of paranoia, and had delusions of persecution.

The body worn camera footage showed the complainant was in a highly agitated state.

The attempted DPA telephone interview with the complainant was cut short due to his repeated use of profanities and accusations. Accordingly, it is not clear what specific misrepresentations were alleged to have been made.

The named officers based their assessment of the complainant's mental state on witness statements and observations. Based on the totality of circumstances, the evidence proved that the acts alleged in the complainant did not occur.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/30/19 **DATE OF COMPLETION:** 12/03/19 **PAGE#** 3 of 3

SUMMARY OF ALLEGATIONS #5: The officer issued a citation without cause.

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

FINDINGS OF FACT: The complainant stated that the named officer wrongfully issued him a citation for misdemeanor battery. There was no physical evidence of battery and the officer relied on second-hand information.

Pursuant to Department General Order 5.04, when a private person summons an officer to take custody of an individual that the private person wants to arrest, the officer shall, among other things, determine whether probable cause exists to believe the individual committed the crime in question. If such cause exists, the officer accepts the private person's arrest and books or cites the individual as appropriate.

The named officer stated that he issued a citation for violation of section 242 of the Penal Code (misdemeanor battery) to the complainant because the victim wished to make a citizen's arrest based on the complainant having spit on him. Based on this statement and the spit the named officer located on the victim's sweater, he stated that he developed probable cause to issue the citation.

The evidence proved that the alleged conduct occurred; however, the conduct was justified, lawful and proper.

SUMMARY OF ALLEGATION #6: The officer failed to prepare an incident report.

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

FINDINGS OF FACT: The complainant stated that the named officer would not allow him to make a police report against the victim for harassment.

Records reflect that the incident was documented in an incident report, CAD and the entire interaction was recorded via body worn camera. Body worn camera footage showed that the complainant did not request that a citizen's arrest be made, but instead said that he "noticed" that the officer did not cite the victim. The named officer explained to the complainant that he did not cite the other party because it wasn't a crime to knock on a van.

The evidence proved that the conduct alleged did not occur.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/07/2019 DATE OF COMPLETION: 12/11/2019 PAGE# 1 of 1

SUMMARY OF ALLEGATIONS #1: The complaint raises matters outside DPA's jurisdiction.

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

FINDINGS OF FACT: The complaint raises matters outside DPA's jurisdiction. This complaint has been forwarded to:

BART
Internal Affairs
101 8th Street
Oakland, CA 94607

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/11/19 **DATE OF COMPLETION:** 12/27/19 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #: The complaint raises matters outside the DPA's jurisdiction.

CATEGORY OF CONDUCT: N/A **FINDING:** IO-1/IAD **DEPT. ACTION:**

FINDINGS OF FACT: This complaint raises matters outside DPA's jurisdiction. This complaint was forwarded to:

San Francisco Police Department
Internal Affairs Division
1245 3rd Street
San Francisco, CA 94158

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/14/19 **DATE OF COMPLETION:** 12/02/19 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer behaved inappropriately.

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

FINDINGS OF FACT: By mutual agreement of the complainant and the named officer, the complaint was mediated and resolved in a non-disciplinary manner on December 2, 2019.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/22/19 **DATE OF COMPLETION:** 12/05/19 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: The officer spoke inappropriately.

CATEGORY OF CONDUCT: N/A **FINDING:** IO-1/SFMTA **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that he was crossing the street to get to a bus stop when he heard an officer yell at him, calling him a moron and an idiot.

This complaint raises matters outside DPA's jurisdiction. This complaint was forwarded to:

San Francisco Municipal Transportation Agency
Department of Parking & Traffic
11 South Van Ness Avenue
San Francisco, CA 94103

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/27/19 **DATE OF COMPLETION:** 12/27/19 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #: The complaint raises matters outside the DPA's jurisdiction.

CATEGORY OF CONDUCT: N/A **FINDING:** IO-1/SFPD IAD **DEPT. ACTION:**

FINDINGS OF FACT: This complaint raises matters outside DPA's jurisdiction. This complaint was forwarded to:

San Francisco Police Department
Internal Affairs Division
1245 3rd Street
San Francisco, CA 94158

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/30/2019 DATE OF COMPLETION: 12/2/2019 PAGE# 1 of 1

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

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

FINDINGS OF FACT: This complaint raises matters outside DPA's jurisdiction. This complaint was referred to:

San Francisco Police Department
Internal Affairs Division
1245 3rd Street
San Francisco, CA 94158

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/25/19 **DATE OF COMPLETION:** 12/09/19 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant wrote that a white police officer threw him to the ground during an arrest and stepped on his neck. The complainant did not provide any contact information.

Department records show SFPD officers arrested complainant for violating a protective order.

The footage from the Body Worn Camera (BWC) of complainant's arrest does not support the complainant's allegations. The footage shows the following. The named officer first contacted the complainant. The named officer escorted the complainant down some stairs, handcuffed and searched him, and placed him in the back of a patrol car. No officers used reportable force. During the transport, the complainant did not complain of pain or injury or force. During the booking process, the station keeper conducted a medical screening and asked the complainant if he had lost consciousness in the past eight hours. The complainant replied that he lost consciousness when the named officer grabbed him. The complainant said that his head hurt, he was seeing things and he needed medical attention.

The body worn camera footage shows that the alleged force did not occur. Furthermore, the complainant is not credible because his testimony is incompatible with the body worn camera footage.

The evidence proved that the acts alleged in the complaint did not occur.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/20/2019 DATE OF COMPLETION: 12/9/2019 PAGE# 1 of 1

SUMMARY OF ALLEGATIONS #1-2: The officers failed to properly investigate.

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

FINDINGS OF FACT: The complainant stated that his firearms were stolen. When officers responded, they failed to properly investigate the theft.

Department records reflect that the complainant is disabled, lacks mental capacity and is under a conservatorship. The records also reflect that, four months prior to this complaint, SFPD officers assisted the conservator with transferring the complainant's firearms to a safe for safety reasons.

Body-worn camera footage of the named officers shows one of the officers speaking with the complainant's caretaker who states that complainant's firearms are stored in a safe. The footage also shows one of the named officers speaking on the phone with the complainant's estate conservator regarding complainant's firearms. The officer receives confirmation that the complainant's firearms are stored in a safe. The named officers then tell the complainant that they spoke with his conservator and that his firearms are stored in a safe.

The evidence proved that the acts which provided the basis for the allegations occurred; however, such acts were justified, lawful, and proper.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/07/19 **DATE OF COMPLETION:** 12/12/19 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #: The complaint raises matters outside the DPA's jurisdiction.

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

FINDINGS OF FACT: This complaint raises matters outside DPA's jurisdiction. This complaint was forwarded to:

San Jose Police Department
Internal Affairs Division
777 N. First St., Suite 666
San Jose, CA 95112

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/18/19 **DATE OF COMPLETION:** 12/6/19 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #: The complaint raises matters outside the DPA's jurisdiction.

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

FINDINGS OF FACT: The complainant stated that officers who responded to his call for service regarding an assault failed to write an incident report. The officers were sheriff's deputies.

This complaint raises matters outside DPA's jurisdiction. This complaint was forwarded to:

San Francisco Sheriff's Department
Internal Affairs Unit
25 Van Ness Avenue, Suite 350
San Francisco, CA 94102

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/18/19 **DATE OF COMPLETION:** 12/12/19 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer threatened the complainant.

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

FINDINGS OF FACT: The complainant stated that she was falsely accused of stealing by a store owner in winter of 2017. An officer arrived, searched the complainant's purse but could not find any stolen properties. The complainant then demanded apologies from the store owner. An officer arrived and threatened her by putting her in handcuffs. The complainant could not remember the exact date and time of the incident and did not know the names of the officers.

An officer identification poll was sent to the district station where the incident occurred. The poll came back with negative results.

The identity of the alleged officer could not be established.

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

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

FINDINGS OF FACT: The complainant stated that she did not steal any merchandise from the store, however, the officer still handcuffed her.

An officer identification poll was sent to the district station where the incident occurred. The poll came back with negative results.

The identity of the alleged officer could not be established.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/23/19 **DATE OF COMPLETION:** 12/05/19 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: This complaint raises matters not rationally within DPA jurisdiction.

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

FINDINGS OF FACT: This complaint raises matters not rationally within DPA jurisdiction.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/22/19 DATE OF COMPLETION: 12/05/19 PAGE# 1 of 1

SUMMARY OF ALLEGATION #1: The officer behaved inappropriately.

CATEGORY OF CONDUCT: Cuo FINDING: NF DEPT. ACTION:

FINDINGS OF FACT: The complainant stated an officer routinely carries his baton and swings it around while gesturing, talking and walking with his partner. The complainant believed that the officer's behavior with the baton was intimidating and dangerous to pedestrians.

An officer identification poll was sent to the district station where the incident occurred. The poll came back with negative results. No cameras were found facing the location of the incident.

The identity of the alleged officer could not be established.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/4/19 **DATE OF COMPLETION:** 12/05/19 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: This complaint raises matters not rationally within DPA jurisdiction.

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

FINDINGS OF FACT: This complaint raises matters not rationally within DPA jurisdiction.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/14/19 **DATE OF COMPLETION:** 12/9/19 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: This complaint raises matters not rationally within DPA jurisdiction.

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

FINDINGS OF FACT: This complaint raises matters not rationally within DPA jurisdiction.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/02/19 **DATE OF COMPLETION:** 12/05/19 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #: The complaint raises matters outside the DPA's jurisdiction.

CATEGORY OF CONDUCT: N/A **FINDING:** **IO-1/DEM** **DEPT. ACTION:**

FINDINGS OF FACT: This complaint raises matters outside DPA's jurisdiction. This complaint was forwarded to:

Division of Emergency Communications
Department of Emergency Management
1011 Turk Street, San Francisco, CA 94102

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/03/19 DATE OF COMPLETION: 12/24/19 PAGE# 1 of 1

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

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

FINDINGS OF FACT: By agreement of the complainant with assistance by the Mediation Coordinator, the complaint was mediated and resolved in a non-disciplinary manner on 12/24/19.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/05/19 **DATE OF COMPLETION:** 12/16/19 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #: The complaint raises matters outside the DPA's jurisdiction.

CATEGORY OF CONDUCT: N/A **FINDING:** IO-1/DBI **DEPT. ACTION:**

FINDINGS OF FACT: This complaint raises matters outside DPA's jurisdiction. This complaint was forwarded to:

Department of Building Inspection
Inspection Services
1660 Mission Street
San Francisco, CA 94103

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/05/19 **DATE OF COMPLETION:** 12/16/19 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: The complaint raises matters outside the DPA's jurisdiction.

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

FINDINGS OF FACT: This complaint raises matters outside DPA's jurisdiction. This complaint was forwarded to:

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

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/8/19 DATE OF COMPLETION: 12/31/2019 PAGE# 1 of 1

SUMMARY OF ALLEGATION #1: This complaint raises matters not rationally within DPA jurisdiction.

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

FINDINGS OF FACT: This complaint raises matters not rationally within DPA jurisdiction.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/16/19 **DATE OF COMPLETION:** 12/19/19 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: The complainant raised matters outside DPA jurisdiction.

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

FINDINGS OF FACT: The complaint raises matters not rationally within DPA jurisdiction.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/28/2019 DATE OF COMPLETION: 12/31/2019 PAGE# 1 of 1

SUMMARY OF ALLEGATION #: The complaint raises matters outside the DPA's jurisdiction.

CATEGORY OF CONDUCT: FINDING: IO-1/DEM DEPT. ACTION:

FINDINGS OF FACT: This complaint raises matters outside DPA's jurisdiction. This complaint was forwarded to:

Division of Emergency Communications
Department of Emergency Management
1011 Turk Street
San Francisco, CA 94102

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/28/19 **DATE OF COMPLETION:** 12/31/19 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #: The complaint raises matters outside the DPA's jurisdiction.

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

FINDINGS OF FACT: This complaint raises matters outside DPA's jurisdiction. This complaint was forwarded to:

Police Commission Office
San Francisco Police Headquarters
1245 3rd Street
San Francisco, California 94158