

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 04/23/14 **DATE OF COMPLETION:** 04/28/14 **PAGE #1** of 1

**SUMMARY OF ALLEGATION #:** This complaint raises matters not rationally within OCC jurisdiction.

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

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

**OFFICE OF CITIZEN COMPLAINTS  
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**DATE OF COMPLAINT:** 05/13/13    **DATE OF COMPLETION:** 04/04/14    **PAGE#** 1 of 2

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

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

**FINDINGS OF FACT:** The complainant lives in a residential hotel. He stated that SFPD officers knocked on his door, ordering him out of his room.

The named officers stated that a person reported an assault and robbery and provided dispatch with the complainant's room number, prompting them to respond to the complainant's room. The named officers knocked on the complainant's door and asked him to exit his room as they investigated the call.

Department General Order 5.03 allows an officer to briefly detain a person for questioning or request identification only if the officer has a reasonable suspicion that the person's behavior is related to criminal activity.

The evidence proved that the named officers had reasonable suspicion to detain the complainant based on the report they received from the victim. The evidence proved that the act, which provided the basis for the allegation, occurred. However, the act was justified, lawful, and proper.

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

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

**FINDINGS OF FACT:** The complainant lives in a residential hotel. He stated that SFPD officers knocked on his door, ordering him out of his room. While being detained in the hallway, the complainant stated the officers entered and searched his room.

The named officers stated that a person reported an assault and robbery and provided dispatch with the complainant's room number, prompting them to respond to the complainant's room. The named officers knocked on the complainant's door and asked him to exit his room as they investigated the call. Two of the named officers stated that the complainant gave them consent to search his room, which the complainant denied.

The victim admitted providing the officers with the wrong room number. No other witnesses were identified. There was insufficient evidence to either prove or disprove the allegation.

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**SUMMARY OF OCC-ADDED ALLEGATION #1:** The officer wrote an inaccurate, incomplete incident report.

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

**FINDINGS OF FACT:** The named officer who wrote the incident report was a probationary officer in the second phase of his field training. He and other officers responded to a call regarding a battery and robbery of an untrackable cell phone in a hotel. The victim reported the suspect resided in a specific room but the room number provided by the victim was inaccurate. The victim provided the officers an accurate physical and clothing description of the suspect.

Officers responded to the room number provided, detained and searched the complainant and his room. Officers eliminated the complainant as a suspect and later arrested the correct suspect when the victim corrected herself and provided the correct room number of the suspect within minutes of the officers arriving on scene.

The officer denied that his incident report was incomplete and/or inaccurate. He stated that the complainant's detention was not part of the crime reported by the victim. The incident report documented the circumstances leading to the suspect's arrest.

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

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

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

**FINDINGS OF FACT:** The officer, a field training officer, failed to ensure that his trainee's report was complete and accurate. The named officer denied that his trainee's report was incomplete and/or inaccurate.

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

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**DATE OF COMPLAINT:** 06/05/13 **DATE OF COMPLETION:** 04/16/14 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officer exhibited inappropriate behavior and/or made rude comments.

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

**FINDINGS OF FACT:** The complainant stated that the officer exhibited inappropriate behavior and made rude comments.

The officer admitted making a rude comment as alleged by the complainant.

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

**SUMMARY OF ALLEGATION #2:** The officer failed to provide his star number when requested.

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

**FINDINGS OF FACT:** The complainant stated that when he asked the officer for his star number, the officer opened his jacket, revealing his nametag.

The named officer stated that the complainant asked for his identification. The officer told the complainant he did not have to provide his identification but was required to provide his name and star number. The named officer then pointed to his nametag and his star, but isn't certain whether he verbally gave the complainant his name and star number.

No witnesses were identified. There was insufficient evidence to prove or disprove the allegation.

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**DATE OF COMPLAINT:** 06/06/13     **DATE OF COMPLETION:** 04/21/14     **PAGE# 1 of 3**

**SUMMARY OF ALLEGATIONS #1-4:** The officers entered the complainant's residence without cause.

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

**FINDINGS OF FACT:** The complainant stated that several police officers and a juvenile probation officer came into her house and searched her son's room without her permission.

The police officers stated that they were assisting a juvenile probation officer in conducting a search of the complainant's son's room. The complainant's son was on probation and had a search condition attached to his probation that allowed law enforcement to enter and search his room without a warrant.

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

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

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

**FINDINGS OF FACT:** The complainant stated that officers were in her home searching her son's room. During the search, an officer said something to the effect of, "I have a son, but he's not a criminal like yours." The complainant was unable to identify the officer.

All officers involved denied saying something to that effect and denied hearing any officer say something to that effect. There were no independent witnesses to this contact.

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

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**DATE OF COMPLAINT:** 06/06/13      **DATE OF COMPLETION:** 04/21/14      **PAGE# 2 of 3**

**SUMMARY OF ALLEGATION #6:** The officer made inappropriate comments.

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

**FINDINGS OF FACT:** The complainant stated that she was observing several officers who were searching her son's room. She did not approve of the search and was telling them to stop searching the room. An officer then told her, "If you don't shut up, I'll take you to jail."

The officer denied saying anything to that effect. There were no independent witnesses to this contact.

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

**SUMMARY OF ALLEGATIONS #7-10:** The officers acted in an intimidating manner.

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

**FINDINGS OF FACT:** The complainant stated that several police officers entered her home with a juvenile probation officer. As the juvenile probation officer searched her son's room, the officers were aggressive and intimidating. The officers' intimidating manner caused a small child to cry. At one point, two officers stood over her son in an intimidating manner as the juvenile probation officer asked him questions.

The officers stated that they acted in a professional manner while at the residence. There were no independent witnesses to this contact.

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

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**SUMMARY OF ALLEGATION #11:** The officer used unnecessary force.

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

**FINDINGS OF FACT:** The complainant stated that officers were searching her son's room and she wanted to observe them as they went through his things. She was standing near the doorway and the officers told her to leave. Another officer came up to her and grabbed the complainant's arm and pulled her out of the room and pushed her against a wall.

The officer denied grabbing the complainant and pushing her against a wall. The officer stated that she never touched the complainant. The complainant was yelling and being belligerent and any physical contact may have escalated the situation. Instead of detaining the complainant, the officer decided to diffuse the situation in a hands-off manner. There were no independent witnesses to this contact.

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

**SUMMARY OF ALLEGATION #12:** This complaint raises matters outside OCC's jurisdiction.

**CATEGORY OF CONDUCT:** N/A     **FINDING:** IO1     **DEPT. ACTION:**

**FINDINGS OF FACT:** Part of this complaint raises matters outside OCC's jurisdiction. This complaint has been partially referred to:

San Francisco Juvenile Probation  
Attn: Chief Probation Officer  
375 Woodside Avenue  
San Francisco, CA 94127

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**DATE OF COMPLAINT:** 06/11/13    **DATE OF COMPLETION:** 04/08/14    **PAGE#** 1 of 2

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

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

**FINDINGS OF FACT:** The complainant and her husband were involved in a vehicle accident resulting in injury. The complainant's husband was found to be the cause of the accident because he failed to stop at a red light.

The complainant stated that the named officer misrepresented the time of the accident in the Traffic Collision Report. In addition, the complainant stated the named officer identified witnesses when there were none. The complainant stated the accident occurred at about 5:45 p.m., not at 5:55 p.m. as reflected in the officer's Traffic Collision Report.

Department records show that the Department of Emergency Management (DEM) received a 911 call at 5:59 p.m. The records also show that the named officer arrived on scene at 6:14 p.m.

The time difference between the complainant's reported time of the accident and what was listed in the Traffic Accident Report is 10 minutes. This time difference does not materially affect the evidence in regards to determining who caused the accident. The named officer located witnesses at the scene and listed these witness in her report as required. These witnesses were interviewed by the OCC and confirmed that they provided their statements to the officer investigating the traffic accident. The complainant and her husband were medically treated at the scene and transported to the hospital by ambulance.

The evidence proved that the act alleged in the complaint did not occur, or that the named member was not involved in the act alleged.

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**DATE OF COMPLAINT:** 06/11/13    **DATE OF COMPLETION:** 04/08/14    **PAGE#** 2 of 2

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

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

**FINDINGS OF FACT:** The complainant and her husband were involved in a vehicle accident resulting in injury. The complainant's husband was found to be the cause of the accident because he failed to stop at a red light.

Department records show that the complainant's husband was found to be at fault by the named officer after the officer interviewed independent witnesses who witnessed the complainant's husband running the red light at the intersection. In addition, the officer stated she concluded who was at fault based on the debris left from the vehicles at the point of impact and damages on both vehicles.

The OCC interviewed both independent witnesses listed in the Traffic Collision Report and confirmed that they provided their statements to the officer investigating the accident.

The evidence proved that the act alleged in the complaint did not occur, or that the named member was not involved in the act alleged.

**SUMMARY OF ALLEGATION #3:** The officer used bias policing due to race.

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

**FINDINGS OF FACT:** The complainant and her husband were involved in a vehicle accident resulting in injury. The complainant's husband was found to be the cause of the accident because he failed to stop at a red light.

The complainant stated the Mexican ethnicity of the officer and the other driver in the incident wrongfully influenced the officer's investigation.

The officer denied knowing the ethnicity of either involved parties prior to arriving at the scene or allowing the ethnicity of either party to influence her investigation. She stated that she is White, not Mexican. She stated that her finding was based on the damages from vehicles, vehicle debris and independent witness statements. These witnesses were interviewed by the OCC and they confirmed that the complainant's husband failed to stop at a red light, causing the accident.

The evidence proved that the act alleged in the complaint did not occur, or that the named member was not involved in the act alleged.

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**DATE OF COMPLAINT:** 06/17/13    **DATE OF COMPLETION:** 04/18/14    **PAGE#** 1 of 5

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

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

**FINDINGS OF FACT:** The complainant stated officers detained her juvenile son after she dropped him off from her car at an intersection. The complainant stated she believed her son was detained without justification.

The complainant's son stated he exited his mother's car from the front passenger seat at the corner of the intersection, then stepped onto the sidewalk and waited for the traffic light to change before he started to cross the street. He looked behind him, saw two officers in a patrol car driving slowly and assumed they might stop him. He may have pulled his hood over his head as he crossed the street. One of the officers said something, but he didn't recall what it was. The officers then exited their car and detained him.

The named officer stated that he saw the complainant's son exit a stopped car from the rear driver's side door and step into the middle of the roadway, which is a violation of the California Vehicle Code. The named officer stated he detained the complainant's son for this violation. The named officer also stated the complainant's son exited the car close to a streetcar stop where there have been numerous cell phone robberies aboard the streetcar. He stated that the robbery suspects often wear hoodies to conceal their identities from surveillance cameras aboard the streetcars and often have a confederate in a car to drop them near a streetcar stop and pick them up after they commit the theft on the streetcar. The named officer stated the complainant's son turned away from the officers when he saw them and put his hood over his head. When the named officer called to the complainant's son from his patrol car, the complainant's son looked away so the officer couldn't see his face, which heightened the officer's suspicions.

The named officer's partner stated that he had little independent recollection of this incident and relied on the police report written by the named officer in providing an account of what happened. He stated that he didn't recall which door of the complainant's car her son exited from.

Attempts to obtain surveillance footage from video cameras at a nearby Municipal Railway streetcar stop were unsuccessful because a significant period of time had elapsed between the date of this incident and the date the complainant filed her complaint.

No other witnesses were identified.

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

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**SUMMARY OF ALLEGATION #2:** The officer searched the complainant's son without cause.

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

**FINDINGS OF FACT:** The complainant stated an officer searched her juvenile son after she dropped him off from her car at an intersection. The complainant believed the officer searched her son without cause. The complainant acknowledged her son wore a knee brace on the date of incident for a medical condition.

The complainant's son stated that the officers exited their car, but he couldn't recall whether they said anything to him. One of the officers then began frisking him. The complainant's son said the officer grabbed his knee brace and 'kept messing with it' and moving it around.

The named officer stated he and his partner detained the complainant's son after seeing him commit a vehicle code violation by walking in the roadway. The named officer stated that the complainant's son turned away from the officers when he saw them and put his hood over his head. When the named officer called to the complainant's son from his patrol car, the complainant's son looked away so the officer couldn't see his face, which heightened the officer's suspicions. The named officer stated he pat searched the complainant's son because he was wearing baggy clothing of the sort often worn by men who commit robberies using guns and other weapons, and was in an area where there had been numerous robberies aboard Muni streetcars.

The named officer's partner stated that he had little independent recollection of this incident and relied on the police report written by the named officer in providing an account of what happened.

No other witnesses were identified. There was insufficient evidence to either prove or disprove the allegation.

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

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

**FINDINGS OF FACT:** The complainant stated an officer handcuffed her juvenile son after she dropped him off from her car at an intersection. The complainant believed the officer handcuffed her son without cause.

The complainant's son stated that the officers exited their car, but he couldn't recall whether they said anything to him. One of the officers then searched him and handcuffed him. The complainant's son denied resisting the officers. He stated that when the officer who was searching him grabbed and manipulated his knee brace, causing him pain, he moved his knee. He also stated that he verbally questioned the officers' right to search him.

The named officer stated that he handcuffed the complainant's son because he physically and verbally resisted being searched.

The named officer's partner stated that he had little independent recollection of this incident and relied on the police report written by the named officer in providing an account of what happened.

No other witnesses were identified. There was insufficient evidence to either prove or disprove the allegation.

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

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

**FINDINGS OF FACT:** The complainant stated officers arrested her juvenile son after she dropped him off from her car at an intersection. The complainant believed that her son was arrested without cause.

Department records indicate that the complainant's son was arrested and cited for being a pedestrian in the roadway and for resisting arrest.

The complainant's son stated that he exited his mother's car from the front passenger seat at the corner of the intersection, then stepped onto the sidewalk and waited for the traffic light to change before he started to cross the street. He looked behind him, saw two officers in a patrol car driving slowly, and assumed that he might be stopped by the officers. The complainant's son stated he might have pulled his hood over his head as he crossed the street. One of the officers said something, but he didn't recall what it was. The officers then exited their car and detained him. One of the officers searched and handcuffed him. The complainant's son denied resisting the officers, He stated that when the officer who was searching him grabbed and manipulated his knee brace, causing him pain, he moved his knee. He also stated that he verbally questioned the officers' right to search him.

The named officer stated that the complainant's son was arrested for being a pedestrian in the roadway and because he physically and verbally resisted being pat searched by pulling away from the officers. He stated that he and his partner jointly decided to place the complainant's son under arrest. His partner stated that he had little independent recollection of this incident and relied on the police report written by the named officer in providing an account of what happened.

No other witnesses were identified. There was insufficient evidence to either prove or disprove the allegation.

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**SUMMARY OF ALLEGATION #5:** The officer engaged in biased policing due to race.

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

**FINDINGS OF FACT:** The complainant stated that her juvenile son was detained, searched and arrested after she dropped him off from her car at an intersection. The complainant believed that her son was racially profiled.

The complainant's son stated he exited his mother's car from the front passenger seat at the corner of the intersection, then stepped onto the sidewalk and waited for the traffic light to change before he started to cross the street. He looked behind him, saw two officers in a patrol car driving slowly, and assumed they might stop him. He may have pulled his hood over his head as he crossed the street. One of the officers said something, but he didn't recall what it was. The officers then exited their car and detained him. One officer searched and handcuffed him and the officers transported him to the police station.

The named officer and his partner were interviewed pursuant to OCC's Biased Policing Investigation Protocol. Both denied that any of their actions were based on the complainant's son race. They stated they were not aware of the complainant's race or her son's race when they saw her son commit the violation that caused them to detain him.

No other witnesses were identified. There was insufficient evidence to either prove or disprove the allegation.

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**DATE OF COMPLAINT:** 06/17/13    **DATE OF COMPLETION:** 04/07/14    **PAGE#** 1 of 3

**SUMMARY OF ALLEGATION #1:** The officer used unnecessary force on the complainant's son.

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

**FINDINGS OF FACT:** The complainant stated that her son went onto the roof of their neighbor's home without the neighbor's permission. Officers responded and arrested her son and as they were arresting him, the named officer used unnecessary force by repeatedly punching her son.

The complainant's son stated that officers contacted him as he was sitting on his neighbor's roof. When an officer removed his hat, he attempted to grab it back, and this officer grabbed his left arm, turned him onto his stomach and pulled his left arm behind his back. He stated that his right arm was underneath his chest, and the weight of one officer's knee on his back trapped his right hand between his chest and the surface of the roof. He denied refusing to release his right arm. He heard an officer tell him to stop resisting and an officer then punched him several times in the side.

A civilian witness stated that when an officer grabbed the complainant's son's arm, he tucked his other arm inside his coat and underneath his waist, as though he was holding something in his hand. This civilian witness stated that the complainant's son resisted the officers' attempts to gain control of the hand he had underneath him, and that the officers gained control of that hand only after one officer kned him in the side. This witness did not see an officer punch the complainant's son. Other civilian witnesses stated that they did not see the struggle preceding the handcuffing of the complainant's son.

The named officer stated he went up to the rooftop and saw the complainant's son seated against the wall with two officers on either side of him. The named officer stated he saw the complainant's son take a swing at and try to strike one of the officers. He ran over to assist the officers who were attempting to handcuff the complainant's son. He stated that the complainant's son had his hand in his waistband, refused to pull it out, and that he feared the complainant's son might have a weapon in his hand. The named officer punched the complainant's son in the ribs several times and may have kned him as well, after which officers were able to extract his hand and handcuff him. Three witness officers confirmed the named officer's description of the resistance offered by the complainant's son.

Photographs of the complainant's son taken at the police station showed abrasions on the back of his right hand. No other witnesses came forward. A preponderance of the evidence established that the named officer punched the complainant's son because officers could not extract his right hand from underneath his torso. However, there was insufficient evidence to establish whether the complainant's son intentionally resisted by refusing to release his right hand or whether he was unable to move his right hand because it was trapped under his torso due to an officer's weight on his back. Therefore, there was insufficient evidence to prove or disprove the allegation.

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**SUMMARY OF ALLEGATION #2:** The officer engaged in inappropriate behavior.

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

**FINDINGS OF FACT:** The complainant stated that the named officer removed a pair of latex gloves he was wearing and threw them at her. One civilian witness stated that he saw an officer remove his gloves and throw them in the direction of the complainant. A second civilian witness stated that an officer removed gloves and threw them on the roof, but thinks he then turned around and picked them up. This witness also stated the complainant asked an officer for his gloves and that he handed the gloves to her.

The named officer stated that the complainant asked for his gloves as evidence of police brutality, and that he gave them to her by placing them in her hand or dropping them in front of her. The named officer's partner stated that the complainant said she wanted the named officer's gloves as evidence and the named officer handed them to her. A witness officer stated that the complainant asked the named officer for his gloves as evidence of his excessive force and that the named officer handed them to her. Other officers who were present stated that they did not recall any interaction between the complainant and the named officer about gloves.

No other witnesses came forward. There was insufficient evidence to prove or disprove the allegation.

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

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

**FINDINGS OF FACT:** The complainant stated that her son went onto the roof of their neighbor's home without the neighbor's permission. Officers responded and arrested her son. The named officer stated that he responded to a report of a man on a roof and when he arrived, saw the complainant's son seated at the edge of the roof with one leg hanging over it. He and his partner went to the roof and attempted to engage the complainant's son in conversation, but he was largely unresponsive and uncommunicative.

The named officer stated that he feared the complainant's son might be suicidal. The named officer attempted to unzip the top of the complainant's son's jacket, which was covering his face, so he could see his face to assess his mood and demeanor. The complainant's son swung his arm, knocking the named officer's arm away, and the named officer handcuffed him. The named officer arrested the complainant's son for trespassing on the neighbor's roof and the neighbor signed a citizen's arrest form. Department records confirmed that the owner of the property signed a citizen's arrest form.

The evidence proved that the acts, which provided the basis for the allegation, occurred. However, such acts were justified, lawful and proper.

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**SUMMARY OF ALLEGATION #4:** The officer failed to properly process property.

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

**FINDINGS OF FACT:** The complainant stated that when her son was arrested on her neighbor's roof, an officer took his cell phone. Later, when her son was released at the police station, his cell phone was missing. The complainant's son stated that after he was handcuffed, an officer searched him and removed his wallet and cell phone from his pockets. When his property was returned to him at the police station, his cell phone was missing.

The named officer, acting in the capacity as a Field Training Officer, was supervising his partner, a recruit officer. The named officer's partner stated that after he and the named officer handcuffed the complainant's son and placed him under arrest, he searched the complainant's son on the roof, removed a wallet and cell phone from his pockets and placed them on the roof nearby. The named officer's partner stated that he did not do anything else with the wallet and cell phone and never saw them again. He stated that other officers transported the complainant's son to the station and that he and the named officer remained at the scene to conduct additional investigation. He did not handle any of the complainant's son's property and did not know how it was transported to the station.

The named officer stated that after he and his partner arrested and handcuffed the complainant's son on a rooftop, he was talking to the complainant. His partner searched the complainant's son while he was talking to the complainant, and he did not recall observing the search or seeing any items taken from the complainant's son. He stated that he did not see any of the complainant's son's property at the scene and did not talk to any other officer about the property.

A witness officer stated that he saw the complainant's son's backpack on the trunk of the patrol car that was about to transport the complainant's son to the police station, placed it in his own car and transported it to the station, but he denied opening the backpack or doing anything with its contents. Other officers who were present denied moving the complainant's son's backpack or any of his property from the roof to the street, and all denied ever seeing his cell phone.

The evidence established that the named officer and his partner arrested the complainant's son and were responsible for searching him and securing property taken from him. The evidence established that the named officer's partner, a recruit officer who had graduated from the Academy five weeks earlier, searched the complainant's son and seized his cell phone and wallet, which this officer left on the roof. The evidence established that as a Field Training Officer for a recruit in the first stage of field training, the named officer was obligated to ensure that his partner complied with department regulations concerning property processing but failed to do so. 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.

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**DATE OF COMPLAINT:** 06/24/13    **DATE OF COMPLETION:** 04/16/14    **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant stated she had constructed an art piece and attached it to a garden tool. During a public protest, she set the garden tool and art piece in a tree and left it there. The complainant said the police stole and damaged her artwork. The complainant admitted that she was not with her artwork when the police seized it.

The officer denied the allegation. The officer stated that during the protest, he observed an unidentified male carrying a hoe with a banner attached to it. The male then attached the hoe with the banner to a chain link fence and walked away. The officer described the hoe as being five feet long with a flat metal edge on one side and a sharp two-pronged fork on the other side. The officer stated that he determined the hoe and banner could be used as a weapon and confiscated the hoe and banner for safekeeping. It was later booked at the station. The officer stated that he was not able to provide a property receipt to anyone or give verbal notice regarding the confiscation of the hoe, due to the hostility of the demonstrators and for officer safety.

The evidence showed that no one was with the hoe when it was seized. The officer reviewed photographs of the complainant and her artwork that the complainant had submitted to the OCC, but the officer was not able to identify the complainant or her property from the photographs. The officer said he was not able to determine if the property he seized belonged to the complainant.

No independent witnesses were identified. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 06/27/13    **DATE OF COMPLETION:** 04/04/14    **PAGE #** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officer detained an individual without cause.

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

**FINDINGS OF FACT:** The complainant and her friend stated they saw the officer detaining a man who appeared not to be doing anything wrong.

The named officer stated the man fit the description of a suspect attempting to break into cars in the neighborhood. The officer stated that the man was briefly detained and then released.

The man who was detained by the officer has not been identified.

No other witnesses came forward. There was insufficient evidence to prove or disprove the allegation.

**SUMMARY OF ALLEGATION #2:** The officer issued an invalid order.

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

**FINDINGS OF FACT:** The complainant stated the officer told the people across the street to go back into their residences.

The named officer denied the allegation.

No other witnesses came forward. There was insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 06/25/13    **DATE OF COMPLETION:** 04/16/14    **PAGE#** 1 of 2

**SUMMARY OF ALLEGATION #1:** The officer wrote an inaccurate/incomplete incident report.

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

**FINDINGS OF FACT:** The complainant stated the officer lied and withheld information and evidence from the police report.

The named officer and his partner denied the allegation.

No witnesses came forward. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

**SUMMARY OF ALLEGATIONS #2 & 3:** The officers failed to take a required action.

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

**FINDINGS OF FACT:** The complainant stated that she wanted to press charges against her mother for assault and the named officers refused.

The officers stated the complainant did not want to press charges, but wanted the incident documented. As requested, a report was made.

No witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 06/25/13    **DATE OF COMPLETION:** 04/16/14    **PAGE#** 2 of 2

**SUMMARY OF ALLEGATION #4:** The officer acted inappropriately.

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

**FINDINGS OF FACT:** The complainant stated the officer advised her mother on how to evict her from their shared apartment.

The officer denied the allegation.

No witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 04/16/13      **DATE OF COMPLETION:** 04/21/14      **PAGE #1** of 3

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

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

**FINDINGS OF FACT:** The complainants stated they were driving when they were stopped by the named officers for no apparent reason.

The named officers stated they stopped the complainants' vehicle after noticing a broken right taillight. The co-complainant, who was driving the vehicle, was cited for this violation. The co-complainant admitted to having a broken taillight.

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

**SUMMARY OF ALLEGATION #3:** The officer used unnecessary force.

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

**FINDINGS OF FACT:** The complainants alleged that the named officer used unnecessary force on the complainant. The complainant stated the named officer ordered her to step out of the vehicle. As she was unbuckling her seatbelt, the named officer punched her five times in the face for no reason.

The co-complainant stated that, while being detained by the officer's partner at the back of the vehicle, the conversation between the named officer and the complainant escalated. The co-complainant stated he saw the officer punch the complainant several times in the face.

The named officer stated he saw an unlabeled prescription pill container on the floorboard containing suspected marijuana. He started to conduct a narcotics investigation and repeatedly ordered the complainant to step out of the vehicle, but each time the complainant refused. The named officer stated he reached in to unbuckle the complainant's seatbelt and, as he was doing so, the complainant bit his hand and kicked him in the groin, prompting him to deliver a distraction strike to the complainant. The officer stated he reached in again to unbuckle the seatbelt, but she pulled away, struggled and bit him again, prompting him to deliver a second strike. The named officer's partner corroborated the named officer's account of what happened.

No independent witnesses were identified. There was insufficient evidence to determine the level of force necessary to detain the complainant. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 04/16/13      **DATE OF COMPLETION:** 04/21/14      **PAGE #2** of 3

**SUMMARY OF ALLEGATION #4:** The officer issued a citation without cause.

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

**FINDINGS OF FACT:** The named officer cited the co-complainant for a broken taillight. The co-complainant admitted to the violation.

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

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

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

**FINDINGS OF FACT:** The named officer cited the complainant for resisting arrest and battery on a police officer.

The complainant denied these allegations.

No independent witnesses were identified. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 04/16/13      **DATE OF COMPLETION:** 04/21/14      **PAGE #3** of 3

**SUMMARY OF ALLEGATIONS #6-7:** The officers engaged in biased policing due to race.

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

**FINDINGS OF FACT:** Both officers were interviewed pursuant to OCC's Biased Policing Investigation protocol. Both officers denied the allegation. The officers denied knowing the complainants' race prior to the stop and denied that race played a role in their decision to stop the complainants.

No other witnesses were identified. There was insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #8:** The officer wrote an inaccurate and/or incomplete report.

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

**FINDINGS OF FACT:** The complainants alleged that the named officer's incident report was inaccurate.

The named officer and his partner denied the allegation.

No other witnesses were identified. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/19/13      **DATE OF COMPLETION:** 04/01/14      **PAGE #1** of 1

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

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

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/22/13      **DATE OF COMPLETION:** 04/14/14      **PAGE#** 1 of 4

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

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

**FINDINGS OF FACT:** The complainant denied committing the crime for which he was arrested. The officer stated he spoke to the victim who provided a description of the suspect while at the scene. The officer located the complainant a short distance from the location of the crime and detained the complainant because he matched the description provided by the victim. The officer stated the victim, who positively identified the complainant as the suspect, signed a Cold Show Admonition and completed a written statement. The victim corroborated that she identified the complainant who had committed the attempted robbery.

Based on the evidence, the officer had probable cause to arrest the complainant.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/22/13      **DATE OF COMPLETION:** 04/14/14      **PAGE# 2 of 4**

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

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

**FINDINGS OF FACT:** The complainant said the officer grabbed his arm and pulled it in a manner that caused him great pain. The complainant said the officer also threw him to the ground and placed his leg on his head, which caused him pain and redness to his cheek.

The officer denied that he used unnecessary force. The officer said the complainant resisted him and that he used only enough force to maintain control of the complainant. The officer said another officer assisted him with handcuffing the complainant.

A witness officer said he observed the named officer struggling with the complainant who was resisting. The witness officer stated he assisted the named officer in handcuffing the complainant. The witness officer denied seeing the officer use any unnecessary force against the complainant. Both officers stated they did not observe any injury to the complainant's face nor did they hear the complainant complain of pain.

A third officer, who arrived after the complainant was in custody, denied that he heard the complainant complain of pain or observe any injury to the complainant's face.

The victim stated she observed the complainant after he had been handcuffed. The victim stated at that time, the complainant was angry, screaming and pulling away from the officer's grasp.

No other witnesses were identified.

There was insufficient evidence to either prove or disprove that the level of force used by the named officer was minimally necessary to detain the complainant.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/22/13      **DATE OF COMPLETION:** 04/14/14      **PAGE# 3 of 4**

**SUMMARY OF ALLEGATION #3:** The officer made an inappropriate comment.

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

**FINDINGS OF FACT:** The complainant said the officer made an inappropriate comment.

The officer denied the allegation. A witness officer denied that he heard the named member make the alleged comment.

No other witnesses were identified. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/22/13      **DATE OF COMPLETION:** 04/14/14      **PAGE#** 4 of 4

**SUMMARY OF OCC ADDED ALLEGATIONS #1-2:** The officers failed to follow procedures as stated in DGO 7.01

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

**FINDINGS OF FACT:** Department General Order 7.01 restricts when juveniles and or children may be taken to a facility that contains a lockup for adults. The officer transported the complainant, a child, to the station for additional investigation, which has a lockup for adults.

One of the named officers stated once the victim identified the complainant and while still out at the scene, he contacted the complainant's mother and advised her that the complainant would be transported to the city youth guidance center. The named officer stated his supervisor arrived and instructed him to transport the complainant to the station for further investigation.

The supervisor, the second named officer, stated a reasonable effort was made to investigate the merits of the robbery at the incident scene. The supervisor stated due to the early morning hour, it was not reasonable, safe or advisable to conduct the rest of the robbery investigation in the field. The supervisor stated the area was not safe for the robbery victim or the juvenile robbery suspect.

The incident report documented that the complainant was held in a non-secured location. The appropriate logs were completed and the complainant was searched, at which time, he was found to be wearing an ankle monitor bracelet.

There was no evidence that the department order was violated in this incident. The evidence proved that the acts, which provided the basis for the allegation, occurred; however, such acts were justified, lawful, and proper.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/30/13    **DATE OF COMPLETION:** 04/09/14    **PAGE#** 1 of 2

**SUMMARY OF ALLEGATIONS #1 & 2:** The officers arrested the complainant without cause.

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

**FINDINGS OF FACT:** The complainant stated she was arrested even though she called for police assistance after engaging in a physical fight with her adult daughter. The complainant stated she told officers she and her daughter threw heavy objects at one another. The complainant admitted to striking her daughter with a cane. The complainant stated the officers misidentified her and, therefore, believed she had an outstanding arrest warrant. The complainant stated she was wrongly arrested based on the outstanding warrant, which was unrelated to the fight with her daughter.

The officers stated the complainant was positively identified. The officers stated the complainant did not have an outstanding arrest warrant and was arrested solely because the evidence showed she committed an assault. The officers stated the complainant admitted to throwing objects at her daughter. The named officers and a witness officer stated they observed the daughter's injuries and a dent in the complainant's cane. The daughter corroborated she told officers the complainant threw things at her and hit her with a cane.

Department records indicate the complainant was correctly and positively identified. There was no evidence to indicate the complainant was arrested due to an outstanding warrant.

The officers properly performed their duties when they arrested the complainant based on physical evidence and statements made by the complainant and the victim. The evidence proved the acts, which provided the basis for the allegations, occurred; however, such acts were justified, lawful, and proper.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/30/13    **DATE OF COMPLETION:** 04/09/14    **PAGE#** 2 of 2

**SUMMARY OF ALLEGATIONS #3 & 4:** The officers failed to properly process the complainant's property.

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

**FINDINGS OF FACT:** The complainant stated officers confiscated her cane before she was booked at County Jail. The complainant stated her cane was not returned with her other property upon her release from County Jail. Due to the OCC investigation, the complainant stated she is now aware that her cane is being held at the Department's Property Control section and she acknowledged the process to retrieve her property.

The officers stated the complainant's cane was retained by the Department and booked as evidence because it was used as a weapon during an assault. The officers stated their duties do not include returning property to persons released from County Jail. Department records indicate the cane was properly booked and retained by the Department's Property Control section as evidence of a crime. Department records indicated the cane is currently available for pickup from the Property Control section.

The officers properly performed their duties properly when they booked the complainant's cane as evidence. The evidence proved the acts, which provided the basis for the allegations, occurred; however, such acts were justified, lawful, and proper.

**SUMMARY OF ALLEGATIONS #5 & 6:** The officers made inappropriate comments and engaged in inappropriate behavior.

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

**FINDINGS OF FACT:** The complainant stated the responding officers laughed at her and made false comments about the complainant's record of arrests and incarceration.

The officers denied making any false or inappropriate statements. The officers stated they did not discuss the complainant's criminal record. The named officers denied laughing at the complainant and one officer described the incident as upsetting and concerning. Witness officers stated no officers were laughing at the complainant.

No other witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/01/13    **DATE OF COMPLETION:** 04/08/14    **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant stated he is a member of the “Urban Nudists,” and goes for twenty-minute walks in a business/retail section of the city. He stated that on the date of this incident, he was taking his usual walk wearing a loincloth, but in full compliance of San Francisco Police Code section 154. He stated two officers stopped him and informed him that he was breaking the law by exposing his anus. He argued with the officers that his anus was not exposed since he was walking upright. He stated the officers argued with him for twenty minutes, pressuring him to get dressed. He refused, prompting the named officer to issue him a citation.

The officers stated they received complaints from two pedestrians that a naked man (complainant) was walking in the area. One of the pedestrians expressed concern about the impact the complainant’s actions had on the children who saw the complainant walking. The officers located the complainant and explained to him that he was violating section 154(b) of the Municipal Police Code. The officers saw the small gold cloth that the complainant was wearing only covered the complainant’s penis. Neither the complainant’s testicles nor his anus were covered. The officers stated they gave the complainant more than the required five minutes to cover the exposed areas of his body, or he would be issued a citation. The complainant refused, continued to argue with the officers and was subsequently cited by the named officer pursuant to Municipal Police Code section 154(b).

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/11/13    **DATE OF COMPLETION:** 04/10/14    **PAGE#** 1 of 3

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

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

**FINDINGS OF FACT:** In his written complaint, the complainant said he was arrested without cause. The complainant stated he was mistakenly in a bad part of town, asked the officer for directions and was subsequently arrested on drug charges. The complainant and the co-complainant have not responded to OCC's request for an interview.

The officer denied the allegation. The officer said he was on patrol when he observed the complainant's car parked on the street with smoke emanating from the car's front window. The officer also noticed an unknown male leaning into the passenger side of the car. The unknown male noticed the officer and walked away. The officer approached the complainant's car and saw suspected narcotics in plain view inside the car. The complainant was subsequently taken into custody and booked on drug charges.

No witnesses were identified. There was insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #2:** The officer conducted a pat search without cause.

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

**FINDINGS OF FACT:** In their written complaints, the complainant and the co-complainant stated that the officer illegally searched them without cause. The complainant and the co-complainant have not responded to OCC's request for an interview.

The officer denied the allegation. The officer said he was on patrol when he observed the complainant's car parked on the street with smoke emanating from the car's front window. The officer also noticed an unknown male leaning into the passenger side of the car. The unknown male noticed the officer and walked away. The officer approached the complainant's car and saw suspected narcotics in plain view inside the car. The complainant was subsequently taken into custody, searched and booked on drug charges.

No witnesses were identified. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/11/13    **DATE OF COMPLETION:** 04/10/14    **PAGE#** 2 of 3

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

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

**FINDINGS OF FACT:** In their written complaints, the complainant and co-complainant stated the officer was unprofessional, disrespectful, used profanity, verbally threatening. The complainant and the co-complainant have not responded to OCC's request for an interview.

The officer denied the allegation. The officer said he and the officers on scene were calm and professional, while the complainant was angry and combative.

No independent witnesses were identified. There was insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #4:** The officer placed tight handcuffs on the complainant.

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

**FINDINGS OF FACT:** The complainant said the officer placed tight handcuffs on him.

The officer denied the allegation. The officer stated the handcuffs were doubled-locked and checked for the proper degree of tightness. The officer and a witness officer further said they did not recall the complainant complaining about his handcuffs. The officer stated there were no visible injuries on the complainant.

A witness officer stated he checked the complainant's handcuffs and noticed the complainant had twisted his hands in them. The witness officer then re-handcuffed the complainant and checked the handcuffs for the proper degree of tightness.

No independent witnesses were identified. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/11/13      **DATE OF COMPLETION:** 04/10/14      **PAGE #3** of 3

**SUMMARY OF ALLEGATION #5:** The officer engaged in biased policing due to race.

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

**FINDINGS OF FACT:** In their written complaints, the complainant and the co-complainant stated they were racially profiled. The complainant and co-complainant did not respond to OCC's request for an interview.

The officer was interviewed pursuant to the OCC's Biased Policing Investigation Protocol. He denied the allegation. The officer said he had no prior contacts with the complainants, and he did not know their race or ethnicity before the contact.

No independent witnesses were identified. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/02/13      **DATE OF COMPLETION:** 04/28/14      **PAGE #** 1 of 2

**SUMMARY OF ALLEGATION #1:** The officer conducted a traffic stop without cause.

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

**FINDINGS OF FACT:** The complainant stated that the officer stopped her and accused her of being on her cell phone. The complainant stated she was merely touching her cell phone that was flat on the console.

The officer denied the allegation. The officer stated the complainant had her cell phone on her right hand and was stopped at the red light waiting to make a left turn but sat through the green light, prompting him to stop the complainant.

No witnesses came forward. There was insufficient evidence to prove or disprove the allegation.

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

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

**FINDINGS OF FACT:** The officer cited the complainant for violating California Vehicle Code section 23123(a), Hand Held Wireless Telephone Prohibited Use, which states:

A person shall not drive a motor vehicle while using a wireless telephone unless that telephone is specifically designed and configured to allow hands-free listening and talking, and is used in that manner while driving.

The complainant denied using her cell phone.

No witnesses came forward. There was insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/02/13      **DATE OF COMPLETION:** 04/28/14      **PAGE #** 2 of 2

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

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

**FINDINGS OF FACT:** The complainant stated that the complainant behaved inappropriately, laughing at her and threatening her with arrest when she questioned his actions.

The officer denied the allegation and said that he acted professionally during the traffic stop.

No witnesses came forward. There was insufficient evidence to prove or disprove the allegation.

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

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

**FINDINGS OF FACT:** The officer conducted a traffic stop. Department Bulletin 13-091, Traffic Stop Data Collection Program Information, states in part, "Members are reminded that E585 entries shall be made after any vehicle stops related to the following incidents...."

The officer stated he is familiar with the requirements of DB 13-091 but just forgot to do the entry.

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.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/09/13    **DATE OF COMPLETION:** 04/08/14    **PAGE #1** of 1

**SUMMARY OF ALLEGATIONS #1-3:** The officers used unnecessary force during the detention.

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

**FINDINGS OF FACT:** The complainant stated that he was in the house where he, his son and his mother live. He was upstairs when police came to the house and told him to get dressed and come with them. The complainant said he grabbed a screwdriver and walked down the stairs to where the officers were. He thinks that he dropped the screwdriver but he does not know what happened. The next thing he recalled, he was on the laundry room floor downstairs and his head had a bump on it and his knees were bruised. The officers had him in handcuffs, and they detained him for a mental health evaluation.

The first two officers to arrive stated that the complainant's mother told them her son (the complainant) was threatening her and that he was upstairs with his son. The officers went upstairs and the complainant immediately jumped up from bed, grabbed his son and pointed a screwdriver at his son's head. The officers convinced the complainant to drop the screwdriver and walk downstairs. Once downstairs, the first officer grabbed the complainant's arm and the second officer grabbed the complainant's upper torso. They held the complainant like that for several minutes until a third officer arrived and helped them handcuff the complainant. They stated that the complainant told them he was not injured. The complainant was then detained by the officers for a mental health evaluation and taken to a medical facility.

There were no independent witnesses to this incident.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/09/13    **DATE OF COMPLETION:** 04/22/14    **PAGE#** 1 of 3

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

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

**FINDINGS OF FACT:** The complainant admitted to illegally parking in a yellow zone and then fleeing from the named officer when he tried to issue her a citation for the violation. The complainant was detained by other officers several blocks away and subsequently cited for numerous violations.

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

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

**FINDINGS OF FACT:** The complainant was cited for numerous violations. While the complainant admitted to some of the violation, she denied some.

No independent witnesses were identified.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/09/13    **DATE OF COMPLETION:** 04/22/14    **PAGE#** 2 of 3

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

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

**FINDINGS OF FACT:** The complainant admitted that after the traffic stop, she got out of her car and began to argue with the detaining officers. The complainant said she ignored the officers' orders to get back into her car.

The named officer stated that, because the complainant was uncooperative and had just fled another officer while in the process of issuing her a citation, the named officer decided to handcuff her for officer safety, her safety and the safety of others while investigating the incident.

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

**SUMMARY OF ALLEGATION 4:** The officer used unnecessary force.

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

**FINDINGS OF FACT:** The complainant said the officer threw her against a car and then threw her onto the ground and placed the handcuffs so tightly upon her wrists that they left red marks after they were removed. The complainant said that when she complained to the officer that the handcuffs were causing her pain and requested that he loosen them, the named officer ignored her.

The named officer said he used only enough force necessary to gain control of the complainant who was resisting and uncooperative.

No independent witnesses were identified.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/09/13    **DATE OF COMPLETION:** 04/22/14    **PAGE#** 3 of 3

**SUMMARY OF ALLEGATIONS #5-7:** The officers behaved inappropriately or made inappropriate comments.

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

**FINDINGS OF FACT:** The complainant said two of the officers made inappropriate comments to her and one of the officers behaved inappropriately.

The named officers denied the allegation.

No independent witnesses were identified.

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

**SUMMARY OF ALLEGATIONS #8-9:** The officers engaged in biased policing due to race.

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

**FINDINGS OF FACT:** The named officers were interviewed pursuant to OCC's Biased Policing Investigation Protocol. They denied the allegation, stating that the complainant's race did not play a role in their investigation.

No independent witnesses were identified.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/14/13 **DATE OF COMPLETION:** 04/21/14 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officer released confidential information.

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

**FINDINGS OF FACT:** The complainant stated that his fiancé was robbed of her cell phone while riding Muni. A suspect was caught, who told a Sergeant that, while in custody, he saw the victim's home address. Officers notified the victim in an effort to keep her informed. The complainant stated he does not believe the police willingly or deliberately provided the victim's address to the suspect, but he believes police were negligent in allowing it to occur.

The incident report confirms that the complainant's fiancé was robbed of her cell phone while riding Muni. A juvenile suspect was arrested 10 days after the robbery. During a recorded interview with a Sergeant, the suspect stated that, while in custody, he saw the victim's home address. When pressed about what he knew, the suspect was unable to provide the exact address, but did provide the street name.

The arresting officers were both interviewed at the OCC. Both officers denied any knowledge of how the suspect could have seen the victim's information while in custody. Both officers stated that the suspect was taken into the station through a side entrance and was never walked past or seated near a computer terminal. The incident report states that one of the officers called the suspect's parents and let the suspect speak to his father, but the officers both stated that the telephone conversation took place on a cell phone while the suspect was seated on the juvenile holding bench.

A tour of the police station was conducted and it was observed that the juvenile holding bench is in the same room as the report writing terminals; however, it was too far away to be able to see any written details on the computer screens.

Attempts to obtain permission from the parents to speak with the juvenile suspect were unsuccessful.

No other witnesses were identified. The identity of the alleged officer has not been established.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/15/13      **DATE OF COMPLETION:** 04/30/14      **PAGE #1** of 1

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

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

**FINDINGS OF FACT:** The complainant stated that he is a transgender male and that he received a voicemail message from an officer referring to him as “Miss.” The complainant was offended by the use of this title and believes the officer purposely referred to him as a female.

The named officer confirmed that he unsuccessfully attempted to reach the complainant several times to discuss criminal threats that the complainant had allegedly made to a health clinic. He stated that he has never met or spoken to the complainant. The officer stated that at the time that he made the phone calls, he was referring to an index card that had the complainant’s name and phone number written on it, with no other gender identifying information. The officer stated that if he used the wrong title, it was due to the spelling of the complainant’s first name, and not meant to offend the complainant.

No witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/16/13 **DATE OF COMPLETION:** 04/22/14 **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant stated he was stopped for committing a red light violation while bicycling. The complainant stated the named officer mocked him for being unaware of the violation. The complainant stated the named officer made condescending and patronizing comments regarding the complainant to an unknown passerby. The complainant further stated the named officer followed him after he was given a citation.

The named officer stated she could not recall the details of any conversation made with either the complainant or passersby during the traffic stop. The named officer stated she does not remember following the complainant. A witness officer stated the complainant was not followed and that she did not observe any inappropriate behavior or comments.

No other witnesses were identified. There was insufficient evidence to either prove or disprove the allegation.

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

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

**FINDINGS OF FACT:** The complainant stated he was cited for failure to stop at a red light. The complainant stated the citation contained inaccurate speed and location information.

The named officer stated she cited the complainant for failure to stop at a red light. The officer stated she approximated the complainant's speed, which was irrelevant to the red light violation. The officer stated the complainant's traffic violation took place one block from the location listed on the citation. A witness officer and department records also indicate the traffic stop took place one block from the location listed on the citation.

While the evidence does establish a clerical error was made, there was no evidence the clerical error constituted sustainable misconduct (e.g., evidence that the error was made because of inappropriate intent or negligence on the officer's part, or evidence that the error caused harm to the complainant or others).

No other witnesses were identified. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/21/13 **DATE OF COMPLETION:** 04/21/14 **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant said she called her sister and told her she planned to kill herself. The complainant's sister had her boyfriend call the police while she maintained the complainant on the line until several officers arrived.

The complainant refused to allow the officers to enter the front-gated entrance to her residence. The complainant walked into her residence to speak with her sister in private when several officers gained entry and tackled her from behind, causing her to fall and causing laceration to her eyebrow.

The named officer stated the complainant was generally incoherent and uncooperative, but that she did express suicidal ideations. When the complainant walked into her residence and away from the officers' view, the named officer forced the front gate open. The officer said the complainant pushed an interior door to keep the officers out. The named officer said the complainant resisted by pushing on the door. He grabbed one of the complainant's hands and executed a bar arm takedown.

Witness officers corroborated the named officer's account of what happened.

No other witnesses were identified.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/21/13    **DATE OF COMPLETION:** 04/03/14    **PAGE#** 1 of 1

**SUMMARY OF ALLEGATIONS #1 & 2:** The officers behaved inappropriately and/or made inappropriate comments.

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

**FINDINGS OF FACT:** The primary complainant stated he called the police after being threatened by one of his neighbors. The primary complainant stated that the named officers were unprofessional, hostile, belligerent, condescending, one sided, and refused to answer questions.

The co-complainant said the officers made them feel that they were the instigators and that it was the complainants' their fault.

The named officers stated they responded to the location regarding a verbal altercation between two parties. The officers said they were professional, calm, and courteous.

No independent witnesses were identified. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/26/13    **DATE OF COMPLETION:** 04/30/14    **PAGE# 1 of 3**

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

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

**FINDINGS OF FACT:** The complainant stated he got off a bus and arrived at his friend's house where they discovered the door to the house was locked. At the time, the complainant placed half of a penicillin pill from his pocket into his mouth to relieve his oral pain. Suddenly, an officer grabbed the complainant and began to choke him. He was unaware of the officers' presence up until that time. The complainant stated he was not engaged in any illegal conduct at the time of his detention.

The witness stated he lived at the location and took the complainant to his house for a glass of water to take his pain pill, but the door to the residence was locked. The witness stated the officers came around the corner of the building and grabbed and choked the complainant.

The officer stated he observed the complainant and believed he was attempting to conceal himself. Upon making contact with the complainant, the officer said the complainant engaged in suspicious behavior by attempting to flee and inserting something into his mouth. The officer said he had reasonable suspicion to detain the complainant.

Witness officers stated they did not see the complainant try to conceal himself nor see the complainant put something into his mouth. No other witnesses were identified. There was insufficient evidence to either prove or disprove the allegation.

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

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

**FINDINGS OF FACT:** The complainant stated he was not engaged in any illegal conduct when he was detained and subsequently arrested. The witness denied the complainant physically resisted the officers, though the complainant questioned the actions of the officers. The witness did not observe the complainant put the pill into his mouth.

The officer said the complainant attempted to conceal himself, attempted to flee, and placed suspected contraband into his mouth in an attempt to destroy evidence. During the arrest, suspected narcotics fell from the complainant's pant leg while at the scene. Based on the totality of the circumstances, the officer said he had probable cause to arrest the complainant. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/26/13      **DATE OF COMPLETION:** 04/30/14      **PAGE# 2 of 3**

**SUMMARY OF ALLEGATIONS #3-4:** The officers used unnecessary force.

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

**FINDINGS OF FACT:** The complainant stated that during the arrest several officers placed their hands around his neck and choked him. The complainant's witness corroborated that he saw several officers choke the complainant.

The named member said he used reasonable force to detain and arrest the complainant. The officer said he used the mastoid pain compliance technique on the complainant after the complainant placed what the officer believed to be illegal contraband into his mouth. Other officers at the scene said they did not see the actions of the complainant that led up to his detention.

Several of the officers saw the named members use of the mastoid technique on the complainant, but they all denied that they used any force against the complainant.

No independent witnesses were identified. There was insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #5:** The officer searched the complainant without cause.

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

**FINDINGS OF FACT:** The complainant stated officers searched his backpack and his person.

The named officer stated he conducted a transportation search of the complainant prior to taking the complainant to the police station. The officer documented his actions by providing a statement for the incident report. The officer's statement explained that while performing the transportation search of the complainant, a bag fell out of the complainant's pant leg and onto the ground. He secured the plastic bag and identified the bag, based on his prior training and experience, as an off-white, rock like substance, to be consistent with cocaine base.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/26/13      **DATE OF COMPLETION:** 04/30/14      **PAGE# 3 of 3**

**SUMMARY OF ALLEGATION #6:** The officer engaged in biased policing.

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

**FINDINGS OF FACT:** The complainant stated he believed the officer detained, arrested and used unnecessary force on him because of the complainant's race.

The named officer was interviewed pursuant to OCC's Biased Policing Investigation Protocol. The named officer denied the allegation. The officer stated that when he first observed the complainant and the other male individual at the building line, he was aware that they were African American.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/29/13      **DATE OF COMPLETION:** 04/22/14      **PAGE#** 1 of 2

**SUMMARY OF ALLEGATION #1:** The officer drove improperly.

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

**FINDINGS OF FACT:** The complainant, who wished to remain anonymous, stated the named officer drove in a reckless and unsafe manner, causing the complainant to swerve out of the way.

The named officer stated he could not recall the incident.

No witnesses were identified. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

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

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

**FINDINGS OF FACT:** The complainant, who wished to remain anonymous, stated the named officer pulled in front of his car twice and yelled at him. The complainant stated he did not feel free to leave while the officer yelled.

The named officer stated he could not recall the incident.

No witnesses were identified. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/29/13      **DATE OF COMPLETION:** 04/22/14      **PAGE#** 2 of 2

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

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

**FINDINGS OF FACT:** The complainant, who wished to remain anonymous, stated the named officer yelled at him and acted in an aggressive and intimidating manner.

The named officer stated he could not recall the incident.

No witnesses were identified. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

**SUMMARY OF ALLEGATION #4:** The officer used profanity.

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

**FINDINGS OF FACT:** The complainant, who wished to remain anonymous, stated the named officer told him to get his “shit together.”

The named officer stated he could not recall the incident.

No witnesses were identified. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/10/13    **DATE OF COMPLETION:** 04/14/14    **PAGE#** 1 of 3

**SUMMARY OF ALLEGATIONS #1:** The officer wrote citations without cause.

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

**FINDINGS OF FACT:** The complainants stated that they were cited without cause.

According to SFPD Personnel Order No. 8, issued on April 9, 2014, the named officer has retired and is no longer available and subject to Department discipline.

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

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

**FINDINGS OF FACT:** The complainants stated that the named officer behaved inappropriately and/or made inappropriate comments.

According to SFPD Personnel Order No. 8, issued on April 9, 2014, the named officer has retired and is no longer available and subject to Department discipline.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/10/13    **DATE OF COMPLETION:** 04/14/14    **PAGE#** 2 of 3

**SUMMARY OF ALLEGATIONS #3:** The officer improperly seized the complainant's property without cause.

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

**FINDINGS OF FACT:** The complainants stated that the officer seized and confiscated their musical instruments without cause.

According to SFPD Personnel Order No. 8, issued on April 9, 2014, the named officer has retired and is no longer available and subject to Department discipline.

**SUMMARY OF ALLEGATION #4:** The officer issued an inaccurate citation.

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

**FINDINGS OF FACT:** The complainants stated that the officer used the wrong code when he cited them.

According to SFPD Personnel Order No. 8, issued on April 9, 2014, the named officer has retired and is no longer available and subject to Department discipline.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/10/13    **DATE OF COMPLETION:** 04/14/14    **PAGE#** 3 of 3

**SUMMARY OF ALLEGATIONS #5:** The officer wrote an inaccurate and/or incomplete incident report.

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

**FINDINGS OF FACT:** The complainants stated that the officer wrote an inaccurate incident report.

According to SFPD Personnel Order No. 8, issued on April 9, 2014, the named officer has retired and is no longer available and subject to Department discipline.

**SUMMARY OF OCC ADDED ALLEGATION #1:** The officer failed to properly supervise his subordinate officer.

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

**FINDINGS OF FACT:** The officer failed to properly supervise a subordinate officer.

According to SFPD Personnel Order No. 8, issued on April 9, 2014, the named officer has retired and is no longer available and subject to Department discipline.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/11/13    **DATE OF COMPLETION:** 04/08/14    **PAGE#** 1 of 2

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

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

**FINDINGS OF FACT:** The complainant stated he called police twice and requested assistance in preventing a pit bull dog from attacking him. The complainant stated he was sitting and relaxing in the park while watching children play soccer. The complainant accused the dog's owner of intentionally directing the dog to the complainant by twice throwing a ball a short distance from where the complainant was sitting. The dog began barking at the complainant and came towards the complainant. The complainant had a bag in between him and the approaching dog. The dog began biting at the bag until the owner arrived and apologized for the dog's behavior. The complainant stated the dog's owner laughed about the incident and walked away.

The officers arrived to investigate the incident. Upon their arrival, the officers separated the two parties and talked to each party individually. The officers and the dog owner stated the dog was not a pit bull. The owner described his dog as a mixed-breed puppy, which did bark at the complainant out of curiosity and playfulness, but not aggression. He denied that his dog attacked the complainant or the complainant's bag.

The officers stated the dog was a small to medium size dog that was playing with children when the officers arrived. The officers stated the park contained several people, mostly parents of the children who were playing soccer as well as the number of children who were playing soccer. The officers stated there were other dogs in the area, and the officers did not see the subject dog displaying any aggressive behavior towards any person or other dog. The officers did not see any evidence to support the complainant's contention the dog had bitten his bag several times.

The officers spoke to other individuals who were present. These individuals stated they did not see the dog attack the complainant or the complainant's bag. These individuals reportedly told the officers it was the complainant who was the problem and not the dog owner. These individuals reportedly complained to the officers about the complainant's suspicious behavior and the complainant having no real purpose of being there except to watch the kids play soccer. These individuals told the officers that they wanted to remain anonymous.

An incident report was prepared documenting the officers' investigation. The evidence proved that the acts, which provided the basis for the allegation, occurred; however, such acts were justified, lawful and proper.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/11/13      **DATE OF COMPLETION:** 04/08/14      **PAGE#** 2 of 2

**SUMMARY OF ALLEGATIONS #3-4:** The officers failed to take the required action.

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

**FINDINGS OF FACT:** The complainant stated that the officers failed to cite the dog owner for having his dog off leash.

The dog owner admitted he was unaware of the law, but placed his dog on a leash at the direction of the officers who were investigating an incident of his dog being aggressive.

The officers stated the dog was a small to medium size dog, not a pit bull as described by the complainant. The officers stated the dog was playing with children when the officers arrived. The officers stated there were several people in the park. Those present in the park were mostly parents of the many children who were playing soccer. The officers stated there were other unleashed dogs in the area, and the officers did not see the subject dog displaying any aggressive behavior towards any person or other dog.

The officers stated they did not see or develop any evidence to support the complainant's contention the dog had bitten the complainant's bag several times in an effort to get at the complainant. Consequently, they did not issue a citation to the dog owner. The officers reportedly spoke to other individuals who were present, but these individuals stated they did not see the dog attack the complainant or the complainant's bag. The officers stated these individuals refused to furnish their names or contact information. An incident report was prepared documenting the officers' investigation.

Officers have discretion to issue or not issue a citation. As such, the evidence proved that the act, which provided the basis for the allegation, occurred. However, the act was justified, lawful and proper.

**SUMMARY OF ALLEGATIONS #5-6:** The officers behaved inappropriately and/or made inappropriate comments.

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

**FINDINGS OF FACT:** The complainant alleged the officers made inappropriate comments and laughed during their investigation of his complaint that he was attacked by a pit bull.

The officers denied the allegation. No independent witnesses were identified. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/13/13    **DATE OF COMPLETION:** 04/22/14    **PAGE#** 1 of 2

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

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

**FINDINGS OF FACT:** The complainant stated he was detained for public intoxication without justification. While the complainant admitted shouting at some people outside a small bistro, he denied being drunk. In addition, while the complainant admitted he had been drinking the night before, he was not intoxicated when he was taken into custody.

Department records showed that the complainant was booked for being drunk in public. The named officer described the complainant's condition and/or behavior as, "yelling with a heavy slur, flushed face, watery eyes, heavy eyelids, and a strong odor of an alcoholic beverage from his breath."

No witnesses were identified by the complainant or by the named officer.

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

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

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

**FINDINGS OF FACT:** The complainant alleged that the named officer used unnecessary force, shoving and slamming him to a doorway. The complainant refused to sign a medical release form.

The named officer denied using any force.

No witnesses were identified by the complainant or by the named officer.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/13/13    **DATE OF COMPLETION:** 04/22/14    **PAGE#** 2 of 2

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

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

**FINDINGS OF FACT:** The complainant alleged that the officer behaved inappropriately towards him.

The named officer denied the allegation.

No witnesses were identified by the complainant or by the named officer.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/23/13    **DATE OF COMPLETION:** 04/28/14    **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant stated that the officer's failure to accurately document her driver's license number and legibly write her address on her citation caused her to miss her court date and subsequently lose a work promotion due to her driving record. The officer acknowledged his clerical error.

Court records showed the officer submitted the citation to the court within two weeks of the incident and a courtesy notice was mailed to the wrong address. A court administrator stated that the courtesy notice is only a courtesy, not a requirement. In addition, the court administrator stated that if the driver's license number and address are inaccurate on the citation, the court is able to find the citation with a name and date of birth, or a copy of the citation. The court administrator stated that individuals who are cited sign a promise to appear and it is their responsibility to follow up with the court.

While the evidence does establish that a clerical error was made, there is no evidence that the clerical error constituted sustainable misconduct (e.g. evidence that the error was made because of inappropriate intent or negligence on the officer's part, or evidence that the error caused harm to the complainant or other due to the officer's error).

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

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

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

**FINDINGS OF FACT:** The complainant stated that the officer cited her for an unsafe lane change, tailgating and no proof of insurance. She stated that she presented the officer with proof of insurance and she did not tailgate or make an unsafe lane change.

The officer stated that he did not recall the incident, but he did write on the citation that the complainant told him, "Yeah it was an unsafe lane change but I didn't see you."

No witnesses were identified. There was insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/25/13    **DATE OF COMPLETION:** 04/14/14    **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant was cited for riding his bicycle through a stop sign without making a complete stop. The complainant denied the allegation, stating that he made a full stop at the stop sign.

No independent witnesses were identified.

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

**SUMMARY OF ALLEGATION #2:** The officer acted inappropriately and made inappropriate comments.

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

**FINDINGS OF FACT:** The complainant stated that he took out his cell phone while the named officer was citing him for running a stop sign on his bicycle. The complainant then walked a few steps away to take a picture of the officer's alleged vantage point because he believed there was no way the officer could have seen him at the intersection. The officer told him something to the effect of, "If you don't get over here, I'll take 30 minutes to finish and you'll have to wait." The complainant did not say anything more, accepted the ticket and left.

The officer stated that while he was issuing the complainant a citation, the complainant just walked away without saying anything. The officer stated that the complainant was being detained for the traffic violation and the officer told the complainant to come back because he thought the complainant was leaving the scene. The officer told the complainant that if he walks away, he would have to stop issuing the ticket and it would take him longer to finish.

No independent witnesses were identified.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/24/13 **DATE OF COMPLETION:** 04/14/14 **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant stated that she was involved in a verbal dispute with a store employee at the Ross Department Store, when a uniformed officer attacked her from behind, grabbed her left arm and twisted it. She denied that the officer said anything prior to grabbing her arm, and said that, while twisting her arm, he yelled, "I am police. You want to fake? I'll send you to jail." She stated that she passed out and was taken to a hospital. She was never charged with a crime.

The named officer stated that the complainant was never detained. He stated that she was involved in a verbal dispute with a store employee that lasted for over 30 minutes. He stated that the store employee waved him over and said he wanted the complainant to leave the store. The officer told the complainant that she needed to leave, but she turned and looked at him as if he was crazy, and continued to argue with the store employee. The officer asked the employee if he wanted to sign a citizen's arrest but the employee declined and said that he only wanted the complainant to leave. The officer stated he took hold of the complainant's wrist and elbow to escort her out, at which time she fell to the ground and began shaking as if she was having a seizure. He called for an ambulance and waited with the complainant until medics arrived.

The store employee identified by the complainant no longer works at the store and no other witnesses were identified. There was insufficient evidence to either prove or disprove the allegation.

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

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

**FINDINGS OF FACT:** The complainant stated that the officer attacked her from behind and grabbed her left arm, jerking it and twisting it.

The named officer denied using any force and stated that he placed his left hand on the complainant's wrist and his right hand on her elbow to escort her from the store, at which point her knees buckled and she appeared to be fainting. He stated that he caught her fall and guided her to the ground, where he stayed near her until medics arrived.

The store employee identified by the complainant no longer works at the store and no other witnesses were identified. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 10/17/13    **DATE OF COMPLETION:** 04/30/14    **PAGE#** 1 of 3

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

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

**FINDINGS OF FACT:** The complainant stated he was detained for no apparent reason.

Officers questioned by the OCC denied detaining the complainant and both said they were not working at the time the alleged detention occurred.

The identity of the alleged officers has not been established. No witnesses were identified. There was insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #2:** The officers placed the complainant in tight handcuffs.

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

**FINDINGS OF FACT:** The complainant stated he was detained and placed in tight handcuffs.

Officers questioned by the OCC denied detaining the complainant and both said they were not working at the time the alleged detention occurred.

The identity of the alleged officers has not been established. No witnesses were identified. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 10/17/13    **DATE OF COMPLETION:** 04/30/14    **PAGE#** 2 of 3

**SUMMARY OF ALLEGATION #3:** The officers failed to issue a Certificate of Release.

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

**FINDINGS OF FACT:** The complainant stated the officers detained him for 30-45 minutes and did not issue a Certificate of Release.

Officers questioned by the OCC denied detaining the complainant and both said they were not working at the time the alleged detention occurred.

The identity of the alleged officers has not been established. No witnesses were identified. There was insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #4:** The officer used profanity.

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

**FINDINGS OF FACT:** The complainant stated one of the officers who detained him used profanity.

Officers questioned by the OCC denied detaining the complainant and both said they were not working at the time the alleged detention occurred.

The identity of the alleged officer has not been established. No witnesses were identified. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 10/17/13    **DATE OF COMPLETION:** 04/30/14    **PAGE#** 3 of 3

**SUMMARY OF ALLEGATION #5:** Part of the complainant's complaint raised matters that were outside OCC's jurisdiction.

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

**FINDINGS OF FACT:** Part of the complainant's complaint raised matters that were outside OCC's jurisdiction. Referrals were made to the following agencies:

San Francisco Recreation and Parks Department  
McLaren Lodge-Golden Gate Park  
501 Stanyan Street  
San Francisco, CA 94117

California Highway Patrol  
Office of Investigations  
601 North 7<sup>th</sup> Street  
PO Box 942898  
Sacramento, CA 94298

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 10/22/13    **DATE OF COMPLETION:** 04/07/13    **PAGE #** 1 of 2

**SUMMARY OF ALLEGATIONS #1 & 2:** The officers engaged in biased policing due to race.

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

**FINDINGS OF FACT:** The complainant stated he was detained and that the officers told him he fit the description of a robbery suspect. He felt the stop was racially motivated.

The named officers were interviewed pursuant to OCC's Biased Policing Investigation Protocol. Both denied the allegation.

No witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATIONS #3 & 4:** The officers detained the complainant without justification.

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

**FINDINGS OF FACT:** The complainant stated that the officers asked him to stop because they wanted to talk to him because he looked like someone wanted for robbery. The complainant said the officers told him he could leave, but he stopped because he felt he had no choice. The complainant felt the stop was racially motivated.

The named officers were interviewed pursuant to OCC's Biased Policing Investigation Protocol. Both denied that the complainant was detained. They stated that the complainant was not handcuffed, moved, or searched. The officers stated that the complainant was free to leave at any time.

No witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 10/22/13    **DATE OF COMPLETION:** 04/07/13    **PAGE #** 2 of 2

**SUMMARY OF ALLEGATIONS #4 & 5:** The officers failed to provide their star numbers.

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

**FINDINGS OF FACT:** The complainant stated that the officers refused to provide their badge numbers.

The officers denied the allegation.

No witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 10/25/13   **DATE OF COMPLETION:** 04/30/14   **PAGE #1** of 1

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

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

**FINDINGS OF FACT:** The complainant said the named officer was standing over his SF Police bicycle as the complainant was riding his bicycle behind the officer. The complainant said the named officer moved his bicycle into the path of the complainant's bicycle, causing the complainant to crash, injuring his finger. The complainant said further that the officer failed to acknowledge he caused the accident, and rode away from the scene without taking action regarding the complainant's injury, until the complainant rode after the officer, stopped him, identified him and asked for medical assistance.

The named officer stated that the complainant illegally rode his bicycle onto a city sidewalk, rode dangerously fast and dangerously close to the officer and a civilian he was speaking to at the moment. The named officer said he believed the complainant was attempting a bicycle trick when he crashed in front of the officer, due to excessive speed and rapid braking. The officer said further that the complainant said he was not injured after the crash and rode away from the scene, returning to the officer 15-20 minutes later to report an injury.

The OCC interviewed two witnesses, one identified by the officer and one identified by the complainant, both of whom confirmed they were at the scene. There was no consistency among the four accounts of where the cyclist and the officer were when the event occurred and if the officer was on his bicycle moving or stationary, and what the officer said to the complainant immediately after the crash. One witness said an ambulance arrived, and the other said she left the scene and could not describe the aftermath of the crash.

Department records indicated that the named officer called an ambulance to the scene and that the complainant was treated.

No other witnesses were identified. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 11/05/13 **DATE OF COMPLETION:** 04/04/14 **PAGE #1** of 1

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

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

**FINDINGS OF FACT:** The complainant stated he was arrested without cause. He stated that he had a free-speech right to utter the words, which were construed as a threat, by the alleged victim who called the police.

The named officer stated that, based upon the victim's statement and the complainant's statement, the named officer determined that the threats made by complainant were credible, giving the officer probable cause to make the arrest.

Department records indicate that the complainant was arrested for making terrorist threats and for hate crime.

The officer's action was justified, lawful, and proper.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 11/15/13      **DATE OF COMPLETION:** 04/10/14      **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant stated the officer “got an attitude” and made inappropriate comments.

The officer denied making the inappropriate comments to the complainant. The officer stated the complainant was “adamantly argumentative” during his contact with her.

No witnesses were identified. There was insufficient evidence to either prove or disprove the allegation.

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

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

**FINDINGS OF FACT:** The complainant stated she told the officer that she made the illegal turn because her car was having idling problems. The complainant stated that after having come to a stop, her vehicle had stalled. The complainant said the officer did not offer her any assistance with her disabled car. The complainant stated she did not have roadside assistance and had to wait for someone to respond and assist her.

The officer said the complainant told him that she was having vehicle problems but she did not elaborate as to what the problem was. The officer said after issuing the complainant a citation, he offered to call a tow truck, but she declined. The officer said the complainant’s vehicle was parked in an alley off a main street in the middle of the day and was not a traffic hazard.

The evidence established the area to have multiple downtown businesses and hotels with access to phones and assistance. Under the circumstances, the officer was not required to provide roadside assistance for the complainant’s vehicle.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 11/14/13    **DATE OF COMPLETION:** 04/28/14    **PAGE#** 1 of 1

**SUMMARY OF ALLEGATIONS #1-2:** The officers failed to follow the rules of the road.

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

**FINDINGS OF FACT:** The complainant stated that a police vehicle did not look out for traffic and suddenly pulled out from a parking space. The complainant said the police car did not have its turn signal on and caused some bicyclists to brake in order to avoid a collision.

The officers denied the allegation. The officers stated they did not recall the incident.

Department records showed the named officers were assigned the police car identified by the complainant.

No witnesses were identified. There was insufficient evidence to either prove or disprove the allegation.

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

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

**FINDINGS OF FACT:** The complainant stated she called the district station and spoke to an officer. The complainant stated the officer had a dismissive tone and lacked concern about her complaint.

The named officer denied the allegation. The officer stated the complainant spoke to him by phone to report that a police car drove recklessly. The officer stated the complainant was accusatory. The officer said he addressed the swing watch officers about the complainant's concern.

No witnesses were identified. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 11/25/13    **DATE OF COMPLETION:** 04/10/14    **PAGE #** 1 of 1

**SUMMARY OF ALLEGATIONS #1-2:** The officers used unnecessary force.

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

**FINDINGS OF FACT:** The complainant's son was arrested for malicious mischief. While the complainant was not at the scene when her son was arrested, she suspects that the arresting officers "might" have used force on her son.

The officers denied that force was used, stating that no force was needed because the complainant's son was compliant.

The complainant's son denied that the officers used any force in taking him into custody.

The evidence proved that the act alleged in the complaint did not occur, or that the named members were not involved in the act alleged.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 11/27/13 **DATE OF COMPLETION:** 04/30/14 **PAGE #** 1 of 1

**SUMMARY OF ALLEGATIONS #1:** The officer arrested the complainant and co-complainant without justification.

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

**FINDINGS OF FACT:** The complainant and co-complainant were arrested and cited for violating Municipal Police Code section 154, "Prohibiting Public Nudity." In their OCC interviews, the complainant and co-complainant admitted the violation.

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 #2:** The officer denied the complainant's parade permit application without cause.

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

**FINDINGS OF FACT:** The complainant stated that her Parade Permit Applications were consistently denied by the SFPD.

The named officer, the officer responsible for reviewing and approving Parade Permit Applications, stated he reviewed one Parade Permit Application requesting to conduct an activity in violation of San Francisco Police Code 154, Prohibiting Public Nudity. The named officer stated the application was denied, citing, "Unfettering nudity unreasonably interferes with the rights of all persons to use and enjoys public spaces, and harms members of the public who are unwillingly or unexpectedly exposed to such conduct."

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 11/27/13 **DATE OF COMPLETION:** 04/21/14 **PAGE #** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant stated that the officers took a woman into custody after she made threats to kill him, the storeowner, and his dog. The complainant was upset to find out that the officers released the woman. The complainant could not provide the date of the incident.

An Officer Poll sent to the station regarding the incident came back negative.

The witness, the storeowner, stated that he did not sign a citizen's arrest and stated he only wanted officers to remove the woman from the store. He also did not recall the date of the incident nor was he able to identify officers.

No other witnesses were identified. There was insufficient evidence to prove or disprove the allegation.

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

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

**FINDINGS OF FACT:** The complainant stated he spoke to a sergeant regarding the woman being back in the area and wanted a patrol car sent to investigate. The complainant stated that instead of sending a patrol car, the sergeant joked and told the complainant he was funny. The complainant said the sergeant offered to send a patrol car after he mentioned that he called the Chief's office to complain that the Central Station officers were lazy.

The named officer stated he is not a sergeant and did not identify himself as a sergeant. The named officer also stated he did not recall any such conversation with this complainant.

No witnesses were identified. There was insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 12/04/13    **DATE OF COMPLETION:** 04/29/14    **PAGE#** 1 of 2

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

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

**FINDINGS OF FACT:** The complainant stated he had been out with friends on Halloween night. The complainant stated he had only two mixed alcoholic beverages but was not intoxicated. The complainant further stated he did not disrespect an officer or disobey any laws.

The complainant's witness stated he and the complainant each had two alcoholic beverages, but that neither of them was intoxicated. The witness said he had been walking in front of the complainant and did not see the initial contact between the complainant and the named officer. The witness stated that his first observation of the incident was seeing the officer handcuffing the complainant.

The named officer stated he personally observed the complainant fail to follow the commands of a traffic control officer who instructed the complainant to wait for the street to clear before crossing. The named officer stated he saw the complainant walk out into traffic, nearly being struck by a fast moving car. He detained the complainant and observed that he exhibited symptoms of being under the influence of an alcoholic beverage and was unable to safely care for himself. The named officer completed the SFPD Public Intoxication Report, which documented the complainant's objective symptoms of alcohol intoxication and his unsafe movements across the roadway.

No other witnesses were identified. There was insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATIONS #2 & 3:** The officers made inappropriate comments and/or behaved in an inappropriate manner.

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

**FINDINGS OF FACT:** The complainant said the unidentified officer directing traffic raised her voice at him and singled him out to the named officer by stating, "I got one!" The complainant said the detaining officer immediately handcuffed him and made an inappropriate comment to him. A witness said he was unable to hear any dialog between the named officer and the complainant.

The named officer denied that he made the alleged comment. The OCC made numerous efforts to identify the officer directing traffic, to no avail. No other witnesses were identified. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 12/04/13    **DATE OF COMPLETION:** 04/29/14    **PAGE#** 2 of 2

**SUMMARY OF ALLEGATION #4:** The officer placed tight handcuffs on the complainant.

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

**FINDINGS OF FACT:** The complainant said the handcuffs were fastened too tightly on his wrists, which caused bruising to his wrists.

The officer denied placing the handcuffs on the complainant in a tight manner. The officer stated he checked the handcuffs for the appropriate degree of tightness.

No other witnesses were identified. There was insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #5:** The officer engaged in biased policing based on sexual orientation.

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

**FINDINGS OF FACT:** The complainant stated he could have been singled out by the named officer and detained because of his sexual orientation.

The named officer was interviewed pursuant to OCC's Biased Policing Investigation Protocol. The officer denied the allegation, stating he was not aware of the complainant's sexual orientation. The officer stated his actions were based on his observations of the interaction between the traffic control officer and the complainant, his reckless behavior in the roadway and the complainant's objective symptoms of alcohol intoxication.

No other witnesses were identified. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 12/20/13    **DATE OF COMPLETION:** 04/30/14    **PAGE # 1 of 1**

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

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

**FINDINGS OF FACT:** The complainant said she was parked in a service station, awaiting a tow truck, when officers approached, and ordered her and her boyfriend out of her car. The complainant said she was then searched by the named officer.

The complainant told the OCC that her boyfriend did not want to get involved in the OCC's investigation because he was on probation.

The named officer and one witness officer said the complainant was searched after the officers found a pipe consistent with smoking methamphetamine and the complainant said it was hers.

No other witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

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

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

**FINDINGS OF FACT:** The complainant said the named officer improperly searched her, touching her chest inappropriately and responding inappropriately when she objected.

The named officer acknowledged searching the complainant but denied any inappropriate touching. He also denied ever hearing an objection to the search he conducted. One witness officer said he did not hear the complainant objecting to a search process and did not see the named officer search the complainant inappropriately.

No other witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 01/06/14 **DATE OF COMPLETION:** 04/28/14 **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on April 17, 2014.

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

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

**FINDINGS OF FACT:** By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on April 17, 2014.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 01/08/14 **DATE OF COMPLETION:** 04/18/14 **PAGE # 1 of 1**

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

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

**FINDINGS OF FACT:** The complainant said that an officer was stopped on a bicycle one block beyond the intersection for which she was issued a stop sign violation, and that the officer could not have observed her cross the intersection for which she was cited.

The named officer said that he had watched from three feet away as the complainant ran the stop sign at the intersection where the officer had stopped.

No witnesses were identified. There was insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #4:** The officer displayed a rude demeanor.

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

**FINDINGS OF FACT:** The complainant said the named officer displayed a rude demeanor during the traffic stop and in failing to show up for court, causing the complainant to spend 6 hours in obtaining and attending a court hearing.

The named officer said he only asked the complainant for her driver's license, and never intentionally failed to attend court, explaining that when he received the notice to appear in court, he requested a continuance because he could not be available to attend on the date the hearing was set.

No witnesses were identified. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 01/14/14 **DATE OF COMPLETION:** 04/01/14 **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on March 3, 2014.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 01/17/14 **DATE OF COMPLETION:** 04/01/14 **PAGE#** 1 of 4

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

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

**FINDINGS OF FACT:** The officer retired on January 31, 2014 and is therefore no longer available and subject to Department discipline.

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

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

**FINDINGS OF FACT:** The officer retired on January 31, 2014 and is therefore no longer available and subject to Department discipline.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 01/17/14 **DATE OF COMPLETION:** 04/01/14 **PAGE#** 2 of 4

**SUMMARY OF ALLEGATION #3:** The officer failed to comply with Department General Order 5.20.

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

**FINDINGS OF FACT:** The officer retired on January 31, 2014 and is therefore no longer available and subject to Department discipline.

**SUMMARY OF ALLEGATION #4:** The officer used force at the station.

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

**FINDINGS OF FACT:** The officer retired on January 31, 2014 and is therefore no longer available and subject to Department discipline.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 01/17/14 **DATE OF COMPLETION:** 04/01/14 **PAGE#** 3 of 4

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

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

**FINDINGS OF FACT:** The officer retired on January 31, 2014 and is therefore no longer available and subject to Department discipline.

**SUMMARY OF ALLEGATION #6:** The officer failed to report the use of force.

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

**FINDINGS OF FACT:** The officer retired on January 31, 2014 and is therefore no longer available and subject to Department discipline.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 01/17/14 **DATE OF COMPLETION:** 04/01/14 **PAGE#** 4 of 4

**SUMMARY OF ALLEGATION #7:** The officer seized the complainant's property.

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

**FINDINGS OF FACT:** The officer retired on January 31, 2014 and is therefore no longer available and subject to Department discipline.

**SUMMARY OF ALLEGATION #8:** The officer misrepresented the truth.

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

**FINDINGS OF FACT:** The officer retired on January 31, 2014 and is therefore no longer available and subject to Department discipline.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 01/27/14 **DATE OF COMPLETION:** 04/28/14 **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant stated that an unknown officer aimed his radar gun at her eyes. The complainant could not provide any identifying information regarding the officer.

The OCC sent Officer Identification Polls to the involved District Station and Traffic Company. The polls were returned and the identity of the alleged officer was not established.

No witnesses were identified. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 02/03/14 **DATE OF COMPLETION:** 04/30/14 **PAGE #** 1 of 2

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

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

**FINDINGS OF FACT:** The complainant stated he was cited for no apparent reason.

Department records indicated that the complainant was cited for trespassing pursuant to a private person's arrest.

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 #2:** The officer used profanity in speaking to the complainant.

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

**FINDINGS OF FACT:** The complainant said the named officer used profanity in an encounter, but could not provide the date or location of the incident.

The named officer and his partner denied the allegation.

No other witnesses were identified. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 02/03/14 **DATE OF COMPLETION:** 04/30/14 **PAGE #2 of 2**

**SUMMARY OF ALLEGATION #3:** The officer behaved and spoke inappropriately to the complainant.

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

**FINDINGS OF FACT:** The complainant said the named officer has harassed the complainant for two months, and on one occasion threatened to pull his gun when the complainant tried to move his hands from the burning hot hood of the patrol car on which he was detained, but could not provide the date or location of the incidents.

The named officer and his partner denied the allegation. No other witnesses were identified. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 02/25/14 **DATE OF COMPLETION:** 04/16/14 **PAGE #1** of 1

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

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

**FINDINGS OF FACT:** By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on April 9, 2014.

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

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

**FINDINGS OF FACT:** By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on April 9, 2014.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 02/27/14 **DATE OF COMPLETION:** 04/02/14 **PAGE#** 1 of 1

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

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

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

San Francisco Police Department  
Internal Affairs Division  
850 Bryant Street, Room 558  
San Francisco, CA 94103

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 03/07/14    **DATE OF COMPLETION:** 04/22/14    **PAGE # 1 of 1**

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

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

**FINDINGS OF FACT:** The complainant stated the officer has no authority to be in San Jose volunteering information from San Francisco against her grandson and nephew's case in San Jose.

Department records showed that the named officer had been subpoenaed to testify in court in Santa Clara.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 03/12/14 **DATE OF COMPLETION:** 04/07/14 **PAGE#** 1 of 1

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

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

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

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 03/12/14    **DATE OF COMPLETION:** 04/18/14    **PAGE#** 1 of 2

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

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

**FINDINGS OF FACT:** Department records showed that the complainant's son was on probation with a search condition when he was detained by the named officer.

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 #2:** The officer searched the complainant's son without justification.

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

**FINDINGS OF FACT:** Department records showed that the complainant's son was on probation with a search condition when he was detained and searched by the named officer.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 03/12/14    **DATE OF COMPLETION:** 04/18/14    **PAGE# 2 of 2**

**SUMMARY OF ALLEGATION #3:** The officer arrested the complainant's son without justification.

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

**FINDINGS OF FACT:** Department records showed that the complainant's son was on probation with a search condition when he was detained and searched by the named officer. The complainant's son was subsequently arrested for Penal Code and Health and Safety Code violations.

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 #4:** The officer entered and searched the complainant's son residence without justification.

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

**FINDINGS OF FACT:** Department records showed that the complainant's son was on probation with a search condition the named officer entered and searched the complainant's son residence.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 03/24/14 **DATE OF COMPLETION:** 04/04/14 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officer wrote an inaccurate and/or incomplete incident report.

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

**FINDINGS OF FACT:** The complainant stated that the incident report was inaccurate because alleged victims provided false statements to the named officer who prepared the report.

Department records indicate that the named officer took statements from victims who had been receiving harassing phone calls from the complainant. The named officer documented the statements in his incident report as required.

Department General Order 2.01 Section 25 states that while on duty, officers shall make all required written reports of crimes or incidents requiring police attention.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 03/26/14    **DATE OF COMPLETION:** 04/28/14    **PAGE #1 of 1**

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

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

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

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 03/27/14 **DATE OF COMPLETION:** 04/03/14 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The complainant stated he was arrested without cause.

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

**FINDINGS OF FACT:** The complainant stated that, after a court appearance at the Hall of Justice, he went upstairs to the Identification Section and was arrested on a warrant for failing to appear in court.

Department records indicate that the complainant was arrested pursuant on an active warrant, confirmed by the Sheriff's Department's Central Warrants Bureau.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 03/31/14 **DATE OF COMPLETION:** 04/14/14 **PAGE #1 of 1**

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

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

**FINDINGS OF FACT:** This complainant raises matters not rationally within OCC's jurisdiction.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 04/07/14   **DATE of COMPLETION:** 04/08/14   **PAGE #1** of 1

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

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

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

San Francisco Municipal Transportation Agency  
1 South Van Ness Avenue  
San Francisco, CA 94103

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 04/08/14    **DATE of COMPLETION:** 04/09/14    **PAGE #1** of 1

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

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

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

University of California  
Hastings College of the Law  
The Chief of Department of Public Safety  
198 McAllister Street, Suite B-6  
San Francisco, CA 94102

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 04/10/14 **DATE OF COMPLETION:** 04/18/14 **PAGE #1** of 1

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

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

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

California Department of Corrections and Rehabilitation  
Division of Adult Parole Operations  
1727 Mission Street, 1<sup>st</sup> Floor  
San Francisco, CA 94103

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 04/11/14      **DATE OF COMPLETION:** 04/18/14      **PAGE #1** of 1

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

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

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 04/11/14      **DATE OF COMPLETION:** 04/22/14      **PAGE #1** of 1

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

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

**FINDINGS OF FACT:** This complaint raises matters outside the OCC's jurisdiction. Because the alleged misconduct occurred while the named officer was off-duty, the complaint has been referred to:

San Francisco Police Department  
Internal Affairs Division  
Bryant Street, Room 558  
San Francisco, CA 94103

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 04/15/14      **DATE OF COMPLETION:** 04/18/14    **PAGE #1** of 1

**SUMMARY OF ALLEGATION #1:** The officer failed to write a traffic collision report.

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

**FINDINGS OF FACT:** The complainant stated that he was involved in a non-injury traffic collision caused by another party. The complainant stated he called the police department because the other party refused to accept responsibility for the collision. The complainant stated he requested that the responding officer prepare a police report for the collision. The complainant said the officer provided him the information for the other party but the officer did not write a police report as the complainant had requested.

The evidence showed that there were no injuries reported in this collision. Pursuant to Department General Order 9.02, officers are not required to write reports for non-injury collisions. Officers are required to facilitate the exchange of information between the parties involved in the collision. The evidence shows that the officer's actions were proper and within the policy and procedures of the Department.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 04/10/14 **DATE OF COMPLETION:** 04/21/14 **PAGE#** 1 of 1

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

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

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

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