

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 01/28/11 **DATE OF COMPLETION:** 09/26/11 **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 wrote that she went to a police station after being “jumped” by several people and that the police failed to take any action. The officers questioned regarding this incident denied or could not recall having any contact with the complainant. No other witnesses came forward. The identity of the alleged officer has not been established. There was insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
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**DATE OF COMPLAINT:** 02/01/11 **DATE OF COMPLETION:** 09/08/11 **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant stated she was detained without cause. The complainant admitted she was in a verbal argument with a patron from the bar and wanted to challenge her. The officer stated the complainant refused to leave the area and wanted to start a fight with another person. The officer said he detained the complainant for a 647f PC violation as he observed the complainant unable to care for herself and under the influence of alcohol. The witnesses stated the complainant was disruptive, rude, and intoxicated. The evidence proved that the acts, which provided the basis for the allegations, occurred; however, such acts were justified, lawful, and proper.

**SUMMARY OF ALLEGATION #2:** The officer used force on the complainant.

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

**FINDINGS OF FACT:** The complainant stated the officer used force on her and she sustained visible injuries. The officer denied the allegation and said the complainant came up behind him and tried to free her friend from him. The officer said he grabbed and handcuffed the complainant and observed no visible injuries on her. There is insufficient evidence to either prove or disprove the allegation.

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**DATE OF COMPLAINT:** 02/04/11    **DATE OF COMPLETION:** 09/30/11    **PAGE#** 1 of 3

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

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

**FINDINGS OF FACT:** The complainant stated he was initially standing in front of a store with his friends and then walked inside the store to buy a soda. The complainant said he was then detained by plainclothes officers. The officer stated the complainant was detained because he was loitering. Additionally, the officer said the complainant had a search condition, and that the complainant was a known narcotics dealer. The complainant's criminal records confirmed that the complainant had a search condition, allowing police to search him at any time. 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 arrested the complainant without cause.

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

**FINDINGS OF FACT:** OCC's investigation established that the complainant was on probation with a search condition. During the search, the officers found narcotics in his possession. As such, the complainant was arrested and booked accordingly. The evidence proved that the act, which provided the basis for the allegation, occurred. However, the act was justified, lawful, and proper.

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

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

**FINDINGS OF FACT:** OCC's investigation established that the complainant was on probation with a search condition. During the search, the officers found narcotics in his possession. As such, the complainant was arrested and booked accordingly. Believing that the complainant had additional narcotics and/or contraband, the officer obtained a strip search authorization from his supervisor. 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 searched the complainant beyond the scope of authority.

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

**FINDINGS OF FACT:** The basis for this allegation was that the officer pulled the complainant's pants down, exposing the complainant's genitals. The officer and other officers denied the allegation. The person working at the store also denied the allegation. No other witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

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**SUMMARY OF ALLEGATION #5:** The officer behaved inappropriately.

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

**FINDINGS OF FACT:** The complainant believed that the person working at the store was threatened by the police. The person at the store said the police did not talk to him. The evidence proved that the act alleged in the complaint did not occur.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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**DATE OF COMPLAINT:** 02/22/11    **DATE OF COMPLETION:** 09/09/11    **PAGE# 1 of 2**

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

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

**FINDINGS OF FACT:** The complainant and co-complainant alleged the officer drove improperly. The officer denied the allegation. No independent witnesses came forward. There was insufficient evidence to either prove or disprove the allegations made in the complaint.

**SUMMARY OF ALLEGATIONS #2:** The officer failed to properly identify himself.

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

**FINDINGS OF FACT:** The complainant and co-complainant alleged the officer failed to properly identify himself. The complainant stated the co-complainant asked the officer for his name. The co-complainant stated she did not ask the officer for his name. The officer denied the allegation. The officer stated he identified himself to the parties by announcing his name. No independent witnesses came forward. There was insufficient evidence to either prove or disprove the allegations made in the complaint.

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**DATE OF COMPLAINT:** 02/22/11    **DATE OF COMPLETION:** 09/09/11    **PAGE# 2 of 2**

**SUMMARY OF ALLEGATIONS #3:** The officer failed to take required action (remain at scene and notify communications).

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

**FINDINGS OF FACT:** It was alleged the officer failed to take required action (remain at scene and notify communications). The officer denied the allegation. The officer stated that based on his training and experience, he did not consider the incident a collision or an accident and he was not required to remain at the scene or notify Communications Division. Department General Order 2.06 outlines the responsibilities of members involved in vehicle collisions occurring either on or off duty. If the collision occurs within the City and County of San Francisco, members are to remain at the scene except in cases of extreme emergency and notify the Communications Division as soon as practicable. However, pursuant to the Statewide Integrated Traffic Records System (SWITRS), the incident does not meet the definition of a collision at the time of the incident. Neither the complainant nor the named officer was injured and there was no damage to the city vehicle. A subject matter expert was interviewed and stated members are taught this definition in the academy and the provisions of DGO 2.06 do not apply based on the facts here. The OCC recommend that the allegation be closed as PF and that the OCC work with the Department and City Attorney to address concerns about liability issues to the City & County as well as the department.

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**DATE OF COMPLAINT:** 03/16/11 **DATE OF COMPLETION:** 09/15/11 **PAGE #** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant stated the officer arrested him on false charges of aggravated assault, battery with serious injuries, and kidnapping. He said the victim did not have serious injuries as he walked out and was able to catch a bus. The officer denied the allegation. The witness did not respond for an interview. There is insufficient evidence to either prove or disprove the allegation .

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

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

**FINDINGS OF FACT:** The complainant stated the officer's tactics were wrong and arrested him because he refused to speak with him without a lawyer. The complainant believes the officer knew that the case would not go anywhere and arrested him anyway. The officer denied the allegation. The witness did not come forward. There is insufficient evidence to prove or disprove the allegation.

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**DATE OF COMPLAINT:** 03/28/11    **DATE OF COMPLETION:** 09/29/11    **PAGE#** 1 of 4

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

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

**FINDINGS OF FACT:** The complainant, who was a City employee, alleged that while talking to his friend and placing his things in a toolbox, the officer detained him without cause. The evidence shows the toolbox that the complainant was accessing was city-owned property. The complainant was not in uniform and had no visible identification showing him as a City employee, causing the officer to detain him for investigation. The evidence proved that the act, which provided the basis for the allegation, occurred. However, such act was lawful, justified, and proper.

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

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

**FINDINGS OF FACT:** The complainant alleged the officer used unnecessary force. The complainant said the officer ordered him to take his hand out from his pocket. When he asked why, the officer grabbed and twisted his left arm behind his back, grabbed him by his coat and slammed him against a toolbox ripping the back of his coat. The officer denied the allegation. The officer said that aside from using control holds, he did not use any other force. The complainant's friend's account regarding the use of force was not consistent with the complainant's account of what happened. No independent witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

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**SUMMARY OF ALLEGATION #3:** The officer placed the complainant in tight handcuffs.

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

**FINDINGS OF FACT:** The complainant alleged that the officer placed him in tight handcuffs. The officer stated the complainant did not complain that the handcuffs were too tight and had no visible injuries to his wrists. Witnesses to the incident did not corroborate the complainant's allegation. There was insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #4:** The officer failed to loosen the complainant's handcuffs.

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

**FINDINGS OF FACT:** The complainant alleged the officer failed to loosen his handcuffs when asked. As discussed above, the officer stated the complainant did not complain to him that the handcuffs were too tight. Witnesses to the incident did not corroborate the complainant's claim. There was insufficient evidence to either prove or disprove the allegation.

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

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

**FINDINGS OF FACT:** The complainant alleged that the officer went through his pockets. The officer stated he conducted a pat search on the complainant and felt a pointed object on one of his pockets. He took the object out from the complainant's pocket, which was a tool that the complainant uses in his work. Witnesses to the incident did not corroborate the complainant's claim that the officer went through his pockets. There was insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #6:** The officer intentionally damaged the complainant's property.

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

**FINDINGS OF FACT:** The complainant said the officer ripped the back of his coat. The complainant's friend corroborated this allegation. However, it is unclear whether the damage caused by the officer was intentional. The officer denied the allegation. There was insufficient evidence to either prove or disprove the allegation.

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**SUMMARY OF ALLEGATION #7:** The officer behaved inappropriately and/or made inappropriate comments.

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

**FINDINGS OF FACT:** The complainant said that when he asked the officer to loosen his handcuffs, the officer did nothing and said to him, "I don't care." Statement of the complainant's companion did not corroborate his allegation. A witness to the incident who arrived halfway during the contact and observed the incident from across the street did not specifically corroborate the complainant's allegation. Rather, the witness made a general statement about the officer's conduct and behavior during the contact. No other witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

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

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

**FINDINGS OF FACT:** The complainant said the officers made inappropriate comments during the contact. The officers were never identified. Witnesses to the incident did not corroborate the complainant's allegation. There was insufficient evidence to either prove or disprove the allegation.

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**SUMMARY OF ALLEGATION #1:** The officer misrepresented the truth.

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

**FINDINGS OF FACT:** The complainant stated the officer misrepresented the truth regarding the officer entering and searching the complainant's residence in response to an audible alarm. The officer said that she responded to the call, entered the residence through an open door and then searched and secured the residence when no one was located inside the residence. There are no independent witnesses to this incident and no other officer admitted to exiting their vehicle or entering the residence. There was insufficient evidence to either prove or disprove the allegation made in this complaint.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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**DATE OF COMPLAINT:** 04/12/11 **DATE OF COMPLETION:** 09/19/11 **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 alleged the officer failed to investigate his case in a timely manner. The officer could not recall having contact with the complainant and denied having the complainant's case assigned to her for investigation. No witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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**DATE OF COMPLAINT:** 04/18/11      **DATE OF COMPLETION:** 09/12/11      **PAGE #1** of 1

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

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

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

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
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**DATE OF COMPLAINT:** 04/18/11 **DATE OF COMPLETION:** 09/30/11 **PAGE#** 1 of 2

**SUMMARY OF ALLEGATION #1:** The officer engaged in biased policing due to sexual orientation.

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

**FINDINGS OF FACT:** The investigation disclosed that the officer was not working on the alleged day in question. Additional search of several days after the officer returned to work also did not reveal any contact by the officer with the complainant. The preponderance of the evidence proved that the acts alleged in the complaint did not occur.

**SUMMARY OF ALLEGATION #2:** The officer failed to comply with DGO 5.15.

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

**FINDINGS OF FACT:** The investigation disclosed that the officer was not working on the alleged day in question. Additional search of several days after the officer returned to work also did not reveal any contact by the officer with the complainant. The evidence proved that the acts alleged in the complaint did not occur.

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**DATE OF COMPLAINT:** 04/19/11 **DATE OF COMPLETION:** 09/30/11 **PAGE#** 2 of 2

**SUMMARY OF ALLEGATION #1:** The officer failed to comply with DGO 5.20.

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

**FINDINGS OF FACT:** The investigation disclosed that the officer was not working on the alleged day in question. Additional search of several days after the officer returned to work also did not reveal any contact by the officer with the complainant. The evidence proved that the acts alleged in the complaint did not occur.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
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**DATE OF COMPLAINT:** 04/18/11 **DATE OF COMPLETION:** 09/30/11 **PAGE #** 1 of 2

**SUMMARY OF ALLEGATION #1:** The officer engaged in biased policing due to sexual orientation.

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

**FINDINGS OF FACT:** The complainant stated the officer engaged in biased policing because he only harasses Latina transgender individuals. The officer was questioned by the OCC relative to its biased policing protocol. The officer denied the allegation. There were no witnesses. There is insufficient evidence to prove or disprove the allegation.

**SUMMARY OF ALLEGATION #2:** The officer failed to comply with DGO 5.15.

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

**FINDINGS OF FACT:** The complainant stated the officer asked her if she had papers, if she was an American Citizen, and if she had a Social Security Number. The officer denied the allegation. There were no witnesses for this specific incident. The officer's unit history did not show contact for this incident with the name provided. There is insufficient evidence to prove or disprove the allegation.

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**SUMMARY OF ALLEGATION #3:** The officer used uncivil language.

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

**FINDINGS OF FACT:** The officer denied the allegation. There were no witnesses. The officer's unit history did not show any contact that he had with the complainant. There is insufficient evidence to prove or disprove the allegation.

**SUMMARY OF ALLEGATION:**

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

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
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**DATE OF COMPLAINT:** 04/18/11 **DATE OF COMPLETION:** 09/28/11 **PAGE #** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officer engaged in biased policing due to sexual orientation.

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

**FINDINGS OF FACT:** The complainant stated the officer stops her and gives her a hard time even though she lives in the area, shops in the area, and goes to a club for entertainment. She said the officer is targeting transgender individuals. The officer denied the allegation. The officer stated he only targets people who commit crimes. The officer was interviewed consistent with the OCC biased policing protocol. There were no witnesses. There is insufficient evidence to prove or disprove the allegation.

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

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

**FINDINGS OF FACT:** The complainant stated the officer stopped her while she was with her companion dog on her way to grocery shopping. The officer denied the allegation. There were no witnesses for this incident. The officer's unit history did not show that he had contact with the complainant. There is insufficient evidence to prove or disprove the allegation.

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**SUMMARY OF ALLEGATION #1:** The officer engaged in biased policing due to sexual orientation.

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

**FINDINGS OF FACT:** The complainant stated the officer stops her and gives her a hard time even though she lives in the area, shops in the area, and goes to a club for entertainment. She said the officer is targeting transgender individuals. The officer denied the allegation. The officer stated he only targets people who commit crimes. The officer was interviewed consistent with the OCC biased policing protocol. There were no witnesses. There is insufficient evidence to prove or disprove the allegation.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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

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

**FINDINGS OF FACT:** The complainant did not identify the officer, but said there was a group of 6-8 officers engaged in the action. One named and one witness officer who acknowledged being at the scene denied the allegation and denied there were other officers present with them. No witness came forward. There was insufficient evidence to identify the officer or 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 named and one witness officer acknowledged contact with the detainees, but denied the allegation. No witness came forward. There was insufficient evidence to either prove or disprove the allegation.

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**SUMMARY OF ALLEGATION #3:** The officer interfered with the rights of an onlooker.

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

**FINDINGS OF FACT:** The named and one witness officer acknowledged the named officer's contact with the complainant, but denied the allegation. No witness came forward. There was insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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**DATE OF COMPLAINT:** 05/25/11 **DATE OF COMPLETION:** 09/19/11 **PAGE#** 1 of 2

**SUMMARY OF ALLEGATIONS #1-2:** The officers detained and/or arrested the complainant without cause.

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

**FINDINGS OF FACT:** The complainant is not interested in pursuing his complaint. The complainant requested a withdrawal of his complaint.

**SUMMARY OF ALLEGATION #3:** The officers seized the complainant's property.

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

**FINDINGS OF FACT:** The complainant is not interested in pursuing his complaint. The complainant requested a withdrawal of his complaint.

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

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

**FINDINGS OF FACT:** The complainant is not interested in pursuing his complaint. The complainant requested a withdrawal of his complaint.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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

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

**FINDINGS OF FACT:** The complainant admitted to the violation for which she was cited.

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

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

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

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**SUMMARY ALLEGATION #3:** The officer failed to provide name and star number on request.

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

**FINDINGS OF FACT:** The named officer denied the allegation. No witness came forward. There was insufficient evidence to either prove or disprove the allegation.

**SUMMARY ALLEGATION #:**

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

**FINDINGS OF FACT:**

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

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

**FINDINGS OF FACT:** The complainants stated they were in a public area when the officers told them to leave. The officers denied the allegation and said that the complainants voluntarily left the area. No witnesses were identified. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

**SUMMARY OF ALLEGATION #3:** The officers threatened the complainants.

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

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

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**SUMMARY OF ALLEGATIONS #1- 2:** The officers towed a vehicle without cause.

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

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

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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**SUMMARY OF ALLEGATION #1:** The officer misrepresented the truth.

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

**FINDINGS OF FACT:** The complainant alleged the officer told her he would give her a citation for a different violation than she committed, in order to reduce the bail. The officer denied the allegation. Department records indicated that the officer informed the complainant of the violation for which she was cited at the time he issued the citation. The evidence proved that the acts alleged in the complaint did not occur.

**SUMMARY OF OCC ADDED ALLEGATION #1:** The officer failed to log traffic stop data as required by Department regulations.

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

**FINDINGS OF FACT:** The named officer denied the allegation. Department records indicated the officer failed to log traffic stop data. A preponderance of the evidence proved that the conduct complained of did occur and, using as a standard the applicable regulations of the Department, the conduct was improper.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/05/11    **DATE OF COMPLETION:** 09/08/11    **PAGE#** 1 of 1

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

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

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

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/19/11 **DATE OF COMPLETION:** 09/22/11 **PAGE#** 1 of 1

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

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

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

**SUMMARY OF ALLEGATION #3:** The officer failed to provide medical treatment.

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

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/2/11 **DATE OF COMPLETION:** 09/15/11 **PAGE #1 of 1**

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

**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 September 9, 2011.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/05/11 **DATE OF COMPLETION:** 09/26/11 **PAGE#** 1 of 1

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

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

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

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

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

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 11/01/11 **DATE OF COMPLETION:** 09/30/11 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATIONS #1-2:** The officers failed to take required action.

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

**FINDINGS OF FACT:** The complainant alleged that the officers refused to take a statement from her. In her OCC interview, the complainant stated that she refused to cooperate with the officers when they tried to take her statement. She stated she subsequently provided a statement to the officers at the hospital, where she was being treated for chest pains. The complainant also wanted her brother arrested for allegedly hitting her. She acknowledged she was drinking that night and had urinated on herself. The complainant stated she showed the officers a bruise on her upper back. She stated the officers took a statement from her mother at the hospital, outside the complainant's presence.

Medical records state the complainant had bruises on her right shoulder, right buttock and wrists, not her back. She told doctors her brother hit her and she was thrown to the floor. She was treated for chest pain and anxiety.

Both officers stated the complainant had no visible injuries, was intoxicated and uncooperative. Her brother was not arrested because they were unable to determine who the primary aggressor was. The complainant's brother and cousin told officers that the complainant spilled her wine while trying to lunge at her brother because he was recording her with his cell phone. When he pushed her away, she slipped on the spilled wine and fell down. The doctor told officers her bruises were consistent with a fall. The complainant's mother told officers that the fight was mutual combat. The officers' conduct was proper.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/11/11 **DATE OF COMPLETION:** 09/16/11 **PAGE#** 1 of 3

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

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

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

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

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

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/11/11 **DATE OF COMPLETION:** 09/16/11 **PAGE#** 2 of 3

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

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

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

**SUMMARY OF ALLEGATION #4:** The officer displayed inappropriate and intimidating behavior.

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

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/11/11 **DATE OF COMPLETION:** 09/16/11 **PAGE#** 3 of 3

**SUMMARY OF ALLEGATION #5:** The officer failed to identify as a police officer.

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

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

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/15/11      **DATE OF COMPLETION:** 09/26/11      **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officer behaved in an inappropriate manner.

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

**FINDINGS OF FACT:** The complainant said the officer behaved in an arrogant, rude and agitated manner and hung up on her. The officer denied behaving in the alleged manner. There were no witnesses. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/24/11 **DATE OF COMPLETION:** 09/26/11 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATIONS # 1:** The officers requested the complainant's identification without justification.

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

**FINDINGS OF FACT:** The complainant stated that the officer requested the complainant's identifying information even though the complainant was not involved in the underlying event being investigated by the officer. The complainant stated that he is a hotel clerk at the hotel where the underlying event being investigated occurred. Department Records showed that the officer spoke to the complainant regarding hotel video cameras and the suspect's identifying information placed in the hotel visitor's log. The officer listed the complainant as a witness in the incident report of this event because of the information provided by the complainant. Department training and procedures require that the officer write accurate and complete reports. Complete reports include the identifying information of all reporting parties, suspects, and known witnesses. As an employee of the hotel, the complainant provided information to the officer and became a witness in the investigation. The evidence proved that the act alleged did occur, however, the said act was justified and proper pursuant to department policies and procedures.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT**

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/01/11 **DATE OF COMPLETION:** 09/02 /11 **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  
San Francisco, CA 94103

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

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

**SUMMARY OF ALLEGATIONS #1-2:** The officers acted in an inappropriate manner.

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

**FINDINGS OF FACT:** The complainant alleged the officers acted improperly when taking her into custody. The witness stood within feet of the complainant when officers took her into custody. The investigator reviewed the alleged inappropriate acts with the witness. The witness denied the officers acted in an improper manner at any time. She stated the officers correctly performed their duties and that the complainant resisted arrest. The evidence proved that the acts, which provided the basis for the allegations, occurred; however such acts were justified, lawful and proper

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/07/11      **DATE OF COMPLETION:** 09/12/11      **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.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/08/11    **DATE OF COMPLETION:** 09/09/11    **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. The complaint has been forwarded to:

Director of Taxis and Accessible Services  
SFMTA  
One South Van Ness Avenue, Seventh Floor  
San Francisco, CA 94103

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/14/11    **DATE OF COMPLETION:** 09/16/11    **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:

SFPD Academy  
350 Amber Drive  
San Francisco, CA 94131

San Francisco Police Department  
Internal Affairs Division  
850 Bryant Street, Room 545  
San Francisco, CA 94103

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/15/10 **DATE OF COMPLETION:** 09/29/11 **PAGE#** 1 of 2

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

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

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

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

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

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/15/10 **DATE OF COMPLETION:** 09/29/11 **PAGE#** 2 of 2

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

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

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

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

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

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/16/11 **DATE OF COMPLETION:** 09/27/11 **PAGE#** 1 of 1

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

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

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

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/19/11 **DATE OF COMPLETION:** 09/26/11 **PAGE#** 1 of 1

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

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

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

**SUMMARY OF ALLEGATION #2:** The officers used excessive force during the detention.

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

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/23/11      **DATE OF COMPLETION:** 09/27/11      **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:

Department of Emergency Management  
1011 Turk Street  
San Francisco, CA 94102  
(415) 558-3626

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/21/11 **DATE OF COMPLETION:** 09/29/11 **PAGE #1** of 1

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

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

**FINDINGS OF FACT:** The preliminary investigation showed that the named officer is a reserve police officer for the San Francisco Police Department. Reserve officers are not within the jurisdiction of the OCC. The complaint has been forwarded to:

Internal Affairs  
San Francisco Police Department  
850 Bryant Street, Room 545  
San Francisco, CA 94103

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT**

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/29/11    **DATE OF COMPLETION:** 09/30/11    **PAGE #1** of 1

**SUMMARY OF ALLEGATIONS # 1:** This complaint is not rationally within the OCC's jurisdiction.

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

**FINDINGS OF FACT:** The complaint is not rationally within the OCC's jurisdiction.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/17/10    **DATE OF COMPLETION:** 09/15/11    **PAGE#** 1 of 8

**SUMMARY OF ALLEGATION #1:** The officer harassed the complainant.

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

**FINDINGS OF FACT:** The complainant alleged the officer continuously harassed him almost on a daily basis by stopping the complainant whenever the officer saw him. The complainant alleged the officer scrutinized the complainant's vehicle for the smallest violations of the California Vehicle Code to justify the stop and/or the resulting citation the officer issued. The complainant identified specific dates the alleged harassment occurred, but the dates he identified either did not match any records appearing in the SFPD computer database of patrol activities, or the officer was not listed as working on that particular day. One date was found when the officer had contact with the complainant. The officer was accompanied by three other officers and cited the complainant for driving a vehicle, which did not have the front license plate displayed. The complainant was also cited for playing extremely loud music coming from the vehicle. A short period of time later that same day, the officer's partner cited the complainant a second time for excessively and needlessly sounding his car horn. During this second incident, the officer stated the complainant needlessly and excessively blew his car horn in an attempt to alert the officers to move their patrol vehicle off the street while the officers were conducting a stop of approximately nine male subjects walking in an area of high crime/gang-related violence. The complainant was attempting to maneuver his vehicle around the patrol vehicle. No independent witnesses were developed to corroborate the complainant's allegations. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/17/10    **DATE OF COMPLETION:** 09/15/11    **PAGE#** 2 of 8

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

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

**FINDINGS OF FACT:** The complainant alleged the officer directed sexual slurs at him during some of the encounters the officer had with the complainant. An Incident Report was located describing the event where the officer and three other officers were working a special enforcement assignment. The complainant was cited twice that same day. The officers were interviewed and denied making or hearing these sexual slurs. One of the assisting officers made an audio recording of the second encounter. Although the parties on this recording are not positively identified, the recording contains enough details to support a reasonable belief this recording relates to the same event. No officer is heard using any sexual slurs or profanity; however, the complainant can be heard directing sexual slurs and other profanity at an officer. A female officer was also present. No independent witnesses were developed to corroborate the complainant's allegations. There is insufficient evidence to either prove or disprove the allegation.

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

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

**FINDINGS OF FACT:** The complainant alleged that on August 11, 2010, the officer walked around the complainant's car, scrutinizing it for possible violations of the vehicle code. The officer looked at the vehicle's tires and commented about an air freshener the complainant had dangling from the vehicle's rear view mirror. The officer allegedly took the complainant's car keys and taunted him by dangling the car keys in front of the complainant. An Incident Report was located describing an event when the officer and three other officers were working a special enforcement assignment. The complainant was cited twice that same day. The officer and other officers involved in both incidents were interviewed. The named officer denied taunting the complainant with the car keys, and the other officers denied seeing this occur. They described the complainant as belligerent, non-cooperative and on the verge of driving away until one of the officers removed the car keys from the vehicle's ignition. The officers placed the car keys on the roof until one of the officers finished citing the complainant. One officer made an audio recording of this encounter, which appears to support the officers' version of this event. No independent witnesses were developed to corroborate the complainant's allegations. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/17/10    **DATE OF COMPLETION:** 09/15/11    **PAGE#** 3 of 8

**SUMMARY OF ALLEGATION #4 & 5:** The officer detained the complainant without justification.

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

**FINDINGS OF FACT:** The complainant alleged that while he was driving his car on August 11, 2010, the officer stopped him for no apparent reason. The officer was accompanied by three other officers and cited the complainant for driving a vehicle, which did not have the front license plate displayed. The officer explained that what drew his attention to the complainant's vehicle was the extremely loud music coming from the vehicle that could be heard more than fifty feet. A few minutes later that same day, the officer's partner cited the complainant a second time for excessively and needlessly sounding his car horn. During this second incident, the officer stated the complainant needlessly and excessively blew his car horn in an attempt to alert the officers to move their patrol vehicle off the street while the officers were conducting a stop of approximately nine male subjects walking in an area of high crime/gang-related violence. The complainant was attempting to maneuver his vehicle around the patrol vehicle. No independent witnesses were developed to corroborate the complainant's allegations. There is insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATIONS #6 & 7:** The officer used unnecessary force during the detention.

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

**FINDINGS OF FACT:** The complainant alleged that on August 11, 2010, the officers pulled him by his arms in order to remove him from his (complainant's) vehicle. The officers stated that during a second encounter they had with the complainant on the same day whereby another officer was citing the complainant for a traffic infraction, the complainant was belligerent, non-cooperative and on the verge of driving away until one of the officers removed the car keys from the vehicle's ignition. During this process, the officers had to grab the complainant by his arms in order to prevent the complainant from driving away. One of the officers placed the car keys on the roof of the vehicle until the other officer finished citing the complainant. Another assisting officer made an audio recording of this encounter, which appears to support the officers' version of this event. No independent witnesses were developed to corroborate the complainant's allegations. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/17/10    **DATE OF COMPLETION:** 09/15/11    **PAGE#** 4 of 8

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

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

**FINDINGS OF FACT:** The complainant alleged that on August 17, 2010, the officer told him not to come around and the officer took the complainant's car keys. The officer allegedly made jokes about the complainant, laughed at him, and began taunting him by dangling the car keys in front of the complainant. The named officer denied making jokes about the complainant, laughing at him, and taunting the complainant with the complainant's car keys. Other officers who were working with the named officer on this date denied seeing this occur. The officers described the complainant as belligerent, non-cooperative and on the verge of driving away until one of the officers removed the car keys from the vehicle's ignition. The officers placed the car keys on the roof until one of the officers finished citing the complainant. One officer made an audio recording of this encounter, which appears to support the officers' version of this event. No independent witnesses were developed to corroborate the complainant's allegations. There is insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #9:** The officer detained the complainant without justification.

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

**FINDINGS OF FACT:** The complainant stated that on September 8, 2010, the officer stopped the complainant for no apparent reason. During this encounter the officer allegedly told the complainant not to come around the area, but the officer did not cite the complainant. The officer was interviewed but could not recall whether he stopped the complainant on this particular date. The officer admitted prior contacts with the complainant, but could not recall specific dates. Queries made of various SFPD database records did not support the officer having contact with the complainant on the date the complainant identified. In fact, SFPD records indicate the officer was at the police academy for the entire workday. No independent witnesses were developed to corroborate the complainant's allegations. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/17/10    **DATE OF COMPLETION:** 09/15/11    **PAGE#** 5 of 8

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

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

**FINDINGS OF FACT:** The complainant alleged the plainclothes officer had no reason to handcuff him after stopping the complainant on August 17, 2010 for a speeding violation. The officer stated he saw the complainant driving erratically and believed the complainant was driving under the influence. The officer stated that he believed the complainant's dangerous driving behavior posed a risk of serious bodily injury and/or property damage to nearby motorists and others. The officer followed the complainant's vehicle and subsequently stopped it before waiting for a uniformed police unit to arrive. The officer said the complainant recognized him from a previous contact, directed profanity at the officer, threatened to assault him, began using the horn on his (complainant's) vehicle as an annoyance measure to the officer, and refused the officer's command to stop honking the horn. The officer stated he therefore had to handcuff the complainant in order to control him and prevent him from possibly attacking the officer. No independent witnesses were developed to corroborate the complainant's allegations. There is insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #11:** The officer searched the complainant's vehicle without cause.

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

**FINDINGS OF FACT:** The complainant alleged the plainclothes officer had no reason to search the complainant's vehicle after stopping the complainant on August 17, 2010 for a speeding violation. The officer said after he stopped him, the complainant recognized the officer from a previous contact, directed profanity at the officer, threatened to assault him, began using the horn on his (complainant's) vehicle as an annoyance measure to the officer, and refused the officer's command to stop honking the horn. The officer stated he therefore had to handcuff the complainant in order to control him and prevent him from possibly attacking the officer. The officer knew the complainant was a member of a violent street gang and wanted to ensure the complainant did not have any weapons on him prior to the officer releasing the complainant; so, the officer searched the complainant only. The officer stated neither he nor any other officer at the scene searched the complainant's vehicle. No independent witnesses were developed to corroborate the complainant's allegations. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/17/10    **DATE OF COMPLETION:** 09/15/11    **PAGE#** 6 of 8

**SUMMARY OF ALLEGATION #12:** The officer displayed inappropriate behavior and made inappropriate comments.

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

**FINDINGS OF FACT:** The complainant alleged the officer made inappropriate comments and behaved inappropriately during the incident on August 17, 2010, but the officer denied this. The officers interviewed indicated they did not observe the named officer act or behave inappropriately. No independent witnesses were developed to corroborate the complainant's allegations. There is insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #13:** The officer detained the complainant without justification.

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

**FINDINGS OF FACT:** The complainant alleged that on September 8, 2010, the officer stopped him for no apparent reason. The officer acknowledged having several past contacts with the complainant but the officer stated he never cited the complainant. The officer knows of the complainant as being loud and abusive to other officers. The officer had no further recollection of the unspecified incident the complainant alleged as having occurred. No independent witnesses were developed to corroborate the complainant's allegations. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/17/10    **DATE OF COMPLETION:** 09/15/11    **PAGE#** 7 of 8

**SUMMARY OF ALLEGATION #14:** The officer displayed inappropriate behavior and made inappropriate comments.

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

**FINDINGS OF FACT:** The complainant alleged the officer made inappropriate comments and behaved inappropriately during an incident that occurred on September 8, 2010. The officer acknowledged having several past contacts with the complainant. The officer knows of the complainant as being loud and abusive to other officers. The officer assisted other officers in a stop of the complainant and asked the complainant to cooperate with the officers while being detained. The officer had no further recollection of the unspecified event. No independent witnesses were developed to corroborate the complainant's allegations. There is insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF OCC ADDED ALLEGATION #1:** The officer failed to follow DGO's 5.08 & 9.01.

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

**FINDINGS OF FACT:** The complainant described an incident in which the plainclothes officer stopped him for speeding. The underlying implication was that the officer was not justified in making the stop without a uniformed unit in a marked police vehicle actually making the stop. The named officer acknowledged making the stop and provided justification that was consistent with the policy outlined in the Department's General Orders. No independent witnesses were developed to corroborate the complainant's allegations that the stop was unjustified. There is insufficient evidence to either prove or disprove the allegation.

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**SUMMARY OF OCC ADDED ALLEGATION #2:** The officer failed to collect traffic stop data.

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

**FINDINGS OF FACT:** The complainant described an incident in which the plainclothes officer stopped him for speeding. The underlying implication was that the officer did not input the required data into a computer database. A specific Department Bulletin mandates that this information be captured into a computer database. The officer stated he entered the required information into his Mobile Video Terminal unit inside his police vehicle but the system failed to capture the input. The officer went to the police station and again input the information into the station's computer. 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 ALLEGATIONS #1-2:** The officers failed to take required action.

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

**FINDINGS OF FACT:** The complainant alleged he first made a 911 call to report violence at a restaurant and then made a second 911 call to report being a victim of an assault. The complainant was upset over what seemed forever to get an ambulance and alleged the officers did nothing to identify an apparent witness to the assault against him. The officers denied the allegation, stated they responded within minutes of being dispatched, and recalled no witness on scene to the assault against the complainant. An independent witness who was present at the scene said the complainant gave her a different description of the assault suspect, but was unable to hear the conversation between the complainant and the officers so there was insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #3:** The officer failed to prepare an accurate report.

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

**FINDINGS OF FACT:** The complainant alleged the officer prepared an inaccurate report by falsely reporting that he had declined the services of an ambulance. The officer and his partner stated that when they first arrived on scene the complainant said he did not require an ambulance and was adamant because he wanted them to search the area to find the suspect immediately. There were no witnesses and so there was insufficient evidence to either prove or disprove the allegation.

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**SUMMARY OF ALLEGATIONS #4:** The officer's behavior and comments were inappropriate.

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

**FINDINGS OF FACT:** The complainant alleged the named officer acted irate, rude, yelled, and threatened not to call an ambulance for him unless he stood at a particular location and acted in a certain way. The officer and his partner denied the allegation. Three independent witnesses that were present denied the officer mistreated the complainant. However, these witnesses were either unable to hear much of the conversations or were not present when the alleged misconduct occurred. Therefore, there was insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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

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

**FINDINGS OF FACT:** The complainant admitted to being on probation and having a small amount of heroin for personal use. However, he denied selling illegal drugs and indicated there was no reason for the officers to detain him. The officers stated they were conducting a “buy/bust” operation and the complainant sold heroin to an undercover officer. Another officer was watching this transaction as it unfolded, and alerted the officers when the transaction had concluded. The officer watching the transaction provided a description of the complainant over the radio, and the officers approached and detained the complainant. Other officers interviewed provided details consistent with the police report made of this incident. The complainant was subsequently convicted in court of this offense. The evidence proved that the acts, which provided the basis for the allegation, occurred; however, such acts were justified, lawful and proper.

**SUMMARY OF ALLEGATIONS #3-4:** The officers arrested the complainant without cause.

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

**FINDINGS OF FACT:** The complainant denied selling illegal drugs and indicated there was no reason for the officers to arrest him. The officers stated they were conducting a “buy/bust” operation and the complainant sold heroin to an undercover officer. Consequently, the officers arrested the complainant. Other officers interviewed provided details consistent with the police report made of this incident. The complainant was subsequently convicted in court of this offense. 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 ALLEGATIONS #5- 6:** The officers searched the complainant without cause.

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

**FINDINGS OF FACT:** The complainant alleged the officers had no right to search him since he did not break any laws. The officers said they arrested the complainant for sale of narcotics. Pursuant to the complainant's arrest and following legal guidelines, the officers searched the complainant for evidence of the crime and other contraband. The complainant was subsequently convicted in court. 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 #7:** The officer used unnecessary force during the arrest.

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

**FINDINGS OF FACT:** The complainant alleged the officer either kicked him (complainant) in the groin with his foot or struck him (complainant) in the groin with his knee, and the complainant lost consciousness. He described the force of this blow as causing one of his testicles to rupture, which required immediate surgery. Hospital medical records confirm the complainant's injury. The officer said he did strike the complainant in the thigh with his (the officer's) knee, but this was an unintentional, defensive and reflexive action caused by the complainant suddenly coming towards the officer while the officer was placing the complainant under arrest. The named officer and other officers stated the complainant never alerted anyone that he had been struck, or was injured or required medical attention. The Medical Screening Form completed and signed by the complainant after his arrest indicated the complainant never lost consciousness, never complained of pain or injury and did not request immediate medical attention. Jail medical records disclose the complainant never mentioned any recent injury or trauma at the time he was initially brought there, although he did complain of swollen and painful testicles. No independent witnesses were developed to corroborate the complainant's allegations. There is insufficient evidence to either prove or disprove the allegation.

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**SUMMARY OF ALLEGATIONS #8 -9:** The officers failed to take the required action.

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

**FINDINGS OF FACT:** The complainant alleged the officers failed to provide him with medical treatment after an officer struck him in the groin. The officers said the complainant never complained of pain or injury and did not request immediate medical attention. Jail medical records disclose the complainant never mentioned any recent injury or trauma at the time he was initially brought there, although he did complain of swollen and painful testicles. No independent witnesses were developed to corroborate the complainant's allegations. There is insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF OCC ADDED ALLEGATION #1:** The officer failed to report and log the use of force.

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

**FINDINGS OF FACT:** The complainant alleged that five to seven officers surrounded him at the time he was arrested, and one of the officers either kicked him (complainant) in the groin with his foot or struck him (complainant) in the groin with his knee. The complainant stated he lost consciousness as a result of being struck. The officer said he was the supervising officer at the time of this operation. He arrived on the scene while the complainant was being arrested, but he did not see any officer strike, kick or knee the complainant in the groin. The officer indicated he did not see the complainant lose consciousness, and the complainant never mentioned being injured or in any pain. Consequently, the officer was not required to make any entry in the Use of Force log or oversee any medical attention required. Police station and jail intake records either signed by the complainant or prepared from responses made by the complainant, verify the officer's account of this incident. 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 OCC ADDED ALLEGATION #2:** The officer failed to supervise.

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

**FINDINGS OF FACT:** The complainant alleged that five to seven officers surrounded him at the time he was arrested, and one of the officers either kicked him (complainant) in the groin with his foot or struck him (complainant) in the groin with his knee. The complainant stated he lost consciousness as a result of being struck. The officer said he was the supervising officer at the time of this operation. He arrived on the scene while the complainant was being arrested, but he did not see any officer strike, kick or knee the complainant in the groin. The officer indicated he did not see the complainant lose consciousness, and the complainant never mentioned being injured or in any pain. Consequently, the officer was not required to make any entry in the Use of Force log or oversee any medical attention required. Police station and jail intake records either signed by the complainant or prepared from responses made by the complainant, verify the officer's account of this incident. The evidence proved that the act alleged in the complaint did not occur.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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**SUMMARY OF ALLEGATION #1:** The officer mishandled evidence.

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

**FINDINGS OF FACT:** The complainant said the officer either destroyed or represented that she destroyed her field notes. The officer said she used her notes as a reference when she wrote her statement attached to the incident report after which she disposed of them. There is no rule that requires officers to preserve their field notes. The evidence proved that the acts, which provided the basis for the allegation occurred; however, such acts were justified, lawful, and proper.

**SUMMARY OF ALLEGATIONS #2-3:** The officers mishandled evidence.

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

**FINDINGS OF FACT:** The officers are separated from the department. The officers are no longer available and subject to Department discipline.

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**SUMMARY OF ALLEGATION #4-5:** The officers misrepresented the truth.

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

**FINDINGS OF FACT:** The complainant said that one of the officers lied in her report and the other officer lied in court. The officer said her report is accurate the other officer said he could not recall what he testified to in court as it was several years ago and he spent days on the stand on two different occasions. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

**SUMMARY OF ALLEGATIONS #6-7:** The officers misrepresented the truth.

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

**FINDINGS OF FACT:** The officers are separated from the department. The officers are no longer available and subject to Department discipline.

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**SUMMARY OF ALLEGATION #8:** The officer wrote an inaccurate incident report.

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

**FINDINGS OF FACT:** The complainant said the officer wrongfully identified him as a suspect in the incident report. The complainant was a suspect at the time the officer prepared his report. The evidence provided that the acts, which provided the basis for the allegation occurred; however, such acts were justified, lawful, and proper.

**SUMMARY OF ALLEGATIONS #9-10:** The officer failed to take required action.

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

**FINDINGS OF FACT:** The officers are separated from the department. The officers are no longer available and subject to Department discipline.

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**SUMMARY OF ALLEGATIONS #1 - 3:** The officers detained the complainant without justification.

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

**FINDINGS OF FACT:** The officers received an "A" priority dispatch call advising them that the complainant drove his car onto the sidewalk and struck an auto reposessor while the auto reposessor was attempting to take custody of another vehicle belonging to the complainant. The officers responded to the scene of this incident and performed an investigation. They interviewed both parties. The complainant repeatedly refused to open and come from behind a locked iron gate that secured an open area leading to his residence; then, the complainant walked away from the officers. The officers forced the gate open and detained the complainant. The evidence proved that the acts, which provided the basis for the allegation, occurred; however, such acts were justified, lawful and proper.

**SUMMARY OF ALLEGATIONS #4 - 6:** The officers arrested the complainant without cause.

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

**FINDINGS OF FACT:** The officers received an "A" priority dispatch call advising them that the complainant drove his car onto the sidewalk and struck an auto reposessor while the auto reposessor was attempting to take custody of another vehicle belonging to the complainant. The officers responded to the scene of this incident and performed an investigation. They interviewed both parties. The complainant repeatedly refused to open and come from behind a locked iron gate that secured an open area leading to his residence; then, the complainant walked away from the officers. The officers forced the gate open and arrested the complainant. 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 ALLEGATIONS #7 - 9:** The officers entered the residence without justification.

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

**FINDINGS OF FACT:** The officers received an “A” priority dispatch call advising them that the complainant drove his car onto the sidewalk and struck an auto reposessor while the auto reposessor was attempting to take custody of another vehicle belonging to the complainant. The officers responded to the scene of this incident and performed an investigation. They interviewed both parties. While talking to the officers, the complainant repeatedly refused to open and come from behind a locked iron gate that secured an open area leading to his residence. In an act which the officers construed as wanton defiance of opening the gate and exiting his residence as ordered, the complainant turned his back to the officers and began to walk away. The officers forced the gate open, entered the foyer and arrested the complainant. The evidence proved that the acts, which provided the basis for the allegation, occurred; however, such acts were justified, lawful and proper.

**SUMMARY OF ALLEGATIONS #10 - 12:** The officers intentionally damaged the complainant’s property.

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

**FINDINGS OF FACT:** The complainant alleged the officers intentionally damaged the front outer gate to his residence when the officers forced it open and entered his residence to arrest him. The officers denied damaging the gate. The officers alleged the gate was in poor condition and they opened it by forcefully pushing on it. No independent witnesses were developed to corroborate the complainant’s allegations. There is insufficient evidence to either prove or disprove the allegation.

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**SUMMARY OF ALLEGATIONS #13 - 15:** The officers failed to provide their names and star numbers.

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

**FINDINGS OF FACT:** The complainant alleged that after he was arrested, he demanded the officers provide him with their names and badge numbers, but they refused. The officers did not recall the complainant asking for this information. They acknowledged that if the complainant wanted this information, they would have provided it. No independent witnesses were developed to corroborate the complainant's allegations. There is insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #16:** The officer used profanity.

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

**FINDINGS OF FACT:** The complainant alleged the officer used profanity when the officer directed other officers to break down the outer gate to the complainant's residence. The named officer denied the allegation. Other officers at the scene stated they did not hear any officer use profanity. No independent witnesses were developed to corroborate the complainant's allegations. There is insufficient evidence to either prove or disprove the allegation.

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**SUMMARY OF ALLEGATIONS #17 - 19:** The officers displayed inappropriate behavior and made inappropriate comments.

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

**FINDINGS OF FACT:** The complainant alleged the officers behavior and comments were inappropriate while they were arresting him. The officers denied this. No independent witnesses were developed to corroborate the complainant's allegations. There is insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #20:** The officer displayed his firearm without justification.

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

**FINDINGS OF FACT:** A reporting party told the officer the complainant had intentionally struck him with the automobile the complainant was driving. The officer investigated and was talking to the complainant through the locked front gate of the complainant's residence. The complainant alleged the officer drew his firearm and pointed it at him after the complainant, refusing to comply with the officer's orders to come out, walked away. The officer stated he had given the complainant several lawful commands to open the locked gate and come out. Instead, the complainant ignored the officer's commands, expressed that he was finished talking to the officer, and walked to go back inside the living quarters of his (complainant's) residence. The officer described the complainant as irrational and agitated. Fearing the complainant could possibly go inside his residence, retrieve a weapon and use it on the named officer and other officers, the officer said he drew his firearm and pointed it at the complainant. The evidence proved that the acts, which provided the basis for the allegation, occurred; however, such acts were justified, lawful and proper.

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**SUMMARY OF ALLEGATION #1:** The officer wrote an incomplete, inaccurate report

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

**FINDINGS OF FACT:** The complainant alleged that portions of the named officer's report were inaccurate or incomplete. She alleged the report failed to accurately reflect the circumstances of the incident. The OCC found that the authoring officer failed to identify all parties involved, and left out pertinent details to the incident. The sergeant who reviewed the report admitted the report was deficient. The officer denied the allegation. 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 #2-4:** The officers entered a vehicle without probable cause.

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

**FINDINGS OF FACT:** The complainant stated the officers entered her boyfriend's mobile home without probable cause. The mobile home was parked on the street and driveable. Officers observed a man allegedly looking inside the driver side of a parked car across the street from the mobile home, using a flashlight. The officers knew the area was known for auto theft. They thought the man was about to commit an auto related crime. They ordered the man to stop. The man allegedly failed to comply with officer orders, reportedly fleeing into the mobile home. Officers pursued the man to the mobile home and repeatedly knocked at its door, but were not admitted. After over five minutes of knocking, officers entered the mobile home, allegedly by opening the door via a broken window. The witnesses provided inconsistent statements regarding the incident. There were no independent witnesses. The officers denied the allegation. There was insufficient evidence to prove or disprove the allegation made in the complaint.

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**SUMMARY OF ALLEGATION #5-7:** The officers searched a vehicle without probable cause.

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

**FINDINGS OF FACT:** The complainant stated the officers searched her boyfriend's mobile home without probable cause. Following their entry into the mobile home, officers detained three men, including a possible auto boost suspect, and brought them outside. Prior to entry, at least one of the officers had conducted surveillance on the mobile home and determined that the men, as well as a woman were inside the camper. The woman was hiding. When only three men were brought out, officers returned inside the mobile home and searched for the woman, who was found hiding inside. The witnesses provided inconsistent statements regarding the incident. There were no independent witnesses. The officers denied the allegation. There was insufficient evidence to prove or disprove the allegation made in the complaint.

**SUMMARY OF ALLEGATION #8:** The officer used unnecessary force.

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

**FINDINGS OF FACT:** The complainant alleged that the officer kicked her in the back and arm as he took her into custody. She further alleged that he pulled her up from the floor by her hair, and pushed her out of a mobile home. The officer denied the allegation. There were no independent witnesses. A police officer at the station took photos of the complainant's injuries. The photo disk and prints of the photos were lost or removed from a supervisor memo about the incident by an unknown employee(s) of SFPD. There was insufficient evidence to prove or disprove the allegation made in the complaint.

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**SUMMARY OF ALLEGATION #9:** The officer intentionally damaged property.

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

**FINDINGS OF FACT:** The complainant alleged an officer intentionally broke the window of her boyfriend's mobile home, reached inside, and unlocked the door to gain entry. The OCC found in its investigation that it was more likely than not that the complainant could not have seen what happened, because she was hiding. The officers admitted that a specific officer was in the front of the stack and reached in through a poorly replaced door window to unlock and open the door of a mobile home. The officers and the witnesses gave conflicting statements regarding the condition of the window. There was insufficient evidence to prove or disprove the allegation made in the complaint.

**SUMMARY OF ALLEGATION #10:** The officer used sexually derogatory language.

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

**FINDINGS OF FACT:** The complainant alleged the officer called her several sexually derogatory terms over the course of her detention. The officer denied the allegation. The witnesses did not overhear the exchange. There was insufficient evidence to prove or disprove the allegation made in the complaint.

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**SUMMARY OF ALLEGATION #11:** The complainant alleged the officer made numerous inappropriate comments and acted in an inappropriate manner toward her.

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

**FINDINGS OF FACT:** The complainant alleged the officer made inappropriate comments and acted in an inappropriate manner toward her. The alleged misconduct occurred throughout the course of the officer's contact with the complainant. During the arrest phase of the contact, the complainant stated an officer wrongfully threatened to shoot and/or spray her dog with OC spray. After the complainant was transported to the police station, the same officer and the complainant saw each other again. The complainant alleged the officer mocked her and verbally engaged her at the police station, sitting near where she was handcuffed. In his OCC interview, the officer admitted there was contact between himself and the complainant at the station. He said he thought the incident was funny, but denied he mocked the complainant at the station. The officer denied threatening to shoot or spray the complainant's dog. No witnesses came forward. There was insufficient evidence to prove or disprove the allegation made in the complaint.

**SUMMARY OF ALLEGATION #12:** The complainant alleged the officer used profanity.

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

**FINDINGS OF FACT:** The complainant alleged that once the officer entered the mobile home where she was with her friends, he demanded to know why she and the other subjects had not opened the door, and used profanity in addressing her at that time. She further alleged he used profanity when addressing her at the police station. The officer denied the allegation. The witnesses gave conflicting accounts regarding what happened. They were not present at the police station. There was insufficient evidence to prove or disprove the allegation made in the complaint.

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**SUMMARY OF ALLEGATION #13:** The complainant alleged the officers made inappropriate comments and acted in an inappropriate manner.

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

**FINDINGS OF FACT:** The complainant alleged the officer made an inappropriate comment. The complainant stated she was in need of medical attention when a transporting officer she described as either balding or with buzzed hair told her where she was going, she would get good medical care. The officer denied the allegation. The witnesses provided conflicting accounts of the incident. There was insufficient evidence to prove or disprove the allegation made in the complaint.

**SUMMARY OF ALLEGATIONS #14-15:** The complainant alleged the officers failed to take required action.

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

**FINDINGS OF FACT:** The complainant alleged the officers did not take required action as to the care and appropriate humane custody of a prisoner. She alleged the officers withheld appropriate medical attention at the scene. This attention would have included allowing her to take her asthma inhaler with her when the officers transported her to the police station, or having her medically evaluated by paramedics. The complainant further stated she was in her stocking feet and the officers would not allow her to retrieve her shoes. The officers denied the allegation. The witnesses provided conflicting accounts of the incident. There was insufficient evidence to prove or disprove the allegation made in the complaint.

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**SUMMARY OF OCC ADDED ALLEGATIONS #1-2:** The officers failed to take required action.

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

**FINDINGS OF FACT:** The primary officers conducted an investigative detention of an alleged car theft suspect. They observed the suspect using burglary tools to examine a parked car on the street. The officers pursued the subject into a mobile home, where he entered and locked the door. The officers eventually gained entry into the mobile home after knocking repeatedly, and entered the mobile home. The officers detained the subject and three additional parties inside the mobile home, moved them a short distance, but did not physically restrain them. The officers did not issue any of the men a Certificate of Release, per California Penal Code Section 849b. The parties were not free to leave, and were run for wants and warrants. The witness stated that other than the arrest of a female on parole, no one was handcuffed. The officers gave conflicting statements. No other witnesses came forward. There was insufficient evidence to prove or disprove the allegation made in the complaint.

**SUMMARY OF OCC ADDED ALLEGATION #3:** The officer failed to take required action.

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

**FINDINGS OF FACT:** The complainant alleged that an officer committed a criminal assault on her person during the course of her arrest. A supervisory officer investigated the incident, but failed to properly maintain or safeguard the chain of custody and control of photographic evidence relevant to the incident until it was safely in the hands of the appropriate commanding officer, causing the evidence to be lost, misplaced or stolen. The complainant stated that she was assaulted by a specific officer. The named officer ordered the station duty officer to photograph the complainant's injuries. The station duty officer preserved the photographs on a single disk and no one made any copies of the disk. The disk and a single paper copy of photos were attached to the named officer's hard copy memorandum and placed in an unsecured location in the station for the Captain's review. The photos were not saved to the SFPD's computer server. When the OCC requested a copy of the photos, neither the disk, nor a hard copy of the photos were found. The photos could not be remotely recovered from the SFPD server. The OCC recommends a change in this procedure.

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**SUMMARY OF OCC ADDED ALLEGATION #3:** The officer failed to properly supervise.

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

**FINDINGS OF FACT:** The officer received a report to review that was inaccurate and incomplete. The officer stated the deficiencies included, but were not limited to, missing forms for the detained parties, identifying them by name, address, and physical descriptions, and an incomplete, inaccurate narrative. The officer admitted he should have returned the report to the officer for correction and clarification. He admitted that the report contained deficiencies. 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:** 10/25/10 **DATE OF COMPLETION:** 09/27/11 **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant stated the officers responded to his call of a vandalized vehicle while his vehicle was connected to a tow truck, but were unwilling to take a property damage report. The officers denied the allegation and stated the complainant was in a hurry to get his vehicle to an East Bay garage before it closed and asked them for information to file his report on line. The officers said they provided the complainant with the website information, and the complainant said he would file it later himself. A witness on scene did not respond to Office of Citizen Complaints requests for an interview. There were no other witnesses. There is insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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**DATE OF COMPLAINT:** 11/08/10    **DATE OF COMPLETION:** 09/15/11    **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 stated the officer arrested her without cause. The officer admitted to arresting the complainant based on the fact that narcotics were found in her residence. The complainant is on felony probation with a warrantless search condition. The evidence proved that the acts which provided the basis for the allegation occurred; however, such acts were justified, lawful, and proper.

**SUMMARY OF ALLEGATIONS #2-5:** The officers searched a residence without justification.

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

**FINDINGS OF FACT:** The complainant stated the officers searched a residence where she does not reside. The officers received information from a reliable confidential informant that the complainant resided at a specific residence. Keys were seized from the complainant that allowed the officers to gain access to the residence and indicia was found in the residence that belonged to the complainant. The complainant is also on felony probation with a warrantless search condition. 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 #6-7:** The officer searched the complainant's vehicle without justification.

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

**FINDINGS OF FACT:** The complainant stated the officers searched her vehicle without justification. The officers had received evidence from a confidential informant that the complainant may have used her vehicle to commit several crimes. The complainant is on felony probation with a warrantless search condition. 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 #8:** The officer searched the complainant's purse without justification.

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

**FINDINGS OF FACT:** The complainant stated an officer searched her purse. All of the officers involved in the incident did not recall if the complainant's purse was searched or who searched it. The complainant is on felony probation with a warrantless search condition. 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 #9-10:** The officers requested a strip search without justification.

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

**FINDINGS OF FACT:** The complainant stated the officers requested a strip search to be conducted on her. The officers did request that a strip search be authorized due to the amount of narcotics found at the complainant's residence. The complainant is on felony probation with a warrantless search condition. 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 #11:** The officer failed to accurately document property.

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

**FINDINGS OF FACT:** The complainant stated that the police report did not document the number of digital cameras seized from her. The officer stated he only remembered the number of cameras listed in the police report. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

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**SUMMARY OF ALLEGATION #12:** The officer used racial slurs.

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

**FINDINGS OF FACT:** The complainant stated an officer used racial slurs during this incident. The officers were questioned and denied the allegation. There were no independent witnesses to this incident. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

**SUMMARY OF ALLEGATION #13:** The officer's comments and behavior were inappropriate and threatening.

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

**FINDINGS OF FACT:** The complainant stated an officer made inappropriate and threatening comments while displaying inappropriate behavior. The officers denied the allegation. There were no independent witnesses to this incident. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

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**DATE OF COMPLAINT:** 11/18/10    **DATE OF COMPLETION:** 09/26/11    **PAGE#** 1 of 2

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

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

**FINDINGS OF FACT:** The complainant alleged the officer was rude to him by repeatedly interrupting the complainant's explanation of a traffic accident. The complainant further alleged the officer yelled and screamed at him. The officer denied being rude and stated he neither screamed nor yelled at the complainant. The officer acknowledged raising his voice to the complainant, but did so because of the complainant's repeated interruptions of the officer's explanation. The other party to this accident stated the officer was calm throughout this incident, and indicated it was the complainant who was highly excited and yelling at the officer. No independent witnesses were developed to corroborate the complainant's allegations. There is insufficient evidence to either prove or disprove the allegation.

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

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

**FINDINGS OF FACT:** The complainant alleged the officer failed to properly investigate and report an incident in which the complainant was being falsely accused of backing his (complainant's) vehicle into a parked and unoccupied vehicle. The complainant further alleged that had the officer properly investigated this incident, he would have determined the complainant was being falsely accused. The officer said he responded to the scene of this incident and followed all Department protocols in investigating this incident. The officer further stated that Department policy did not require him to prepare an Incident Report because the incident was a non-injury automobile accident. 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 #3:** The officer failed to take the required action.

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

**FINDINGS OF FACT:** The complainant made a personal visit to a police station that did not have jurisdiction to investigate an incident for which the complainant was involved. He spoke to a sergeant at the station for the purpose of determining whether an Incident Report should have been prepared concerning an incident in which the complainant said he was falsely accused of backing his vehicle into a parked and unoccupied vehicle. The officer informed the complainant that Department policy did not require the responding officer to prepare an Incident Report because the incident was a non-injury automobile accident; however, the complainant refused to accept the officer's explanation and accused the officer of conspiring to protect other officers. 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 #:**

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

**FINDINGS OF FACT:**

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**DATE OF COMPLAINT:** 11/29/10      **DATE OF COMPLETION:** 09/02/11      **PAGE #1** of 2

**SUMMARY OF ALLEGATION #1:** The San Francisco Police Department has failed to properly investigate the murder of the complainant's nephew.

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

**FINDINGS OF FACT:** The complainant stated that the San Francisco Police Department has failed to properly investigate the murder of her nephew. One of the investigators assigned to the homicide investigation and the Officer in Command of the Homicide Detail denied the allegation, stating that the department devoted a significant amount of time and resources to this investigation, which is still ongoing, but which is hindered by a lack of cooperation from parties involved in the incident and the fact that no witnesses have come forward. There is insufficient evidence to prove or disprove the allegation.

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

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

**FINDINGS OF FACT:** The complainant stated that the named officer has failed to adequately communicate with the mother of the homicide victim. The named officer stated that she contacted the victim's mother eleven times over an eight month period. The homicide victim's mother failed to respond to requests for an interview. A Homicide Detail Unit Order mandated monthly communications with a victim's family but Homicide Detail supervisors were unaware of its existence during the time referenced by the complainant. The Officer in Command of the Homicide Detail said she is reviewing and revising Unit Orders including this Unit Order. The evidence established that the Department failed to adequately train Inspectors and Supervisors in the Homicide Detail on exiting Unit Orders and to update Unit Orders.

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

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

**FINDINGS OF FACT:** The complainant stated that the named officer made inappropriate comments and engaged in inappropriate behavior during a telephone conversation. The named officer denied the allegation and stated that the complainant screamed at her during the conversation. There were no witnesses to the conversation. There is insufficient evidence to prove or disprove the allegation.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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**DATE OF COMPLAINT:** 11/29/10 **DATE OF COMPLETION:** 09/02/11 **PAGE #1** of 3

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

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

**FINDINGS OF FACT:** The complainant stated that, after he called to report a burglary, he was detained and taken to jail. The officers stated the complainant appeared to be in possession of stolen property, had no identification and was intoxicated. The officers had the authority to conduct an investigative detention per DGO 5.03.

**SUMMARY OF ALLEGATIONS #3-4:** The officers exhibited inappropriate behavior.

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

**FINDINGS OF FACT:** The complainant stated that the officers treated him like a criminal, laughed at him, and would not allow him to use the bathroom, would not loosen the handcuffs, and he had to beg for them to let him use the phone. The officers denied the allegation. There were no witnesses. There is insufficient evidence to prove or disprove the allegation.

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

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

**FINDINGS OF FACT:** The complainant stated he was strip searched and a cavity body search was done as well. The officers denied the allegation. There is no evidence supporting this allegation. The complainant did not respond for an interview. There is insufficient evidence to prove or disprove the allegation.

**SUMMARY OF ALLEGATION #6:** The officer failed to properly process property.

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

**FINDINGS OF FACT:** The complainant stated his keys were never returned to him. The officers stated the complainant was told to wait in the lobby while they corrected paperwork, but the complainant was gone when they came out to the lobby. The keys were booked for safekeeping. The incident report and property report indicate the keys are still in property for safekeeping. The officers processed the keys per DGO 6.15.

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**SUMMARY OF ALLEGATIONS #7-8:** The officers engaged in biased policing due to race.

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

**FINDINGS OF FACT:** The complainant stated in his 293 narrative that he was treated in an abusive fashion because he was Asian and did not speak English. The officers denied the allegation. There were no other witnesses. There is insufficient evidence to prove or disprove the allegation.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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**SUMMARY OF ALLEGATION #1:** The officer displayed her firearm without justification.

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

**FINDINGS OF FACT:** The complainant stated the officer stopped him for making an illegal left turn and the officer drew her weapon based solely on the complainant's race. The officer stated she did not have any specific recollection of this incident, and nothing stands out that would have distinguished this traffic stop from the numerous other traffic stops she has made over the course of her career. The officer stated she does not routinely draw her firearm on routine traffic stops, and she described general conditions that would cause her to draw her firearm. She indicated that since there was nothing remarkable about this incident that would have caused her to fear for her safety or the safety of someone else, she would not have drawn her firearm. The officer's partner was interviewed and stated he did not remember the named officer drawing her weapon or having reason to draw her weapon during this incident. No independent witnesses were developed to corroborate the complainant's allegation. There is insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #2:** The officer engaged in biased policing.

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

**FINDINGS OF FACT:** The complainant alleged the officer stopped him for a traffic violation and drew her weapon based solely on the complainant's race. The officer stated she did not remember this specific incident. She described in general terms her reason for executing a traffic stop, and stated that she stops drivers on the basis of the traffic infraction the driver committed as opposed to the driver's race or sex. The officer further described circumstances by which she would have drawn her weapon, and indicated those circumstances were probably not present in this particular incident. Otherwise, she would most likely have remembered this incident and the reason for drawing her firearm. No independent witnesses were developed to corroborate the complainant's allegations. There is insufficient evidence to either prove or disprove the allegation.

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

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

**FINDINGS OF FACT:** The complainant stated he drove a little bit over a middle divider to pass an unmarked vehicle and another vehicle ahead turning at an intersection. The officers stated the complainant drove recklessly past them onto opposite traffic lane, cutting them off. There were no witnesses to either prove or disprove the allegation. There is insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATIONS #3-4:** The officers issued a citation without cause.

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

**FINDINGS OF FACT:** The complainant stated that even though he drove a little bit over a middle divider to pass two vehicles, he did not commit a traffic violation. The officers stated the complainant drove recklessly past them onto the opposite traffic lane, cutting them off. There was no witness to either prove or disprove that the complainant passed at a safe distance without interfering with the safe operation of the overtaken vehicles or of any vehicle approaching from the opposite direction. There is insufficient evidence to either prove or disprove the allegation.

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**SUMMARY OF ALLEGATIONS #5-7:** The officers handcuffed the complainant without justification.

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

**FINDINGS OF FACT:** The complainant stated the officers handcuffed him without justification because he followed their commands and did not resist being handcuffed. The preponderance of the evidence based on testimony from three named officers and two witnesses standing nearby established that the complainant did not follow an officer's commands and physically resisted being handcuffed. The officer's actions were lawful and proper.

**SUMMARY OF ALLEGATIONS #8-9:** The officers used excessive force during the arrest.

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

**FINDINGS OF FACT:** The complainant alleged an officer pushed him against his USPS truck without justification. The complainant also stated he sustained scratches on his right wrist and over his left hand after he clinched his right fist and keeping his left arm stiff during the handcuffing process. The officers and several witnesses denied the allegation and stated the complainant physically resisted being handcuffed. Medical records from the emergency department the same night of this incident indicate the complainant moved all his extremities well, and there was no objective entry of trauma or injury. The officer's actions were proper and lawful under the circumstances.

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**SUMMARY OF ALLEGATIONS #10:** The officer's behavior and comments were inappropriate.

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

**FINDINGS OF FACT:** The complainant alleged the officer told him that he did not care if he was the President of the United States that he was the law, and that he was going to spend the weekend in jail. All officers on scene denied the allegation and two other witnesses on scene could neither prove nor disprove the allegation. There is insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATIONS #11-12:** The officers arrested the complainant without cause.

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

**FINDINGS OF FACT:** The complainant stated that he did not resist the arrest and followed the officers' commands. All officers on scene and two other witnesses on scene verified the complainant physically resisted being handcuffed during his arrest. The officers' actions were lawful and proper.

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**SUMMARY OF OCC ADDED ALLEGATIONS #1-2:** The officers failed to comply with Department General Orders regarding traffic stops.

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

**FINDINGS OF FACT:** The officers stated they were a uniformed unit that happened to be in an unmarked vehicle during this traffic stop of a reckless nature due to a shortage of marked vehicles being available. The officers also stated and department records corroborate that marked units responded to assist whether or not the named officers called for them. The preponderance of the evidences does not indicate the officers were in violation of Department General Order 5.18, which is directed at plainclothes officers in unmarked vehicles.

**SUMMARY OF OCC ADDED ALLEGATIONS #3-4:** The officers failed to document and/or log the use of force.

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

**FINDINGS OF FACT:** The preponderance of the evidence established that the officer's supervisor made a use of force log entry as a result of the complaint of pain reported by the complainant from a hospital six hours after his release. The complainant did not report a complaint of pain to the officers and there was no objective sign of trauma or injury established by medical personnel. The officer's actions were lawful and proper.

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**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 acknowledged he pulled over and parked illegally at the curb. The officers were conducting a prostitution abatement program at the same location. One officer observed the complainant drive his vehicle in an erratic manner, stop near the decoy [female officer] and exchange a brief verbal interaction. Both cover officers said the decoy alerted them to move in for assistance. They both responded, detained the complainant, identified him by his driver's license and released him once it was determined there was insufficient evidence for an arrest of solicitation. The evidence proved that the acts, which provided the basis for the allegations occurred; however, such acts were justified, lawful, and proper.

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

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

**FINDINGS OF FACT:** The officer denied pulling the complainant out of his vehicle. The named and witness officers said the complainant remained in his vehicle during the investigative detention. The officer denied making an inappropriate comment toward the complainant. No other witnesses came forward. There is insufficient evidence to prove or disprove the allegation.

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**SUMMARY OF ALLEGATION #4:** The officer made a racially derogatory comment to the complainant.

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

**FINDINGS OF FACT:** The officer denied the allegation. The witness officer did not hear the named officer make a racially derisive slur toward the complainant and accounted for his diligent and professional manner. There is insufficient evidence to prove or disprove the allegation.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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

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

**FINDINGS OF FACT:** The complainant stated the officer issued a citation without cause. The officer stated the complainant made an illegal left turn from the second turning lane. The complainant admitted to making the left turn from the second lane, but thought it was allowed because a vehicle in front of him did the same thing. 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 #2:** The officer's actions and comments were inappropriate and intimidating.

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

**FINDINGS OF FACT:** The complainant stated the officer's comments and behavior were inappropriate and intimidating. The officer admitted to saying the specific comments alleged, but denied that his comments were inappropriate and intimidating in nature. However, because the officer was in a position of authority at the time, and the fact that the complainant became physically ill after the comments were made, the OCC determined that the comments were improper and displayed discredit upon the Department. 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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**SUMMARY OF OCC ADDED ALLEGATION #1:** The officer failed to make the required E585 data entry.

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

**FINDINGS OF FACT:** The officer effected a traffic stop on the complainant. The officer stated he made the required E585 data entry for this traffic stop. The OCC made a request to SFPD legal to see if the required data entry was made. SFPD legal responded by stating there was no record the required data entry was made for this traffic stop. A preponderance of the evidence proved that the conduct complained of did occur, and that using as a standard the applicable regulations of the Department, the conduct was improper.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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

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

**FINDINGS OF FACT:** The complainant stated the officer refused to give him protection and failed to include his San Francisco Police Department statement form containing suspect information as part of his incident report. The officer denied the allegation, denied he was given a San Francisco Police Department statement form and denied speaking with the complainant in relation to his complaint. A potential witness officer is no longer with the San Francisco Police Department and there are no other known witnesses to either prove or disprove the allegation. There is insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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

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

**FINDINGS OF FACT:** The complainant stated an officer failed to investigate her claim of an assault. The officer stated he did investigate the allegation of an assault but the complainant refused to answer his questions and was rambling in an emotionally unstable manner. The named officer was the most senior officer at the scene. There are no independent witnesses to this incident. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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**SUMMARY OF ALLEGATION # 1-2:** The officers arrested the complainant without cause

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

**FINDINGS OF FACT:** The complainant alleged he swung his backpack forward and was tackled by police. He resisted arrest and unintentionally spit on police and medical paramedics. The complainant said that someone may have smelled alcohol on his person from the alcohol he consumed the night prior. The officers stated the complainant intentionally and without provocation struck one of the named officers on his right shoulder as they passed the complainant standing on the sidewalk. The evidence proved that the acts which provided the basis for the allegations occurred; however, such acts were justified, lawful, and proper.

**SUMMARY OF ALLEGATION # 3-4:** The officers used unnecessary force during the arrest

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

**FINDINGS OF FACT:** The complainant said he resisted arrest and unintentionally spit on police and medical paramedics. During the arrest, the officers attempted to place the complainant into a controlled takedown, however, the complainant fell backwards onto a nearby building and slid down the wall to a supine position. The complainant resisted the officers and was eventually handcuffed. Upon sitting the complainant into a recovery position, the officers observed a laceration to the back of the complainant's head. Medical services were summoned for the complainant, the sergeant notified, and the use of force was properly documented. The officers used necessary force to effect the lawful arrest of the complainant. The evidence proved that the acts which provided the basis for the allegations occurred; however, such acts were justified, lawful, and proper.

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

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

**FINDINGS OF FACT:** The officer denied the allegation. He was responding to a fraud call in a non-emergency response and crossed an intersection. The officer did not observe the complainant crossing the street in the crosswalk on a walk signal and did not recall his speed of travel. There were no other witnesses. There is insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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**DATE OF COMPLAINT:** 12/29/10      **DATE OF COMPLETION:** 09/07/11      **PAGE #1** of 2

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

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

**FINDINGS OF FACT:** The complainant alleged the officer arrested her without cause. The officer arrested the complainant for violation of Penal Code 242. This was based on the officer's investigation, interview of the victim, a spontaneous statement from the complainant, hostile aggression towards the victim and evidence at the scene. The complaining witness signed a citizen's arrest form against the complainant. The evidence proved that the acts which provided the basis for the allegations occurred; however, such acts were justified, lawful and proper.

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

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

**FINDINGS OF FACT:** The complainant alleged the officer failed to investigate. The complainant did not cooperate with the OCC's investigation and thus, could not be interviewed. The officer denied the allegation. The officer stated he tried to interview the complainant but she became hostile and refused to cooperate and answer his questions. The witness officer stated the subject officer separated the parties involved, interviewed the victim and then attempted to interview the complainant but she refused to cooperate. Two witnesses corroborated the subject officer's statement. The evidence proved that the acts alleged in the complaint did not occur.

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**SUMMARY OF ALLEGATION #3:** The officer made inappropriate comments and/or engaged in inappropriate behavior.

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

**FINDINGS OF FACT:** The complainant alleged the officer acted “unprofessional” toward her. The complainant did not cooperate with the OCC’s investigation and thus, could not be interviewed. The officer denied the allegation. The witness officer stated the subject officer acted professional. The two witnesses also denied the allegation. The evidence proved that the acts alleged in the complaint did not occur.

**SUMMARY OF ALLEGATION #4:** The officer seized the complainant’s property.

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

**FINDINGS OF FACT:** The complainant alleged her belongings were taken and she was not provided an opportunity to secure personal items. The complainant did not cooperate with the OCC’s investigation and thus, could not be interviewed. The officer denied the allegation and stated he allowed the complainant to find a pair of shoes. The witnesses stated the only thing the officer took was the complainant’s identification. The evidence proved that the acts alleged in the complaint did not occur.

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

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

**FINDINGS OF FACT:** The officer arrested the complainant for violating §422PC, (terrorist threats.) The complainant was convicted by jury trial of felony terrorist threats. The officers' conduct was lawful and proper.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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

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

**FINDINGS OF FACT:** The complainant stated that she called the police after her husband was assaulted. The complainant admitted that she did not specifically ask for an arrest and admitted that her husband refused to talk to the police. The complainant's husband admitted that he had been drinking and refused to cooperate with the OCC's investigation. The officers denied the allegation and did not recall the incident. No other witnesses came forward. Based on the complainant's own testimony, the evidence proved that the act, which provided for the basis for the allegation, occurred. However, the act was justified, lawful, and proper.

**SUMMARY OF ALLEGATIONS #3-8:** The officers failed to provide their names and star numbers upon request.

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

**FINDINGS OF FACT:** The complainant stated the officers refused to provide their names and star numbers. The officers denied the allegation and did not recall the incident. No other witnesses came forward. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

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**SUMMARY OF ALLEGATIONS #9-14:** The officers behaved inappropriately and/or made inappropriate comments.

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

**FINDINGS OF FACT:** The officers denied the allegation and did not recall the incident. No other witnesses came forward. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

**SUMMARY OF OCC ADDED ALLEGATIONS #1-2:** The officers failed to write an incident report.

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

**FINDINGS OF FACT:** The complainant stated that she called the police after her husband was assaulted. The complainant admitted that she did not specifically ask for an arrest and admitted that her husband refused to talk to the police. The complainant's husband admitted that he had been drinking and refused to cooperate with the OCC's investigation. The officers denied the allegation and did not recall the incident. No other witnesses came forward. Based on the complainant's own testimony, the evidence proved that the act, which provided for the basis for the allegation, occurred. However, the act was justified, lawful, and proper.

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

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

**FINDINGS OF FACT:** The complainant stated he was detained at the airport while carrying a loaded, concealed weapon. He said he didn't know why he had the gun. He stated he was questioned and taken to a hospital. He stated this was a recurring issue for him.

The officer stated he found the complainant confused and disoriented at the airport. He was carrying a loaded, concealed Sig Saug 177 caliber BB gun holstered to his side, a 2-way radio and he was dressed like an SFO Airport employee. The complainant told the officer he worked for the Coast Guard and was a Special Agent. The complainant was unable or unwilling to justify why he was wandering around the airport. Based on the stated facts, the officer determined the complainant was a danger to others and detained him for a mental health evaluation. The officer's conduct was proper.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**

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**SUMMARY OF ALLEGATION #1-2:** The officers displayed their weapon without justification.

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

**FINDINGS OF FACT:** The officers denied the allegation. The officers stated they did not display their weapon at the co-complainant during her arrest. There were no independent witnesses. There is insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #3-4:** The officers made an inappropriate comment.

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

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

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**SUMMARY OF ALLEGATION #5:** The officer drove improperly.

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

**FINDINGS OF FACT:** The officer drove the co-complainant's vehicle to the police station to continue an investigative search for illegal drugs. The officer received approval by a sergeant to drive the co-complainant's vehicle. He drove the vehicle with due regard to all the laws of the road. The witness officer corroborated the sergeant approved the transportation of the co-complainant's vehicle and that the officer drove the vehicle properly. There is insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #6-7:** The officers failed to properly process the co-complainant's property.

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

**FINDINGS OF FACT:** The officers denied taking the complainant's driver's license and student identification card. The complainant was charged for driving with a suspended driver's license; officers are required to confiscate any suspended driver licenses and forward to the Department of Motor Vehicles. The complainant stated he signed for the co-complainant's property at the jail facility and could not locate the co-complainant's student identification card. There is insufficient evidence to either prove or disprove the allegation.

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

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

**FINDINGS OF FACT:** The complainants stated the officer used profanity during their contact. The officer denied the allegation. There were no available witnesses. There was insufficient evidence to prove or disprove the allegation made in the complaint.

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

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

**FINDINGS OF FACT:** The complainants stated the officer spoke in a disrespectful manner and yelled at them. The officer denied the allegation. There was insufficient evidence to prove or disprove the allegation made in the complaint.

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**DATE OF COMPLAINT:** 01/28/11 **DATE OF COMPLETION:** 09/15/11 **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 stated the officer detained him without justification. The officer was dispatched to the scene regarding the complainant allegedly stealing someone's property and he needed to investigate the claim. 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 #2:** The officer searched the complainant without justification.

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

**FINDINGS OF FACT:** The complainant stated the officer searched him without justification. The officer denied the allegation. There were no independent witnesses. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

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**SUMMARY OF ALLEGATIONS #3-4:** The officers used excessive force during the detention.

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

**FINDINGS OF FACT:** The complainant stated the officers used excessive force during the detention. The officers denied the allegation. There were no independent witnesses. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

**SUMMARY OF ALLEGATIONS #5-6:** The officers used excessive force (tight handcuffs) during the detention.

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

**FINDINGS OF FACT:** The complainant stated the officers placed the handcuffs on too tight. The officers stated they checked the handcuffs for the proper degree of tightness and the complainant never complained the handcuffs were too tight. There were no independent witnesses. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

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**SUMMARY OF ALLEGATION #7:** The officer engaged in biased policing.

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

**FINDINGS OF FACT:** The complainant stated he was detained because of his ethnicity. The officer was interviewed relative to the OCC biased policing protocol and denied the allegation. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

**SUMMARY OF ALLEGATION #:**

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

**FINDINGS OF FACT:**