

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/12/12 **DATE OF COMPLETION:** 06/26/12 **PAGE** #1 of 2

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

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

FINDINGS OF FACT: The officers stated they detained the complainant because he matched the description of a robbery suspect. Event History Detail No. 120031963 shows that Police Dispatch broadcasted the suspect description as, "BMA (Black Male Adult), 25 YO-30, RED HAT, RED SHIRT." The stolen item was a white iPhone. Dispatch broadcasted a further description two minutes after the first description, as, "BMA, 25-30 YO, RED BB CAP, RED SHIRT, BLU JEANS." The complainant was a twenty-six year old African American male and was wearing a red hooded sweatshirt with the hood up and blue twill pants rolled up at the ankles. He was talking on his white iPhone as he walked across the street in front of the officers' vehicle. The officers believed that the complainant's description matched the broadcasted description of the suspect, so they detained the complainant. The officers quickly determined that the stolen iPhone was an iPhone 4. The complainant had an iPhone 3, which the named member recognized immediately because he had one, so they released the complainant. Although the broadcasted description of the suspect was not an exact match to the complainant's description, it was substantially similar, therefore, it was reasonable for the officers to detain the complainant based on their good faith belief that the description matched. As such, the detention was lawful and proper conduct.

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

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

FINDINGS OF FACT: The officer denied the allegation. His partner stated he did not hear the named officer make an inappropriate comment. There were no third party witnesses testimony or other evidence to prove or disprove the allegation.

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SUMMARY OF ALLEGATIONS #4-5: The officers engaged in biased policing.

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

FINDINGS OF FACT: The complainant alleged the officers detained him because of his race. The officers stated that they detained the complainant based on the fact that his description matched that of the suspect in the iPhone theft that had occurred moments earlier, including a description of the clothing, race, age and the fact that the complainant was using an iPhone as he was walking in front of the officers vehicle. While the description of the clothing worn by the suspect was not an exact match to the complainant's clothing, it was substantially similar. Combining the fact that the suspect was the same race and approximate age as the complainant, and the fact that the complainant was using an iPhone when the officers first saw him, it is clear that the detention was based on multiple factors and not based solely on the complainant's race. Therefore, the allegation is unfounded.

SUMMARY OF OCC ADDED ALLEGATION #1: The officer failed to issue the complainant a Certificate of Release.

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

FINDINGS OF FACT: The officer acknowledged that he failed to issue a Certificate of Release to the complainant as required by Department General Order 5.03. The allegation is sustained.

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

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

FINDINGS OF FACT: The complainant stated that, during a traffic stop, the named officer made inappropriate comments and rolled his eyes at the complainant. The named officer denied the allegation. The named officer's partner stated he acted as the cover officer and did not hear the conversation between the complainant and the named officer. He did not see the named officer roll his eyes at the complainant. There were no other witnesses and no additional evidence to further prove or disprove the allegation.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

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DATE OF COMPLAINT: 01/31/12 **DATE OF COMPLETION:** 06/22/12 **PAGE#** 1 of 2

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

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

FINDINGS OF FACT: The complainant stated that she was pulled over for talking on a cell phone and not having her seatbelt on. She stated that she was not talking on her cell phone and that she had her seatbelt on while she was driving. The officer stated that he observed her talking on her cell phone without her seatbelt on. There were no independent witnesses. There was insufficient evidence to either prove or disprove the allegations made in the complaint.

SUMMARY OF ALLEGATIONS #2 & 3: The officers engaged in biased policing due to race.

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

FINDINGS OF FACT: The complainant stated that she was pulled over because she is Latina and her vehicle is old and run down. The officers stated that race and the condition of her vehicle played no role in their decision to affect a traffic stop and issue a citation. There were no independent witnesses. There was insufficient evidence to either prove or disprove the allegations made in the complaint.

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DATE OF COMPLAINT: 01/31/12 **DATE OF COMPLETION:** 06/22/12 **PAGE#** 2 of 2

SUMMARY OF ALLEGATIONS #: The officer failed to provide his name and star number.

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

FINDINGS OF FACT: The complainant stated that she asked for the officer's name and star number but the officer did not verbally provide that information, instead stating that it was on the citation. The officer stated that he did not recall the complainant asking for his name and star number. There were no independent witnesses. There was insufficient evidence to either prove or disprove the allegations made in the complaint.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
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DATE OF COMPLAINT: 02/07/12 **DATE OF COMPLETION:** 06/19/12 **PAGE#** 1 of 2

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

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

FINDINGS OF FACT: The complainant stated he was detained for speeding at the airport. He stated he was driving his taxi at the posted speed limit. The officer stated the complainant appeared to be driving faster than the posted speed limit. He advised the complainant to slow down.

A passenger in the complainant's taxi stated she didn't think the complainant was going "extraordinarily" fast but added that she didn't know at what speed he was driving and didn't know the speed limit. There were no other witnesses and no additional evidence to further prove or disprove the allegation.

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

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

FINDINGS OF FACT: The complainant stated that when he told the officer he wasn't speeding the officer told him to shut up. A passenger in the complainant's taxi stated that she did not hear the entire conversation. She did not hear the officer tell the complainant to shut up. The officer stated he did not tell the complainant to shut up. There were no other witnesses and no additional evidence to either prove or disprove the allegation.

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DATE OF COMPLAINT: 02/07/12 **DATE OF COMPLETION:** 06/19/12 **PAGE#** 2 of 2

SUMMARY OF ALLEGATION #3: The officer engaged in biased policing.

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

FINDINGS OF FACT: The complainant stated the officer might have stopped him because he was black but he could not articulate why he believed this. He further stated that police have him under surveillance and that two taxi companies have refused to hire him because the police told them not to. He stated he did not know why police are after him.

A passenger in the complainant's taxi stated the complainant got mad at the officer and "made [the detention] into a much bigger issue." The complainant told the officer, "Why are you guys always trying to discriminate against me? I feel like there's a conspiracy." The officer replied, "I'm just telling you to slow it down. That's all I'm telling you." The officer went back to his patrol car and the complainant exited the cab and followed the officer, arguing with him. The passenger stated the complainant returned to the cab and told her, "You need to be a witness for me because I feel like I'm being targeted and I want to put a complaint in." Then the officer came to the cab and asked the passenger for her contact information. The officer said to the complainant, "All I was telling you was slow down. You're making it into a bigger thing. And I never said you were a terrorist." The complainant told his passenger, "I went over to the officer because I think that they are targeting me because they think I'm a terrorist."

The officer was questioned relative to the OCC's biased policing protocol and denied engaging in biased policing. He stated the complainant told him he was under surveillance by the Federal Government and the SFPD. The complainant then began getting louder, stating, "I am not a terrorist." He repeated this numerous times. His behavior was unusual and he appeared to be very paranoid. The officer stated he asked the complainant to slow down and returned to his patrol car. The complainant stepped out of his cab and walked to the patrol car and asked for the officer's name and star number, which was provided. The officer stated that he did not know the complainant's race before detaining him and stated that race was not a factor in his detention. There were no other witnesses and no additional evidence to further prove or disprove the allegation.

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DATE OF COMPLAINT: 02/03/12 **DATE OF COMPLETION:** 06/26/12 Page# 1 of 1

SUMMARY OF ALLEGATION #1: The officer behaved inappropriately.

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

FINDINGS OF FACT: The complainant initially reported to the police that in May 2000, she was at Golden Gate Park when an officer asked her to orally copulate him. When the complainant was interviewed by the OCC, the complainant stated that the incident occurred sometime in 2002 or 2003. The complainant provided the name of the alleged officer. However, there is no record of the person being a member of the San Francisco Police Department. The complainant provided no additional information. No other 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: 02/17/12 **DATE OF COMPLETION:** 06/08/12 **PAGE#** 1 **of** 1

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

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

FINDINGS OF FACT: The complainant stated that she spoke to officers regarding problems with her landlord and vehicles that were conducting surveillance upon her. Officers did not write an incident report for either matter and told her that there was no crime based on the information she provided them. She did not obtain either officers name or star number and did not recall the specific dates for each encounter. Department records could not identify the officers the complainant spoke to. An officer ID poll was returned stating they could not identify the officer. There is insufficient evidence to either prove or disprove the allegation.

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

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

FINDINGS OF FACT: This complaint stated that the officer did not provide her with copies of incident reports in a timely manner. Department records show that the officer has retired and is no longer available and subject to Department discipline.

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DATE OF COMPLAINT: 02/23/12 **DATE OF COMPLETION:** 06/08/12 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant stated officers came to his residence to execute a warrant. An officer assisting in the warrant told him he would make his life a “living hell” if he did not cooperate. The officers involved in this police action denied the allegation. No witnesses came forward. There was insufficient evidence to prove or disprove the allegation made in the complaint.

SUMMARY OF ALLEGATIONS #2-6: The officers searched the complainant’s residence without cause.

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

FINDINGS OF FACT: The officers searched the complainant’s house pursuant to a valid, signed warrant. The complainant admitted in his OCC interview that the officers entered his residence after serving a search warrant. The evidence proved that the acts, which provided the basis for the allegations occurred; however, such acts were justified, lawful and proper.

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DATE OF COMPLAINT: 02/24/12 **DATE OF COMPLETION:** 06/26/12 **PAGE** #1 of 1

SUMMARY OF ALLEGATION #1: The officer grabbed and pushed the complainant.

CATEGORY OF CONDUCT: UF **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 June 20, 2012.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

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DATE OF COMPLAINT: 02/27/12 **DATE OF COMPLETION:** 06/19/12 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant alleged that the officer made an inappropriate comment. The officer denied the allegation. 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:

**OFFICE OF CITIZEN COMPLAINTS
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DATE OF COMPLAINT: 03/16/12 **DATE OF COMPLETION:** 06/13/12 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The Department failed to conduct a timely investigation.

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

FINDINGS OF FACT:

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

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DATE OF COMPLAINT: 03/21/12 **DATE OF COMPLETION:** 06/18/12 **PAGE#** 1 of 2

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

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

FINDINGS OF FACT: The complainant stated that the officer issued him a citation without cause. The officer stated that he observed the complainant roll through a stop sign without coming to a completed stop. He then issued the complainant a citation for that vehicle code violation CVC 22450. There were no witnesses to this contact. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

SUMMARY OF ALLEGATIONS #2 & 3: The complainant alleged the officers made inappropriate comments/acted in an inappropriate manner.

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

FINDINGS OF FACT: The complainant said the officer's conduct and/or behavior was inappropriate. Both officers denied the allegation. There were no witnesses to the complainant's contacts with either officer. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

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SUMMARY OF ALLEGATION #4: The officer neglected her duties.

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

FINDINGS OF FACT: The complainant said the officer did not take his complaint regarding the actions of another officer. The named officer stated that the complainant never asked for the officer to take a complaint. There were no witnesses to the contact. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

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DATE OF COMPLAINT: 04/06/12 **DATE OF COMPLETION:** 06/12/12 **PAGE #1 of 1**

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

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

FINDINGS OF FACT: The complainant stated three officers sexually assaulted her inside a patrol car while the named officer was parked behind them in another patrol car and did nothing. The evidence established the officer worked limited hours as station keeper inside a police station rather than on patrol on the streets. The evidence proved that the alleged inaction did not occur and that the named member was not involved.

SUMMARY OF ALLEGATION #2: The officers misused their police authority.

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

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

**OFFICE OF CITIZEN COMPLAINTS
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DATE OF COMPLAINT: 04/05/12 **DATE OF COMPLETION:** 06/13/12 **PAGE #1 of 2**

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

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

FINDINGS OF FACT: The complainant stated that he was driving a truck in a congested area and could not find legal parking. The complainant admitted that he double-parked his delivery vehicle since he could not find legal parking. The officer stated that he observed the complainant's vehicle illegally double- parked, and blocking traffic as the complainant left his truck to make a delivery. The evidence proved that the act, which provided the basis for the conduct occurred, however the act was proper and lawful.

SUMMARY OF ALLEGATIONS #2: The complainant alleged the officer failed to provide his name and star number.

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

FINDINGS OF FACT: The officer denied the allegation. The officer stated he provided his identity information to the complainant multiple times. There were no witnesses to this contact. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

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

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

FINDINGS OF FACT: The complainant said that the officer yelled at him in public and made inappropriate comments. The officer denied the allegation. There were no witnesses to this contact. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

SUMMARY OF ALLEGATION #4: The officer failed to take required action.

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

FINDINGS OF FACT: The complainant said that he went to the station and told the officer that he wanted to make a complaint against another officer who issued him a citation. The complainant stated that the officer did not take a complaint or inform him about the OCC. The officer denied the allegation and stated the complainant never mentioned that he wanted to make a complaint. The complainant said only that he wanted the citation taken back by the officer and that he would fight the citation. There were no witnesses to this contact. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

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SUMMARY OF ALLEGATION #1: The officer behaved inappropriately.

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

FINDINGS OF FACT: By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on June 5, 2012.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

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SUMMARY OF ALLEGATION #1: The officer used unnecessary force while dispersing a group.

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 engaged in biased policing due to gender.

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

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

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SUMMARY OF ALLEGATION #3: The officer engaged in biased policing due to age.

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 failed to take a required action.

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

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

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SUMMARY OF ALLEGATION #5:The officer engaged in inappropriate behavior.

CATEGORY OF CONDUCT: CRD **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 failed to properly process property.

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

FINDINGS OF FACT: The complainant stated a friend had possession of his car keys, and that the officer seized the keys during contact with the complainant's friend. The complainant stated that when he went to the station to obtain his keys, the officer told him that he would return the keys if the complainant 1) consented to a search of his garage or 2) told the officer the whereabouts of a certain person. The complainant refused and did not obtain his keys. The officer stated he never seized keys or any other property from the complainant's friend. While speaking to the complainant, the officer realized that the complainant was a person that the Department had been trying to identify in connection with a major criminal investigation. In an attempt to obtain additional information from the complainant, he told the complainant he had the keys. The complainant soon "caught on" to the officer's tactic and left the station. There were no witnesses and no additional evidence to further 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 behaved inappropriately.

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

FINDINGS OF FACT: By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on June 5, 2012.

SUMMARY OF ALLEGATION #2: The officer misused his authority.

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

FINDINGS OF FACT: By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on June 5, 2012.

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

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 June 5, 2012.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

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

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

FINDINGS OF FACT: The complainant withdrew his complaint.

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 the required action.

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

FINDINGS OF FACT: By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on June 11, 2012.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

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DATE OF COMPLAINT: 05/02/12 **DATE OF COMPLETION:** 06/13/12 **PAGE** #1 of 1

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

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

FINDINGS OF FACT: By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on June 6, 2012.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

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DATE OF COMPLAINT: 05/01/11 **DATE OF COMPLETION:** 06/26/12 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer engaged in biased policing.

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

FINDINGS OF FACT: By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on June 20, 2012.

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 the required action.

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

FINDINGS OF FACT: The complainant failed to provide additional requested evidence.

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

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

FINDINGS OF FACT: The complainant failed to provide additional requested evidence.

**OFFICE OF CITIZEN COMPLAINTS
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DATE OF COMPLAINT: 05/07/12 **DATE of COMPLETION:** 06/06/12 **PAGE** #1 of 1

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

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

FINDINGS OF FACT: The complainant brought forward issues that are outside the jurisdiction of the OCC. This complaint was forwarded to:

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

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

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DATE OF COMPLAINT: 05/17/12 **DATE OF COMPLETION:** 06/26/12 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on June 20, 2012.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

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DATE OF COMPLAINT: 05/22/12 **DATE OF COMPLETION:** 06/08/12 **PAGE #1 of 1**

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

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

FINDINGS OF FACT: The complainant stated that officers failed to respond when her brother called police to report her missing and did not want to take a report. The complainant's brother stated that he mistakenly provided the wrong address when he called the police, and called back some time later to provide the correct address. Department records establish that officers responded to the initial address provided by the complainant's brother. Records also established that the named officer met with the complainant's brother at the complainant's home, conducted follow-up investigation and wrote a report. The evidence proved that the acts alleged in the complaint did not occur.

SUMMARY OF ALLEGATION #2: The officer made rude comments to the complainant's brother.

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

FINDINGS OF FACT: The complainant stated that her brother told her that officers who responded to take a missing persons report about her made rude comments. The complainant's brother stated that the officers did not make any rude comments. The evidence proved that the acts alleged in the complaint did not occur.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/29/12 **DATE OF COMPLETION:** 06/05/12 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant stated that the officer failed to properly investigate when the officer wrote an incident report regarding the complainant allegedly making statements to kill the reporting party who resides in the same building as the complainant. The complainant stated that the officer should not have written an incident report because any investigation would have shown that the reporting party had mental illness issues and was not credible.

The evidence shows that the officer was dispatched to a call where the reporting party stated that she overheard the complainant and a family member who live in her building threaten to kill her. The officer met the reporting party in front of a church at 2:00 a.m. The officer had the reporting party respond to the station and meet the officer to further investigate the matter. The officer had the reporting party write a statement regarding the alleged threats. The officer then questioned the reporting party regarding the alleged threats and noted in the incident report that the reporting party said she heard voices in her head at certain times, thus inferring that there was a mental illness issue with the reporting party. The officer wrote an incident report entitled suspicious occurrence, which documented the reporting parties concerns that she overheard the complainant and another person threaten to kill her.

The evidence showed that the officer acted lawfully and appropriately by documenting what could be classified as a possible crime or a suspicious occurrence. Pursuant to Department General Order 1.03, the officer wrote an incident report regarding a possible crime that was brought to his attention. Furthermore the officer wrote in the report, information that the reporting party might have a mental illness issue. The officer would have been negligent in his duties if he had not written a report based on the reporting parties allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/31/12 **DATE OF COMPLETION:** 06/25/12 **PAGE#** 1 of 1

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

CATEGORY OF CONDUCT: **FINDING:** IO2 **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: 06/15/12 **DATE OF COMPLETION:** 06/20/12 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant stated that he was arrested by the San Francisco Police Department in 2007. The complainant did not provide a mailing address to OCC. OCC left multiple unreturned voicemails to the telephone number provided by the complainant. The complainant is not currently in the custody of the San Francisco Sheriff's Department. Further information from the complainant is needed to investigate this complaint. The complainant failed to contact OCC to provide the information required to conduct a thorough investigation of the complaint.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
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DATE OF COMPLAINT: 06/01/11 **DATE OF COMPLETION:** 06/05/12 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer failed to properly process the complainant's property.

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

FINDINGS OF FACT: The complainant said the officer took his key ring containing numerous keys and did not process it with the rest of his property and he never got the keys or key ring back. The officer denied ever having possession of the key ring. The witness officer said the named member gave the key ring to another man at the request of the complainant. There were no other available witnesses. 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
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/31/12 **DATE OF COMPLETION:** 06/26/12 **PAGE** #1 of 3

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

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

FINDINGS OF FACT: By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on June 11, 2012.

SUMMARY OF ALLEGATION #2: The officers arrested the complainant without justification.

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

FINDINGS OF FACT: By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on June 11, 2012.

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DATE OF COMPLAINT: 05/31/12 **DATE OF COMPLETION:** 06/26/12 **PAGE** #2 of 3

SUMMARY OF ALLEGATION #3: The officer failed to provide his name and star number when requested.

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 June 11, 2012.

SUMMARY OF ALLEGATION #4: The officers misused police authority.

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

FINDINGS OF FACT: By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on June 11, 2012.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/31/12 **DATE OF COMPLETION:** 06/26/12 **PAGE** #3 of 3

SUMMARY OF ALLEGATION #5: The officers behaved inappropriately.

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

FINDINGS OF FACT: By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on June 11, 2012.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/08/12 **DATE OF COMPLETION:** 06/13/12 **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:

Commanding Officer/O.I.C.
Fare Inspection
Municipal Transportation Agency
1 South Van Ness Avenue 6th Floor
San Francisco, CA 94102

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
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DATE OF COMPLAINT: 06/08/12 **DATE OF COMPLETION:** 06/15/12 **PAGE** #1 of 1

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

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

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

San Francisco Police Department
Internal Affairs Division
850 Bryant Street, Room 558
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: 06/13/12 **DATE OF COMPLETION:** 06/29/12 **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
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DATE OF COMPLAINT: 06/19/12 **DATE OF COMPLETION:** 06/20/12 **PAGE #** 1 of 1

SUMMARY OF ALLEGATIONS # 1 & 2: The complainant stated that the officers comment was inappropriate.

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

FINDINGS OF FACT: The complaint stated that the officers asked her if she was on medication. She stated that this question made her feel bad. Department records show that the officers responded to the complainant's address and determined there was not merit to the call and that the complainant was an "800". The complainant's own statement for the reasons she called officer is not rational nor does it show that a crime was committed. The officer's question would be part of a thorough investigation to determine the validity and credibility of the complainant and her report to the police. The action alleged in the complaint was proper and within Department procedures.

SUMMARY OF ALLEGATION #

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/19/12 **DATE OF COMPLETION:** 06/20/12 **PAGE#** 1 of 1

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

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

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

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

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

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

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

CATEGORY OF CONDUCT: NA **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: 06/22/12 **DATE OF COMPLETION:** 06/26/12 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant stated that he wanted to remind the San Francisco Police Department that they are required to enforce all laws of the city, county, state and the federal government. The complainant stated that failure to enforce the law is discrimination and stated the Department should pay particular attention to CVC 27803 (Safety helmet restrictions) because there are no exceptions to this rule. The complainant did not provide any information about any specific or general incident, location or officer. The complainant filed the complaint anonymously and did not provide any contact information to follow up on the complaint. The complaint cannot be investigated due to lack of information.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
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DATE OF COMPLAINT: 06/26/12 **DATE OF COMPLETION:** 06/27/12 **PAGE# 1 of 1**

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

CATEGORY OF CONDUCT:	FINDING:	DEPT. ACTION:
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FINDINGS OF FACT: This matter has been referred to:

Officer In Charge
San Francisco Sheriff's Department
Investigative Services Unit
25 Van Ness Avenue, 3d floor
San Francisco, CA 94102

SUMMARY OF ALLEGATION #:

CATEGORY OF CONDUCT:	FINDING:	DEPT. ACTION:
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FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/29/11 **DATE OF COMPLETION:** 06/13/12 **PAGE #1 of 2**

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

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

FINDINGS OF FACT: The complainant was identified by several people as having committed an assault. The officers detained the complainant based on witness and victim statements. An officer may detain a person if the officer has reasonable suspicion that the person's behavior is related to criminal activity. The officer had sufficient reasonable suspicion to detain 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 ALLEGATION #2: The officer damaged the complainant's property.

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

FINDINGS OF FACT: Officers were questioned and denied either having any contact with the property or damaging the property in any way. There were no other witnesses. There was insufficient evidence to either prove or disprove the allegation.

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DATE OF COMPLAINT: 06/29/11 **DATE OF COMPLETION:** 06/13/12 **PAGE #2 of 2**

SUMMARY OF ALLEGATION #3: The officer failed to provide immediate medical attention.

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

FINDINGS OF FACT: The investigation was unable to identify a particular officer whose duty it was to have provided immediate medical attention. Officers at the scene said that due to the festivities and the thousands of attendees preventing ready access to the area, the complainant was transported to the station where medical attention was requested and paramedics responded to evaluate the complainant. There is insufficient evidence to either prove or disprove the allegation.

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

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

FINDINGS OF FACT: The officer was assigned the responsibility to prepare an incident report and failed to do so. Department General Order 1.03 and 2.01 require members to make all required written reports on crimes or incidents requiring police attention while on duty. The officer neglected her duty when she failed to prepare an incident report before going off watch. A preponderance of the evidence proved that the conduct of the officer did occur, and that using as a standard the applicable regulations of the Department, the conduct was improper.

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

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

FINDINGS OF FACT: The named officers stated that they detained the complainant's son based on the allegations they both heard brought by a security guard. The security guard wrote a signed statement attached to the incident report in this case alleging potentially illegal behavior on the part of the person detained and confirming that he reported to the named officers. No witnesses who observed the reason given for the detention came forward. Department General Orders require officers to investigate allegations of potentially illegal behavior brought to them. The evidence proved that the acts that provided the basis for the allegations occurred; however, such acts were justified, lawful and proper.

SUMMARY OF ALLEGATION #3: The officer used unnecessary force during an arrest.

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

FINDINGS OF FACT: The named and one witness officer denied the allegation, stating that the officer used the force necessary to effect an arrest. Another witness officer saw some of the force used, but did not see the alleged unnecessary force or the reason stated for its use. One witness officer said he conducted a preliminary investigation of the use of force and determined it was necessary to effect the arrest. One witness stated that she did not see the need for the force, but acknowledged she was focusing on the complainant's children when the force was being used. No other witness came forward. There was insufficient evidence to either prove or disprove the allegation.

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SUMMARY OF ALLEGATION #4: The officer filed false charges.

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

FINDINGS OF FACT: The named and one witness officer denied the allegation, stating in interviews that they both observed an arrestee resist arrest and strike an officer with his fists. The named officer's statement during his interview differed from a statement he filed with the incident report in the case. One witness officer observed the alleged resistance, but did not see the fist strikes by an arrestee. No other 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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SUMMARY OF ALLEGATION #1: The officer used unnecessary force.

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

FINDINGS OF FACT: The complainant stated that she was breaking up a fight when an officer struck her with a baton. The named officer stated that after he pulled the complainant off of another woman the complainant was fighting, the complainant moved toward the officer and the woman as if to fight them. He acknowledged striking the complainant with the baton and said the force was necessary in light of the complainant's actions. One witness officer said he did not see the alleged use of force. No other witness came forward. There was insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATIONS #2-3: The officers detained the complainant without justification.

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

FINDINGS OF FACT: The complainant stated that she was doing nothing more than trying to break up a fight when officers detained her. The named officers stated the complainant started coming forward toward one of the named officers and the woman with whom the complainant was fighting. No other witness came forward. There was insufficient evidence to either prove or disprove the allegation.

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

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

FINDINGS OF FACT: The complainant stated that she had done nothing more than attempt to break up a fight. The named officer stated that when he arrived on scene the complainant was fighting with another woman. No other witness came forward. There was insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #5: The officer failed to properly process property.

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

FINDINGS OF FACT: The complainant stated that the named officer removed her iPhone from the complainant's person and put it and the complainant's handbag on top of her police car. The named officer did not remove the iPhone and handbag from the top of the police car before driving the complainant to the district station. The named officer admitted that she put an electronic device that resembled a phone on top of the patrol car as well as taking a handbag from within 10 feet of the complainant and putting it on top of the patrol car. A preponderance of 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 ALLEGATION #6: The officer made an inappropriate comment.

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

FINDINGS OF FACT: The named officer admitted making an inappropriate comment to the complainant when she had requested medical assistance at the station. A preponderance of 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 #7: The officer failed to provide his name and star number on request.

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

FINDINGS OF FACT: The named officer denied the allegation. Several witness officers did not hear the complainant ask for the named officer's name or star number. No other witness came forward. There was insufficient evidence to either prove or disprove the allegation.

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SUMMARY OF ALLEGATION #8: The officer failed to take required action.

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

FINDINGS OF FACT: The complainant alleged that the officer refused repeatedly to provide her with an icepack for a bruised leg. The named officer denied that the complainant asked for an icepack. He recalled that the complainant asked for a paramedic and that a paramedic had been summoned. One witness officer said he heard the complainant ask for an icepack and that when the paramedics arrived, the complainant refused treatment. No other 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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SUMMARY OF ALLEGATIONS #1-4: The officers harassed the complainant.

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

FINDINGS OF FACT: The named officers denied the allegation. Department records indicated the officers had some contact with the complainant during the period complained about. No other witness came forward. There was insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATIONS #5-8: The officers arrested the complainant without cause.

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

FINDINGS OF FACT: The named officers denied the allegation, stating that one of them had seen the complainant sell drugs to a man the officers arrested. The complainant acknowledged that a relative had heard the arrestee tell officers he had gotten the drugs in his possession from the complainant. No other witness came forward. The evidence proved that the acts that formed the basis for the allegation occurred; however, those acts were justified, lawful and proper.

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DATE OF COMPLAINT: 07/25/11 **DATE OF COMPLETION:** 06/01/12 **PAGE #** 2 of 4

SUMMARY OF ALLEGATIONS #9-12: The officers behaved inappropriately.

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

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

SUMMARY OF ALLEGATIONS #13-14: The officers used unnecessary force during a detention.

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

FINDINGS OF FACT: The named and two witness officers denied the allegations. Department and medical records did not support the allegations. No other witness came forward. There was insufficient evidence to either prove or disprove the allegation.

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SUMMARY OF ALLEGATIONS #15-17: The officers searched the complainant's car without cause.

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

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

SUMMARY OF ALLEGATION #18: The officer intentionally damaged property.

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

FINDINGS OF FACT: The complainant said he was told his car was damaged by officers searching the car. No witness came forward. Four officers involved in the arrest denied the allegation. There was insufficient evidence to identify the officer involved or either prove or disprove the allegation.

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DATE OF COMPLAINT: 07/25/11 **DATE OF COMPLETION:** 06/01/12 **PAGE #** 4 of 4

SUMMARY OF ALLEGATION #19: The officer made inappropriate comments.

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

FINDINGS OF FACT: The complainant said he had heard officers he could not identify make inappropriate comments to him five days after his arrest. The officers interviewed in the case denied the allegations. No other witness came forward. There was insufficient evidence to identify the officer involved or 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: 08/08/11 **DATE OF COMPLETION:** 06/26/12 **PAGE#** 1 of 2

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

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

FINDINGS OF FACT: The complainant stated the officer grabbed his arm roughly, leaving a bruise. The officer stated he applied an Academy-trained twist-lock grip in order to apply handcuffs to the complainant. There was insufficient evidence to determine the force necessary to handcuff the complainant.

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

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

FINDINGS OF FACT: The complainant admitted the violation for which he was cited.

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DATE OF COMPLAINT: 08/08/11 **DATE OF COMPLETION:** 06/26/12 **PAGE#** 2 of 2

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

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

FINDINGS OF FACT: The complainant stated that, when he told the officer he would contest the citation, the officer told him, "Good. I get overtime for going to court." The officer stated that the complainant told him he would contest the citation in order to waste the officer's time in court, to which the officer replied it was not a waste of his time, because he is paid to go to court. There is no further evidence of the exact words the officer used.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
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DATE OF COMPLAINT: 08/16/11 **DATE OF COMPLETION:** 06/15/12 **PAGE#** 1 of 2

SUMMARY OF ALLEGATION #1: The officer's behavior and comments were inappropriate.

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

FINDINGS OF FACT: The complainant stated that the officer's comments and behavior were inappropriate. The officer stated that his conduct was calm and professional. The officer denied making the statements alleged by the complainant. An independent witness, who did not know either the complainant or the officer, stated that the officer did not make the alleged statements and that the officers conduct was "text book perfect". The witness stated that he (the witness) inappropriately addressed the complainant but the officer corrected him and advised the witness on how to properly address the complainant. The evidence proved that the acts alleged by the complainant did not occur.

SUMMARY OF ALLEGATION #2: The officer failed to properly process property.

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

FINDINGS OF FACT: The complainant stated that her personal property including a backpack and its contents were missing following this incident. Both the named officer and the independent witness stated that they did not observe a backpack or any other specific items at the scene. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
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DATE OF COMPLAINT: 08/16/11 **DATE OF COMPLETION:** 06/15/12 **PAGE#** 2 of 2

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

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

FINDINGS OF FACT: The complainant stated that the officer failed to follow the law when he inappropriately addressed the gender of the complainant. The officer denied the allegation and stated that he appropriately addressed the complainant on scene. The officer also completed the accident report in accordance with Department policy contained in Department Bulletin 09-218 and listed the complainant as a male in the accident report, which is the way the complainant is identified in the criminal justice system. The independent witness stated that the officer knew the complainant and identified her as a female to the witness, and addressed her as a female. The officer also corrected and advised the witness that the complainant was a female after the witness mistakenly used the wrong gender pronoun when initially addressing the complainant. The evidence proved that the officer's actions were proper and within Department policy and procedure.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
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DATE OF COMPLAINT: 08/22/11 **DATE OF COMPLETION:** 06/29/12 **PAGE #** 1 of 3

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

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

FINDINGS OF FACT: The complainant wrote in the narrative of his complaint that he was not given his socks and shoes after the booking search. The officer denied the allegation. There were no witnesses. The complainant is a fugitive at large and has not responded to OCC attempts to record an interview. There is insufficient evidence to either prove or disprove the allegation made in the complaint.

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

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

FINDINGS OF FACT: The complainant wrote in the narrative of his complaint that the urine in the booking area was not cleaned up while he was in custody. The officers denied the allegation. The station keeper stated he cleaned up the urine as soon as he was available to do so. He added that the complainant was placed away from the urine. The complainant is a fugitive at large and has not responded to OCC attempts to record an interview. There were no witnesses. There is insufficient evidence to prove or disprove the allegation.

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SUMMARY OF ALLEGATION #4: The officer used force against the complainant.

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

FINDINGS OF FACT: The complainant wrote in the narrative of his complaint that the officer slapped, shoved, and pushed him. The officer denied the allegation. The complainant is a fugitive at large and has not responded to OCC attempts to record an interview. There were no witnesses. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #5: The officer made derogatory comments.

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

FINDINGS OF FACT: The complainant stated in his complaint narrative that the officer called him a derogatory name and made a derogatory comment in regards to his race. The officer denied the allegation. The complainant is a fugitive at large and has not responded to OCC attempts to record an interview. There were no witnesses. There is insufficient evidence to prove or disprove the allegation.

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**OFFICE OF CITIZEN COMPLAINTS
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SUMMARY OF ALLEGATION #6: The officer failed to write an accurate report.

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

FINDINGS OF FACT: The complainant stated in his complaint narrative that he believes the officer falsified parts of the incident report. The officer denied the allegation. The complainant is a fugitive at large and has not responded to OCC attempts to record an interview. There were no witnesses. There is insufficient evidence to prove or disprove the allegation.

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

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

FINDINGS OF FACT: The complainant stated in his complaint narrative that he believes the recorded video of the booking area was destroyed after a court order was given to preserve the tape within the seven-day window. The cameras in the booking are monitors and do not record.

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DATE OF COMPLAINT: 08/23/11 **DATE OF COMPLETION:** 06/01/12 **PAGE#** 1 of 4

SUMMARY OF ALLEGATION #1: The officer towed the complainant's car without justification.

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

FINDINGS OF FACT: The complainant stated his car was improperly towed. The complainant said he had permission from the resident to park his car on her driveway. The complainant admitted he was under the influence of narcotics and was in no condition to drive or take possession of his car. The officer said the complainant's car was towed because it was in violation of 22500(e) VC-Prohibited stopping, standing, or parking in front of driveway. A witness said she did not give the complainant permission to park and leave his car in front of her driveway and requested the towing of his car. The evidence proved that the acts that provided the basis for the allegations occurred; however, such acts were justified, lawful, and proper.

SUMMARY OF ALLEGATIONS #2-3: The officers failed to properly process the complainant's property.

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

FINDINGS OF FACT: The complainant stated his property was not transported with him. The complainant was not arrested but rather transported to the hospital by Medics. The San Francisco Police Department (SFPD) was not responsible for his property. A witness stated the complainant did not leave any personal belongings at her residence. 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 ALLEGATIONS #4-5: The officers failed to take required action.

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

FINDINGS OF FACT: The complainant stated the officers failed to recognize him as a victim and to follow up on the investigation. The officers denied the allegation. The officers said they were the sector car and, therefore, the primary unit. One of the officers stated the complainant never stated he was the victim of any crime and could not locate any evidence a crime had been committed. Officers said the complainant appeared to be under the influence, in an altered mental status, and was not able to tell them what happened or any details of what events had transpired. The other officer said they spoke to the occupants initially that stated the complainant was intoxicated and refused to leave their home. The officers stated due to the level of the complainant's intoxication and it being unknown what he may have been under the influence of, they determined he required an assessment by a paramedic. Medics determined he needed to be transported to the hospital for further medical treatment. 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 #6: The officer failed to take required action.

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

FINDINGS OF FACT: The complainant said the officers failed to recognize him as a victim and to follow up with the investigation. The officer denied the allegation. The officer was the assigned investigator and he presented the complainant's case to the District Attorney's Office. The officer said the Assisting District Attorney declined twice to prosecute the case. 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 #7: The officer failed to take required action.

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

FINDINGS OF FACT: The complainant stated the officer failed to follow up on his investigation. The officer denied the allegation. The officer said he spoke with the complainant and forwarded the complainant's photos to the assigned investigator on the complainant's case. The officer stated the assigned investigator resubmitted his case to the Assistant District Attorney who declined to file charges against the listed suspects. 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 #8: The officer wrote an inaccurate and incomplete incident report.

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

FINDINGS OF FACT: The complainant stated the report writing officer failed to list him as the victim and to document his alleged injuries. The officer denied the allegation and the incident report listed the complainant as the victim Reportee/Victim ("R/V") and documented the injuries the officer observed. The evidence proved that the acts alleged in the complaint did not occur, or that the named member was not involved in the acts alleged.

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SUMMARY OF ALLEGATION #9: The officer wrote an incomplete and/or inaccurate citation.

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

FINDINGS OF FACT: The complainant stated the citation was inaccurate. The complainant admitted he parked his car in the driveway at the residence and was not able to move or drive his car from the scene. The complainant further admitted he was under the influence of narcotics and alcohol. The officer denied the allegation. The officer cited the complainant for parking in the driveway at a residence in violation of 22500(e) VC-Prohibited stopping, standing, or parking in front of driveway. The witness said the complainant's car blocked her driveway and she did not give him permission to leave it there. 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:

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SUMMARY OF ALLEGATION # 1: The officers harassed the complainant.

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

FINDINGS OF FACT: The complainant said he was confronted and harassed for being at two locations on three different dates. The complainant also stated he was not in violation of a Superior Court stay away order because he was once twenty-five feet and another time forty to fifty feet from the intersection of Third Street and Palou Avenue. The evidence established the officers made contact with the complainant on several occasions; however, their acts were justified and lawful because all three contacts occurred when the complainant was within the prohibited distance of 25 yards from the aforementioned intersections.

SUMMARY OF ALLEGATION # :

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

FINDINGS OF FACT:

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DATE OF COMPLAINT: 08/29/11 **DATE OF COMPLETION:** 06/04/12 **PAGE #1 of 2**

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

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

FINDINGS OF FACT: The evidence, including on statements from the victim, the complainant, and a neighbor, coupled with 911 recordings and pictures of injuries to both parties established that the officers had probable cause to arrest the complainant as the primary aggressor consistent with state law and DGO 6.09. The officers' actions were lawful and proper.

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

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

FINDINGS OF FACT: The complainant said the officers neglected their duties by failing to recognize or discover certain crime scene conditions relevant to his arrest charges. The evidence established that the officers completed a proper investigation.

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DATE OF COMPLAINT: 08/29/11 **DATE OF COMPLETION:** 06/04/12 **PAGE #2 of 2**

SUMMARY OF ALLEGATIONS #5: The officer failed to receive a citizen's arrest.

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

FINDINGS OF FACT: The complainant stated that after his arrest for felony domestic violence, he asked the officer to instead arrest the victim for the injuries she inflicted on him during their struggle. Pursuant to amendments in 2002 to California Penal Code Section 142 and to Section 847 in 2003, officers are no longer obligated to receive an arrest by a private person if that arrest is unsupported by probable cause to believe that a crime was committed, and the person being arrested committed the crime in question. The officer was required per DGO 6.09 in all domestic violence incidents to determine a primary aggressor and affect an arrest rather than diminish or mediate domestic violence situations. The officer's actions were lawful and proper.

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

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

FINDINGS OF FACT: The complainant said the officer should have towed his van for safekeeping rather than leaving it parked at the scene. The officer was not required by state law or Department regulations to tow the van. The officer's actions were lawful and proper.

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DATE OF COMPLAINT: 09/01/11 **DATE OF COMPLETION:** 06/26/12 **PAGE # 1 of 1**

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 he was driving northbound on Mendell Street on his way to work when he was pulled over near the intersection of Mendell Street and Galvez Avenue. The complainant stated the officers told him that he fit the description of a burglary suspect. The complainant stated he explained to the officers that he was simply on his way to work. After a "Cold Show," the complainant stated he was released with a Certificate of Release issued by one of the named officers. The officers stated they were responding to a burglary call when they saw the complainant driving in the area where the burglary had occurred. The officers stated that the complainant fit the description of the suspect. The evidence proved that the act, which provided the basis for the allegation, occurred. However, the act was justified, lawful, and proper.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

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DATE OF COMPLAINT: 09/07/11 **DATE OF COMPLETION:** 06/04/12 **PAGE#** 1 of 2

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

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

FINDINGS OF FACT: The complainant alleged that the officer cited the complainant without cause for running a stop sign. The officer denied the allegation. The officer stated that he wrote the complainant a citation because he observed the complainant drive through a stop sign without coming to a full stop. No independent witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #2: The officer failed to answer reasonable questions.

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

FINDINGS OF FACT: The complainant stated the officer made an ambiguous gesture while he was in the middle of a traffic stop. The officer was in fact pulling the complainant over. After the complainant stopped, the complainant's wife asked the officer what the trouble was. The complainant stated the officer did not answer. The officer denied the allegation. 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 made inappropriate comments and acted in an inappropriate manner.

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

FINDINGS OF FACT: The complainant stated he told his child not to talk to an officer, telling him the officer was a “bad guy.” He stated the officer yelled at his young child, telling him he was a “good guy and his father was a bad guy.” The complainant further stated the officer threw documents at him when returning them. The officer denied the allegation. No independent witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #4: The officer failed to identify himself.

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

FINDINGS OF FACT: The complainant stated he asked the officer for his identification. The complainant stated the officer provided his last name, star number and city where he worked. The officer stated that he did not recall the complainant asking for his identity information. The evidence proved that the acts, which provided the basis for the allegations occurred; however, such acts were justified, lawful and proper.

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DATE OF COMPLAINT: 09/12/11 **DATE OF COMPLETION:** 06/27/12 **PAGE #1 of 2**

SUMMARY OF ALLEGATIONS #1, 2: The officers engaged in inappropriate behavior.

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

FINDINGS OF FACT: The complainant and one witness stated the officers dissuaded and intimidated a man from filing a crime report. The named officers denied the allegations. One civilian witness denied the allegations, stating that the officers affirmatively gave him the option of filing a report if he felt it was necessary and made him feel comfortable to make the decision. The evidence proved that the acts that provided the basis for the allegations occurred; however, such acts were justified, lawful and proper.

SUMMARY OF ALLEGATIONS #3, 4: The officers used profanity.

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

FINDINGS OF FACT: The officers denied the allegation. One civilian witness said he himself used profanity while speaking to officers and heard profanity, but could not recall who used the profanity. He contradicted the account of the profanity given by the complainants. No other witness came forward. There was insufficient evidence to either prove or disprove the allegation.

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DATE OF COMPLAINT: 09/12/11 **DATE OF COMPLETION:** 06/27/12 **PAGE #2 of 2**

SUMMARY OF ALLEGATIONS #5, 6: The officers spoke inappropriately.

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

FINDINGS OF FACT: The named officers denied the allegation. One civilian witness to whom the officers allegedly made their inappropriate comments agreed the officers spoke to him about the complainant's family, but denied the officers revealed negative comments about the complainant. The evidence proved that the acts that provided the basis for the allegations occurred; however, such acts were justified, lawful and proper.

SUMMARY OF ALLEGATION #7: The officer failed to write a report.

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

FINDINGS OF FACT: The complainant alleged she reported a hit and run to the named officer. The named and one witness officer denied the allegation, stating that no crime occurred at the scene requiring a report. One witness denied that the crime the complainant reported occurred and confirmed that he told that to the officers. The evidence proved that the acts that provided the basis for the allegations occurred; however, such acts were justified, lawful and proper.

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DATE OF COMPLAINT: 09/27/11 **DATE OF COMPLETION:** 06/18/12 **PAGE#** 1 of 2

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

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

FINDINGS OF FACT: The complainant said the officer used unnecessary force against him while the complainant was seated in the backseat of the patrol car. The officer denied the allegation. Witness officers denied seeing the alleged conduct by the named member. The reportee was not at the location of the arrest. There were no other available witnesses. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

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

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

FINDINGS OF FACT: The complainant said the named member spoke to him at the station and said he would take the complainant's complaint against the officers and the named member failed to do so. The named member had no recollection of having had contact with the complainant at the station. Witness officers could not identify or did not see a supervising officer make contact with the complainant at the station. There were no other identified witnesses. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

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

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

FINDINGS OF FACT: The complainant said the officer threatened him while the complainant was seated in the backseat of the patrol car. The officer denied the allegation. Witness officers at the scene denied hearing the named member make the alleged comment. There were no other witnesses. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

SUMMARY OF ALLEGATION #4: The officer behaved inappropriately.

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

FINDINGS OF FACT: The complainant said unidentified officers videotaped him while he was detained at the station. All the officers involved with this incident denied committing the alleged act or seeing any other officer do so. There were no other identified witnesses. The investigation was unable to identify any officer who committed the alleged act. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

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DATE OF COMPLAINT: 09/28/11 **DATE OF COMPLETION:** 06/19/12 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant stated the officer cited him without cause. The officer denied the allegation and stated that the complainant was cited for driving in a transit lane and for not registering his vehicle in the State of California. The complainant admitted to driving in a transit lane. The complainant stated that his vehicle is registered both in California and Nevada. However, the complainant was unable to provide evidence to show that his vehicle is also registered in California. The evidence proved that the acts that provided the basis for the allegations occurred; however, such acts were justified, lawful, and proper.

SUMMARY OF OCC ADDED ALLEGATION #1: The officer failed to properly record a traffic stop as required by Department regulations.

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

FINDINGS OF FACT: The officer conducted a traffic stop. Department Bulletin 11-097 requires members to continue to collect traffic stop data after all vehicle stops. The officer provided proof that he collected and entered the required traffic stop data and provided proof that the entry was made. However, the officer stated he inadvertently entered the wrong date of birth. While the evidence does establish that a clerical error was made, there is no evidence that the error was made because of inappropriate intent or negligence on the officer's part, or evidence that the error caused harm to the complainant or other. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

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DATE OF COMPLAINT: 10/24/11 **DATE OF COMPLETION:** 06/04/12 **PAGE#** 1 **of** 1

SUMMARY OF ALLEGATION #1: The officer issued the complainant a citation without justification.

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

FINDINGS OF FACT: The complainant denied committing the act for which he was cited. The officer stood by the accuracy of the cited violation. A passenger in the complainant's car corroborated some of the details of the incident but contradicted others. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

SUMMARY OF ALLEGATION #2: The officer misrepresented the truth.

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

FINDINGS OF FACT: The complainant said the officer gave false testimony during the Traffic Court hearing. The officer denied the allegation. There are no transcripts of Traffic Court hearings. There were no other witnesses. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

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DATE OF COMPLAINT: 11/01/11 **DATE OF COMPLETION:** 06/04/12 **PAGE#** 1 of 2

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 she received a citation for parking more than 18 inches from the curb. The complainant admitted in her OCC interview that she had driven her vehicle across the center line of the street and parked on the wrong side of the street. The evidence proved that the acts which provided the basis for the allegations occurred; however such acts were justified, lawful and proper as the complainant was parked more than 18 inches from the proper curb side parking place.

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

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

FINDINGS OF FACT: The complainant stated the officer was rude. The complainant's fiancée stated he felt the officer's actions/comments were inappropriate. The officer and his partner denied the allegation. The officer stated that he observed what he believed to be a speeding car and after the car parked, he greeted the exiting occupants and asked how they were doing. The complainant asked why he was following her. The officer stated he told the complainant he was the sector officer for the area, he was always in the area and they would probably see more of him. There were no independent witnesses. There is insufficient evidence to either prove or disprove the allegation.

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SUMMARY OF ALLEGATIONS #3-4: The officers engaged in biased policing due to race.

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

FINDINGS OF FACT: The complainant stated the officers engaged in racial profiling. She stated that her car was singled out for citation, but admitted she parked on the wrong side of the road. The officers were questioned by the Office of Citizen Complaints relative to the OCC's biased policing protocol and denied the allegation. They stated they could not tell who was driving the vehicle, even when the occupants got out of the car. The officers also stated that they observed what they believed was a speeding vehicle and that they attempted to follow the car to pace the car for speed. However, the car parked before they could fully pace the vehicle's speed. They denied singling out the complainant's vehicle. No independent witnesses came forward. There was insufficient evidence to prove or disprove the allegation made in the complaint.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

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DATE OF COMPLAINT: 11/03/11 **DATE OF COMPLETION:** 06/15/12 **PAGE# 1 of 2**

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

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

FINDINGS OF FACT: The complainant stated that the police entered and searched her residence without cause. The OCC's investigation established that the officer entered and searched the complainant's residence pursuant to a search warrant. 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 officers intentionally damaged the complainant's property.

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

FINDINGS OF FACT: The complainant stated that the police entered and searched her residence. During the search, the complainant alleged that the police damaged her property. Several officers were questioned regarding the complainant's allegation. All of the officers denied the allegation and stated that they did not see any other officers intentionally damage property. A witness, who was not home at the time of the entry and search, stated that when he arrived home later that evening much of the family's property was on the ground and had been trampled on. The identity of the alleged officer has not been established. There was insufficient evidence to either prove or disprove the allegation.

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DATE OF COMPLAINT: 11/03/11 **DATE OF COMPLETION:** 06/15/12 **PAGE# 2 of 2**

SUMMARY OF ALLEGATION #3: The officer failed to properly process the complainant's property.

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

FINDINGS OF FACT: The complainant alleged that during the search, the police seized money and other personal items that were not booked into evidence. Several officers were questioned regarding the complainant's allegation. All of the officers denied the allegation. A witness, who was not home at the time of the entry and search, stated that several days later he noticed that some money and personal items were missing. 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:

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SUMMARY OF ALLEGATIONS #1 & 2: The officers behaved inappropriately.

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

FINDINGS OF FACT: The complainant said the officers laughed at him. One of the officer's had no recollection of the incident and the second officer denied the allegation. DGO 2.01 requires that officers treat the public with courtesy and respect. There were no other witnesses. There was insufficient evidence to either prove or disprove the allegation made in the complaint.

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

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

FINDINGS OF FACT: The named officer stated that he could not recall who handcuffed the complainant. The officer stated that the complainant was detained because it was determined that he was a danger to himself and others. Pursuant to Department policy persons who are arrested or detained, and then transported, are required to be handcuffed for the safety of all persons. The named officer stated in the incident report that he handcuffed the complainant. The complainant admitted to being emotionally upset and not in his right mind at the time of the detention. 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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COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/04/11 **DATE OF COMPLETION:** 06/20/12 **PAGE#** 2 of 2

SUMMARY OF OCC ADDED ALLEGATION #1: The officer failed to comply with Department General Order 6.14.

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

FINDINGS OF FACT: The allegation is based on the OCC's unsuccessful initial efforts to locate an incident report. The named member and his partner admitted that it was the named members responsibility to complete the incident report and both officer believed it had been completed. The OCC located the incident report documenting the complainant's detention. The evidence proved that the act alleged did not occur.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/14/11 **DATE OF COMPLETION:** 06/21/12 **PAGE#** 1 of 1

SUMMARY OF ALLEGATIONS #1 & 2: The officers made inappropriate comments.

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

FINDINGS OF FACT: The complainant stated the officers made inappropriate comments during their contact with her client. The officers denied the allegation. No witnesses came forward. There was insufficient evidence to prove or disprove the allegation made in the complaint.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

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DATE OF COMPLAINT: 11/21/11 **DATE OF COMPLETION:** 06/04/12 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant stated that the officers were rude and disrespectful towards her during their brief encounter. The officers could not recall the incident in question. No other 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: 12/09/11 **DATE OF COMPLETION:** 06/07/12 **PAGE #** 1 of 1

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

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

FINDINGS OF FACT: The complainant stated the officer yelled at her, accused her of being a liar, called her a hypocrite and made comments to make her feel bad. The officer denied the allegation. The complainant was not able to obtain witness information. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #2: The officer engaged in biased policing due to the complainant's socioeconomic status.

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

FINDINGS OF FACT: The complainant stated the officer discriminated against her because she is poor and sells food on the street to make a living. The complainant stated that because of discrimination the officer did not offer her medical assistance. Although socio-economic status is not a protected class under DGO 5.17, the complainant claimed discrimination. The officer was questioned relative to the OCC's biased policing protocol and denied the allegation. The complainant was not able to obtain witness information. There is insufficient evidence to prove or disprove the allegation.

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DATE OF COMPLAINT: 12/27/11 **DATE OF COMPLETION:** 06/29/12 **PAGE#** 1 of 2

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 alleged that the officers stopped and detained him without justification. The officers stated they stopped and detained the complainant because his brake light was not working. The complainant's girlfriend and his friend denied that the complainant's brake light was not working. No other witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

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

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

FINDINGS OF FACT: The evidence shows that the complainant was arrested and taken to Northern Station for possession of a stolen vehicle. The complainant stated that he purchased the vehicle from Craigslist.com and was not aware that the vehicle was stolen. As stated above, there was insufficient evidence to either prove or disprove that the initial detention was proper. There was insufficient evidence to either prove or disprove the allegation that the officers arrested the complainant without cause.

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COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/27/11 **DATE OF COMPLETION:** 06/29/12 **PAGE#** 2 of 2

SUMMARY OF OCC ADDED ALLEGATION #1: The officer wrote an inaccurate report.

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

FINDINGS OF FACT: The incident report shows that the complainant's vehicle was towed to Auto Return. During the course of OCC's investigation, Auto Return informed the Office of Citizen Complaints that the complainant's vehicle was not towed to Auto Return. The OCC, therefore, brought the OCC-Added allegation of Neglect of Duty for failure to write an accurate report. After receiving tow documents from Auto Return, the Office of Citizen Complaints established that the vehicle was in fact towed to Auto Return as articulated in the incident report. The evidence, therefore, proved that the act alleged did not occur.

SUMMARY OF OCC ADDED ALLEGATION #2: The officers failed to comply with Department Bulletin 10-335.

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

FINDINGS OF FACT: The officer and his partner conducted a traffic stop after witnessing a mechanical violation. The vehicle was subsequently towed because it was reported stolen. Department Bulletin requires officers to continue to collect traffic stop data after all vehicle stops. Traffic stop data records fail to show that the officers collected and entered the required traffic stop data for this traffic stop. A preponderance of evidence, therefore, 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: 12/28/11 **DATE OF COMPLETION:** 06/26/12 **PAGE** #1 of 1

SUMMARY OF ALLEGATION #1: The officer engaged in biased policing due to a personal relationship.

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

FINDINGS OF FACT: The complaint stated the officer prevented her from obtaining a civil restraining order against the father of their infant daughter, who is the officer's brother in law. The complainant also stated the officer contributed to her losing her employment. The officer denied the allegation, and stated he only referred his brother-in-law to the police station where the incidents involving the child custody dispute occurred. Two witnesses to the dispute denied the allegation. There was no SFPD or San Francisco Superior Court document found to substantiate that the officer was involved in a conspiracy against her or has used undue influence over SFPD member to prevent the complainant from filing a police report. In fact, the Superior Court denied the restraining order, which did not mention the officer, and concluded that the complainant did not establish a history of abuse, and found her testimony not credible. The evidence proves that the acts alleged in this allegation did not occur.

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

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

FINDINGS OF FACT: The complainant said the officer knew his niece had been suicidal for years, and neglected to report it. The officer denied the allegation and stated that once he became aware his niece received mental health intervention, he was and continues to be very supportive of her. SFPD policy is delineated in DGO 7.02, which compels officers to respond in a helpful manner to juveniles they believe to be in acute psychological distress. Although there is insufficient evidence to establish when the officer became aware of his niece's mental health issues, there is corroborating evidence the officer responded in a helpful manner.

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DATE OF COMPLAINT: 01/06/12 **DATE OF COMPLETION:** 06/13/12 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant stated the officer shouted and made inappropriate remarks to him during the issuance of a parking citation. The officer denied the allegation. No independent witnesses came forward. There was insufficient evidence to prove or disprove the allegation made in the complaint.

SUMMARY OF ALLEGATION #2: The officer failed to identify himself.

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

FINDINGS OF FACT: The complainant stated he asked for the officer's badge number. He stated the officer pointed to his star number on the citation and said it was on the citation. The officer denied the allegation. No independent witnesses came forward. There was insufficient evidence to prove or disprove the allegation made in the complaint.

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DATE OF COMPLAINT: 01/11/11 **DATE OF COMPLETION:** 06/04/12 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant stated the officers wrongly arrested a juvenile for vandalism. Department records disclosed the officers investigated a complaint that the juvenile had placed dog feces in the victim's bed in furtherance of a scheme to intimidate and extort money from the victim. The officers determined the juvenile had the means, motive, and opportunity to commit the crime. They detained and Mirandized the juvenile, who refused to speak. The officer contacted a Juvenile Probation officer, who authorized the arrest of the juvenile. The officers' conduct was proper.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

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DATE OF COMPLAINT: 01/11/12 **DATE OF COMPLETION:** 06/01/12 **PAGE#** 1 of 2

SUMMARY OF ALLEGATION #1: The officer's intimidating behavior was inappropriate.

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

FINDINGS OF FACT: The complainant said the officer stared at him for at least five minutes and wielded her baton to intimidate him. The officer stated two restaurant employees asked her to remove the complainant because he was standing in front of a restaurant smoking a cigar and blowing the smoke inside. The officer stated she observed the complainant without displaying her baton in an attempt to give him a chance to walk away on his own. A witness corroborated the officer's version. The officer's actions were lawful, justified, and proper.

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

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

FINDINGS OF FACT: The complainant said the officer allowed his false arrest without cause or without a court order. The officer said she detained the complainant pursuant to section 647(f) of the Penal Code for being intoxicated in public, for being unable to care for himself, and for placing the safety of others in jeopardy. Witnesses could not verify whether or not the complainant was intoxicated. There is insufficient evidence to either prove or disprove the allegation.

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

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

FINDINGS OF FACT: The officer conducted a transport search, which is required under departmental regulations before transporting a subject in a department vehicle to County Jail. The officer's conduct was lawful, proper, and necessary for the safety of the sole transporting officer while en route with the complainant to County Jail. The officer's action was required, lawful, and proper.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT: