

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/02/09 **DATE OF COMPLETION:** 04/25/09 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant stated the officer did not take a police report. The complainant reported to the officer she was run off the road by an unknown driver. The officer said the complainant did not request an incident report from her and did not advise her she was run off the road by an unknown driver. There is no dispute that there were no property damages or visible injuries to the complainant. DGO 9.02 states that an officer is not required to take an incident report when there is no personal injury or property damage.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/25/08 **DATE OF COMPLETION:** 04/09/09 **PAGE#** 1 of 2

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

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

FINDINGS OF FACT: The complainant stated he was sitting in his vehicle listening to music when he was arrested. A witness officer stated his partner saw the complainant try to hide, and then reach under the front seat of his vehicle when he saw the police. The witness' partner stated the complainant tried to hide from the police then refused to show his hands and exit his vehicle. The two arresting officers stated the complainant concealed his hands and refused orders to show his hands and exit the vehicle. The arresting officers further stated the complainant was arrested for resisting arrest and for a parole hold. There were no other available witnesses and no additional evidence to further prove or disprove the allegation.

SUMMARY OF ALLEGATIONS #3-4: The officers used unnecessary force during the complainant's arrest.

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

FINDINGS OF FACT: The complainant stated his body and head were struck when officers pulled him from his vehicle. He stated he lost consciousness. The arresting officers stated they struggled with the complainant to remove him from his vehicle and guide him onto the ground. They both stated the complainant's head did not hit the ground and that the complainant never lost consciousness. One witness officer at the scene stated he did not observe any officer use force on the complainant and did not see the complainant's head hit the ground; nor did he see the complainant lose consciousness. A second witness officer at the scene stated the complainant was bigger in size than the arresting officers and was trying to overpower them; he did not see the complainant's head strike the ground. This officer also stated he saw that the complainant's eyes were closed but could not say whether the complainant lost consciousness. He stated he helped the complainant sit up, and stood by while paramedics assessed the complainant. A third witness officer at the scene stated he did not see any officers use force to guide the complainant to the ground. This officer stated he helped handcuff the complainant. This officer and the arresting officers believed the complainant feigned unconsciousness while on the ground. Paramedic records stated the complainant's physical examination was normal and the complainant was alert and oriented. According to the San Francisco General Hospital records, the complainant's CT scan was normal. He was diagnosed with a contusion on his head. Both sets of medical records stated the complainant revealed that he had a seizure disorder for which he takes medication. There were no other available witnesses and no additional evidence to further prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/25/08 **DATE OF COMPLETION:** 04/09/09 **PAGE#** 2 of 2

SUMMARY OF ALLEGATIONS #5-6: The officers towed the complainant's vehicle without cause.

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

FINDINGS OF FACT: The complainant stated his driver's license was suspended on the day of his arrest. The officers stated the complainant was sitting in the driver's seat of his parked car, and the keys were in the ignition. Driving with a suspended license is a violation of California Vehicle code section 14601, and, under the STOP program, officers are required to tow the offender's vehicle. The officers' conduct was proper.

SUMMARY OF ALLEGATIONS #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/15/09 **DATE OF COMPLETION:** 04/10/09 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant alleged that the officer failed to properly process his property. The complainant said the officer took his Permanent Resident Card and failed to return it to him when the contact ended. The complainant was unable to identify the officer. No witnesses came forward. The evidence is insufficient to either prove or disprove the allegation.

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

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

FINDINGS OF FACT: The complainant alleged that the officer briefly searched him for no reason before releasing him. The complainant was unable to identify the officer. No witnesses came forward. The evidence is insufficient to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/06/09 **DATE OF COMPLETION:** 04/15/09 **PAGE#** 1 of 2

SUMMARY OF ALLEGATION #1-2: The officers searched the complainant's residence without justification.

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

FINDINGS OF FACT: The complainants admitted that the person who was the subject of the valid search warrant was living at their residence. The complainants also stated that the officers only searched an area of the house where the belongings of the subject of the search warrant were stored. 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 #3-4: The officers behaved inappropriately.

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

FINDINGS OF FACT: The complainants stated that the service of this search warrant felt to them that the officers were treating them like criminals. However, the service of the search warrant was proper conduct, as shown above. The complainant did not describe any other behavior by the officers that they considered conduct reflecting discredit on the department. The evidence proved that the acts alleged in this complaint, namely conduct reflecting discredit, did not occur.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/06/09 **DATE OF COMPLETION:** 04/15/09 **PAGE#** 2 of 2

SUMMARY OF ALLEGATION #5: The officers searched the complainant's residence without justification.

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

FINDINGS OF FACT: The officer has retired and is no longer under OCC jurisdiction.

SUMMARY OF ALLEGATION #6: The officers behaved inappropriately.

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

FINDINGS OF FACT: The officer has retired and is no longer under OCC jurisdiction.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/10/09 **DATE OF COMPLETION:** 04/29/09 **PAGE#** 1 of 2

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

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

FINDINGS OF FACT: The officer denied the allegation. There were no other witnesses who could verify or deny the allegation. 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:** NS **DEPT. ACTION:**

FINDINGS OF FACT: The officer denied the allegation that the complainant asked for assistance to get out of traffic, and stated the complainant was parked next to the curb in a safe location during the citation process. There were no other witnesses who could verify or deny the allegation. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/10/09 **DATE OF COMPLETION:** 04/29/09 **PAGE#** 2 of 2

SUMMARY OF ALLEGATION #3: The officer failed to promptly and politely provide her name and star number.

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

FINDINGS OF FACT: The officer denied the allegation and stated she told the complainant her name and star number toward the end of the citation process. There were no other witnesses who could verify or deny the allegation. There is insufficient evidence to either prove or disprove the allegation.

OCC ADDED ALLEGATION:

SUMMARY OF ALLEGATION #1: The officer failed to make the required traffic stop data entry.

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

FINDINGS OF FACT: The officer said she did not complete the traffic stop data into the ICAD terminal using the E585 mask by the end of her shift because it is very time consuming. The officer also said she could not make the required entries in the following weeks due to computer problems. The preponderance of the evidence established the officer failed to enter the data electronically into the ICAD terminal using the E585 mask as mandated by Department Bulletin No.07-049.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/12/09 **DATE OF COMPLETION:** 04/22/09 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: This complaint is not rationally within the scope of the OCC's jurisdiction.

CATEGORY OF CONDUCT: **FINDING:** IO2 **DEPT. ACTION:**

FINDINGS OF FACT: The OCC determined that this complaint presented issues not rationally without the scope of the OCC's jurisdiction.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/17/09 **DATE OF COMPLETION:** 04/09/09 **PAGE#** 1 of 2

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 March 23, 2009.

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

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

FINDINGS OF FACT: By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on March 23, 2009

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/17/09 **DATE OF COMPLETION:** 04/09/09 **PAGE#** 2 of 2

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

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

FINDINGS OF FACT: By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on March 23, 2009

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/19/09 **DATE OF COMPLETION:** 04/24/09 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on April 3, 2009.

SUMMARY OF ALLEGATION #2: The officer was retaliatory and 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 April 3, 2009.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/23/09 **DATE OF COMPLETION:** 04/08/09 **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: The complaint was mediated and resolved in a non-disciplinary manner on March 25, 2009.

SUMMARY OF ALLEGATION #2: The officer was rude to the complainant.

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

FINDINGS OF FACT: The complaint was mediated and resolved in a non-disciplinary manner on March 25, 2009.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/02/09 **DATE OF COMPLETION:** 04/16/09 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant stated he was drinking beer in a bus stop shelter when the officer and his partner approached him and the named officer placed him in a chokehold. The officer and his partner both denied that the complainant was placed in any type of “chokehold.” The officers stated the named officer placed an academy taught rear wrist hold on the complainant after the complainant refused to comply with repeated advisements to place the opened beer bottle on the ground. There were no independent witnesses to this contact. There is 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: 03/02/09 **DATE OF COMPLETION:** 04/24/09 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer issued a citation 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 April 20, 2009.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/04/09 **DATE OF COMPLETION:** 04/25/09 **PAGE#** 1 of 1

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

CATEGORY OF CONDUCT: IO2 **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: 03/04/09 **DATE OF COMPLETION:** 04/30/09 **PAGE#** 1 of 2

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

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

FINDINGS OF FACT: By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on April 17, 2009.

SUMMARY OF ALLEGATION #2: The officer used a derogatory comment.

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

FINDINGS OF FACT: By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on April 17, 2009.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/04/09 **DATE OF COMPLETION:** 04/30/09 **PAGE#** 2 of 2

SUMMARY OF ALLEGATION #3: The officer issued a citation without justification.

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

FINDINGS OF FACT: The officer is no longer a member of the San Francisco Police Department and not subject to OCC jurisdiction.

SUMMARY OF ALLEGATION #4: The officer used a racially derogatory term.

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

FINDINGS OF FACT: The officer is no longer a member of the San Francisco Police Department and not subject to OCC jurisdiction.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/10/09 **DATE OF COMPLETION:** 04/06/09 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1-2: 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 March 31, 2009.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/05/08 **DATE OF COMPLETION:** 04/18/09 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant failed to respond to numerous contact attempts. The complainant failed to provide additional requested evidence.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/11/09 **DATE OF COMPLETION:** 04/09/09 **PAGE#** 1 of 1

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

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

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

BART Police
P. O. Box 12688
Oakland, CA 94604-2688
Telephone # (415) 678-4010

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/19/09 **DATE OF COMPLETION:** 04/24/09 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on April 22, 2009.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/30/09 **DATE OF COMPLETION:** 04/06/09 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The action described was so obviously imaginary that its occurrence is not admissible by any competent authority.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/02/08

DATE OF COMPLETION: 04/21/09

PAGE# 1 of 2

SUMMARY OF ALLEGATIONS #1-4: The officers failed to provide their name and star number upon request.

CATEGORY OF CONDUCT: ND

FINDING: NS

DEPT. ACTION:

FINDINGS OF FACT: Three of the officers denied hearing the complainant's request. One of the officers said he did give the complainant his star number. There were no witnesses. There is insufficient evidence to reach a definitive finding.

SUMMARY OF ALLEGATIONS #5-6: The officers used unnecessary force during the arrest.

CATEGORY OF CONDUCT: UF

FINDING: NS

DEPT. ACTION:

FINDINGS OF FACT: The officer said he grabbed the complainant's arm because he was lashing his hands in a threatening manner. The officer said the complainant pulled away from him and began to reach for something located near the center console of the vehicle. The complainant admitted that he resisted the officers force because the officer had no justification to use force under the circumstances. After the complainant was out of the car, the officer checked the console and found a knife. The second officer corroborated the account of the first officer and said he assisted the officer in removing the complainant from the vehicle. The knife was booked into evidence. The other two officers at the scene denied witnessing the alleged conduct. There were no other identified witnesses. There is insufficient evidence to reach a definitive finding.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/02/08

DATE OF COMPLETION: 04/21/09

PAGE# 2 of 2

SUMMARY OF ALLEGATIONS #7-8: The officers made inappropriate comments and behaved in an inappropriate manner.

CATEGORY OF CONDUCT: CRD

FINDING: NS

DEPT. ACTION:

FINDINGS OF FACT: One officer denied making the alleged comment. The second named member admitted to making part of the alleged comment. The other officers at the scene denied hearing the named member make the alleged comment. There were no witnesses to the second named members alleged comment and the comment standing alone, however imprudent does not reach the level of misconduct. There is insufficient evidence to reach a definitive finding.

SUMMARY OF ALLEGATION:

CATEGORY OF CONDUCT:

FINDING:

DEPT. ACTION:

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/02/09 **DATE OF COMPLETION:** 04/16/09 **PAGE#** 1 of 1

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

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

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

MTA/DPT
1 South Van Ness Avenue, 7th Floor
San Francisco, CA 94103

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

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

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

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

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

Management Control Division
San Francisco Police Department
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: 04/03/09 **DATE OF COMPLETION:** 04/09/09 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The 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: 04/06/09 **DATE OF COMPLETION:** 04/18/09 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant came to the officer's assigned station. The complainant stated she had been wrongfully terminated on an earlier date. She requested that the officer write an incident report. Although no crime had occurred, the officer directed the station duty officer to write a report. The evidence proved that the acts, which provided the basis for the allegations, occurred; however such acts were justified, lawful and proper.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/08/09 **DATE OF COMPLETION:** 04/15/09 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The complainant alleges that he was subjected to necessary force.

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

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

Victorville Police Department
14200 Amargosa Road
Victorville, CA 92392

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/11/08 **DATE OF COMPLETION:** 04/18/09 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant alleged he was arrested without cause. The complainant stated he was walking from his job to a bus stop to go home when he was detained because he matched the description of a reported suspect with a gun in the area. The complainant was being released at the time the officer decided to place him into custody for public intoxication and being unable to care for himself or others. The complainant denied being intoxicated. The officer, multiple officers, and a police supervisor reported observing some of the objective signs of intoxication on the complainant and finding a beer can in his possession. Paramedics and hospital personnel gave conflicting reports about the presence of alcohol on the complainant's breath during medical assessment and evaluation, but both documented his refusal to receive medical treatment. There were no other witnesses who could verify or deny the allegation. There is insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #2: The officer used excessive force against the complainant while in custody.

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

FINDINGS OF FACT: The complainant stated the officer pushed his head against the doorframe of a patrol car, causing the laceration under his right eye, and then took him to the ground where the officer used a small flashlight to strike and scrape over his laceration several times. The officer denied the allegation and stated the complainant resisted the arrest, and kicked him once in the chest. The officer and several other officers said the complainant continued resisting outside the patrol car, at which time he may have sustained a facial laceration during the struggle to control him. One witness across the street gave conflicting statements regarding the sequence of events during the complainant's arrest, and there were no other known witnesses to either prove or disprove the allegation. The complainant sustained a four centimeter laceration below his right eye. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/15/09 **DATE OF COMPLETION:** 04/15/09 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer behaved inappropriately.

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

FINDINGS OF FACT: The identity of the alleged officer has not been established. There is 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: 04/16/09 **DATE OF COMPLETION:** 04/23/09 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: This complaint raises matters outside OCCs jurisdiction.

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

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

San Francisco Sheriff's Department
Investigative Unit
25 Van Ness Avenue, 3rd Floor
San Francisco, CA 94102

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/17/08 **DATE OF COMPLETION:** 04/25/09 **PAGE#** 1 of 1

SUMMARY OF ALLEGATIONS #1: The officer exhibited inappropriate behavior and made inappropriate comments.

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

FINDINGS OF FACT: The complainant stated the officer was rude and disrespectful. The co-complainant did not corroborate the complainant's allegation. The officer denied the allegation. The witness stated that the officer was rude and disrespectful but could not remember word for word what was said and recalled one disrespectful word. The witness officer did not hear the officer make rude comments but did recall that the women were yelling at the officer and he had a shocked look or a look of disbelief. The witnesses and complainant's statements are inconsistent as to the disrespectful comment and rudeness. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/17/09 **DATE OF COMPLETION:** 04/22/09 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The case raises matters that are outside the jurisdiction of the OCC. The case has been forwarded to the San Francisco Police Department Management Control Division.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/22/09 **DATE OF COMPLETION:** 04/25/09 **PAGE#** 1 of 1

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

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

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

San Francisco Park Police
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: 05/18/08 **DATE OF COMPLETION:** 04/27/09 **PAGE#** 1 of 2

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 the officer yelled at her, was hostile and gave her shoulder a “tiny shove.” The complainant’s husband stated the officer yelled at them; he saw the officer either push or poke the complainant’s shoulder with his hand. Their friend saw the officer reach his hand inside the complainant’s car and then pull his hand out but did not see the officer touch the complainant. Another witness stated the complainant refused to roll down her window when ordered to do so. This witness further stated the complainant ignored the officer and continued to speak on a cell phone. This witness also stated the complainant opened her car door, striking the officer with the door. The complainant stated she opened her car door and the door “must have touched” the officer because he pushed it back. The officer stated the complainant refused to roll down her window. She finally rolled it down an inch. The officer stated he never put his hand in the window and never touched her. She rolled up her window and began talking on a cell phone. He tapped on the window again and told her to step out of her car. She opened the door with “considerable force,” striking the officer’s leg. He denied yelling at the complainant and being hostile towards her. There were no additional witnesses and no additional evidence to further prove or disprove the allegation.

SUMMARY OF ALLEGATION #2: The officer used profanity.

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

FINDINGS OF FACT: The complainant and her husband stated the officer used profanity several times. Their friend also stated the officer used profanity but could not recall the exact words used. The officer denied using profanity. A supervising officer who was on the scene later stated he did not hear the officer use profanity. Another witness stated she did not hear the conversation between the complainant and the officer. There were no additional witnesses and no additional evidence to further prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/18/08 **DATE OF COMPLETION:** 04/27/09 **PAGE#** 2 of 2

SUMMARY OF ALLEGATIONS #3-4: The officers threatened to arrest the complainant.

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

FINDINGS OF FACT: The complainant stated she was threatened with arrest when she refused to move her vehicle out of an area that was surrounded by police barricades. The complainant and her husband stated they opened the barricades and parked behind them while they were moving. They stated they called the police station several weeks earlier and were given verbal permission to park there but they could not identify the officer or the exact words the officer used. They also acknowledged that they refused the officers' repeated orders to leave the prohibited area, which could result in an arrest. Both officers denied the allegations. They stated the complainant violated the law by moving the barricades and driving into a prohibited area. There were no additional witnesses and no additional evidence to further prove or disprove the allegation.

SUMMARY OF ALLEGATION #5: The officer failed to accept a citizen's complaint.

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

FINDINGS OF FACT: The complainant stated she wanted to make a complaint against an officer in her presence. Emergency Communications Department documented a 911 call made by the complainant in which she told the dispatcher she was going to the station to make a complaint. The officer stated he couldn't take a complainant against himself or the other officer at the scene since both officers were involved in the same incident. He told the complainant that she'd have to go to the station after the citywide race that was occurring at the time. According to Department General Order 2.04 and the existing circumstances, the officer was not required to immediately take the complainant's complaint. There were no additional witnesses and no additional evidence to further prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/21/08 **DATE OF COMPLETION:** 04/25/09 **PAGE#** 1 of 2

SUMMARY OF ALLEGATION #1: The officer was rude to the complainant.

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

FINDINGS OF FACT: The named officer and witness officer denied the allegation. There were no other witnesses. There is insufficient evidence to reach a definitive finding.

SUMMARY OF ALLEGATION #2: The officer conducted himself in an inappropriate manner.

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

FINDINGS OF FACT: The named officer and witness officer denied the allegation. There were no other witnesses. There is insufficient evidence to reach a definitive finding.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/21/08 **DATE OF COMPLETION:** 04/25/09 **PAGE#** 2 of 2

SUMMARY OF ALLEGATION #3: The officer engaged in selective enforcement.

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

FINDINGS OF FACT: The named officer and witness officer denied the allegation. There were no other witnesses. There is insufficient evidence to reach a definitive finding.

SUMMARY OF ALLEGATION:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/15/08 **DATE OF COMPLETION:** 04/18/09 **PAGE#** 1 of 1

SUMMARY OF ALLEGATIONS #1-2: The officers used unnecessary force while restraining a suspect.

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

FINDINGS OF FACT: The complainant stated two officers forcibly removed a “dazed” suspect from his vehicle and placed him on the ground. She stated one officer placed his knee on the back of the suspect’s neck. One witness also saw this. Three witnesses stated they believed the suspect was having a seizure during this time. Another witness stated the suspect appeared intoxicated.

The named officers stated they were stopped behind the suspect for several minutes while the suspect sat in his car in the middle of the street. The officers stated the suspect refused to exit his vehicle and kept his foot on the vehicle’s accelerator, revving the engine. For the safety of themselves and others, the officers removed the suspect from his vehicle and placed him in a prone position on the ground to handcuff him. They denied that a knee was placed on the back of the suspect’s neck. A Department subject matter expert stated that placing the suspect in a prone position on the ground was within the officers’ duty of care. The suspect had no recollection of the incident. There is insufficient evidence to either prove or disprove that the force used was appropriate.

SUMMARY OF ALLEGATION #3: The officer interfered with the rights of bystanders.

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

FINDINGS OF FACT: The complainant stated a plainclothes officer sought to prohibit photography during a police incident, and allegedly ordered members of a crowd to stop photographing police response to a traffic stop. The complainant provided a description of the officer. One witness stated that an officer authorized use of cameras but told the crowd to stay back. The OCC identified all officers with the available descriptions and interviewed them. The officers denied the allegation. No additional witnesses came forward. The officer could not be identified.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/13/08 **DATE OF COMPLETION:** 04/25/09 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant stated he requested a police report from the officers. The complainant said he was provided with a Computer Aided Dispatch (CAD) number to the incident instead. The officers stated they provided a CAD number to the complainant to document the incident. The officers said the victim did not want to press charges against the complainant, so a police report was not made. At the time of the incident, San Francisco Police Department rules did not require the report to be prepared due to a Citizens Arrest request by the victim. A witness said the assault of the complainant was a misunderstanding. There is insufficient evidence to prove or disprove the allegation made in the complaint.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/18/08 **DATE OF COMPLETION:** 04/25/09 **PAGE#** 1 of 2

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

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

FINDINGS OF FACT: The complainant stated that he did not commit the crimes for which he was arrested. The officer denied the allegation. The witnesses corroborated the allegation that the complainant committed an assault upon the officer. The officer had probable cause to make an arrest based on the evidence and sections 243(b) (2), 243 (d) and 148 (a) (1) of the Penal Code.

SUMMARY OF ALLEGATION #2: The officer failed to provide the Miranda Admonition.

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

FINDINGS OF FACT: The complainant said the officer did not read his Miranda rights at the scene. The officer stated that he did not interrogate the complainant at the scene and, therefore, did not need to provide the Miranda Admonition. Another officer stated that the Miranda Admonition was provided at the station. The officer at the scene was not required to provide the Miranda Admonition unless he was conducting an interrogation, which did not occur at the scene.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/18/08 **DATE OF COMPLETION:** 04/25/09 **PAGE #** 2 of 2

SUMMARY OF ALLEGATION #3: The officer failed to properly process property.

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

FINDINGS OF FACT: The complainant stated that his personal handcuffs were never returned along with his property. The officers denied the allegation. The officers did not see the complainant's handcuffs. Neither the incident report nor the booking card documents the handcuffs. There were no witnesses. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #4-5: The officers made inappropriate comments.

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

FINDINGS OF FACT: The complainant stated the officers told him on more than one occasion that he would never drive a cab again. The officers denied the allegation. There were no witnesses. There is insufficient evidence to prove or disprove the allegations.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/25/08 **DATE OF COMPLETION:** 04/18/09 **PAGE#** 1 of 1

SUMMARY OF ALLEGATIONS #1-2: The officers' behavior and comments were inappropriate.

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

FINDINGS OF FACT: The officers denied the allegation. Other witnesses on scene either denied the allegation or did not recall the incident. Another potential witness on scene did not respond to Office of Citizen Complaints requests for an interview. There is 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: 07/15/08 **DATE OF COMPLETION:** 04/25/09 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer made inappropriate statements and exhibited an inappropriate manner.

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

FINDINGS OF FACT: The complainant stated that he was working as a bartender at a downtown office building where a large dance event was being held in a ballroom. A shooting took place and numerous police officers responded. Some time later, after all the attendees at the event had been cleared from the space, the complainant and other employees encountered a male officer who demanded to see their identification and spoke to them in a loud and belligerent manner. When the complainant said he did not understand why the officer was yelling at them, the officer became angry and made an inappropriate statement. All of the officers who responded to the incident were questioned by the OCC with the exception of one officer who had left the Department. All the male officers but one denied talking to any male employees or stated that they never reached the floor where the dance event took place. One officer, whose physical description closely matched that of the description provided by the complainant, stated that he spoke with numerous building employees and at times spoke in a raised voice in order to be heard over the crowd and the loud music. This officer stated that he did not recall whether he asked any of these employees for their identification, but denied making any inappropriate statements. Other officers who responded to the scene stated that they did not witness another officer ask employees for identification or yell at employees. There is insufficient evidence to prove or disprove the allegation.

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

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

FINDINGS OF FACT: The complainant stated that he was working as a bartender at a downtown office building where a large dance event was being held in a ballroom. A shooting took place and numerous police officers responded. The complainant stated that responding officers failed to secure the area where the shooting took place, but acknowledged that a very large crowd was present and he did not know whether anyone informed officers about where the shooting took place. Officers who responded to the incident stated that the event took place on an upper floor of an office building, which made facilitating the exit of several hundred patrons extremely difficult. Supervising officers at the scene stated that they had officers physically block access to the crime scene until crime scene tape arrived. Several of the officers who responded stated that they assisted in protecting the crime scene or were aware of other officers doing so. Given the chaotic nature of the incident, which involved a large crowd in a confined space with limited means of egress, and the need to identify and render aid to the shooting victim, a delay in locating and securing the crime scene was not unreasonable. The evidence established that the crime scene was secured in the best way possible given the circumstances.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/18/08 **DATE OF COMPLETION:** 04/25/09 **PAGE #** 1 of 3

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

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

FINDINGS OF FACT: The officers denied making the comments and behaving as alleged. There was one witness who denied hearing anything specific said by the officers or the complainant. No other witnesses came forward. There was insufficient evidence to either prove or disprove the allegations.

SUMMARY OF ALLEGATIONS #3,4: The officers used unnecessary force during a detention.

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

FINDINGS OF FACT: The officers acknowledged using force and control holds during the detention of the complainant. The officers said it was necessary because the complainant was trying to start the car or escape and was uncooperative when asked to produce his license and to step out of the car. One witness who saw part of the traffic stop said he turned away and did not see the complainant struggle with either officer. No other witnesses came forward. There was insufficient evidence to either prove or disprove the allegations.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/18/08 **DATE OF COMPLETION:** 04/25/09 **PAGE #** 2 of 3

SUMMARY OF ALLEGATIONS #5, 6: The officers used profanity in speaking to the complainant.

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

FINDINGS OF FACT: The officers denied the allegation. One witness who said he saw part of the detention said he heard a contentious discussion but did not hear the words uttered by the officers. No other witnesses came forward. There was insufficient evidence to either prove or disprove the allegations.

SUMMARY OF ALLEGATION #7: The officer searched the complainant's car without cause.

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

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

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/18/08 **DATE OF COMPLETION:** 04/25/09 **PAGE #** 3 of 3

SUMMARY OF ALLEGATION #8: The officer issued a citation without cause.

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

FINDINGS OF FACT: The named and one witness officer denied the allegation, stating that they had observed the complainant for the distance of two or three blocks driving too closely behind another car and being inattentive behind the wheel. 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:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/29/08 **DATE OF COMPLETION:** 04/09/09 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer searched the complainants' residences without cause.

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

FINDINGS OF FACT: The complainants stated the police searched their rooms without authorization. The complainants did not obtain further identifying information on the officers at the scene. During the investigation, polls were conducted from the stations with negative results. There was no available sign in sheet from the hotel to establish if officers entered the property. There is insufficient evidence to identify the officers involved and prove or disprove the allegation made in the complaint.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/30/09 **DATE OF COMPLETION:** 04/09/09 **PAGE#** 1 of 3

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

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

FINDINGS OF FACT: The complainant said the officers should not have detained them. The complainants stated they were not running around with guns in the area. The officers detained the complainants due to a call regarding males with a gun. The officers responded as back up and detained the complainants. The witness arrived on scene when the officers detained the complainants. There is insufficient evidence to either prove or disprove the allegations made in the complaint.

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

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

FINDINGS OF FACT: The complainants stated they should not have been handcuffed. The complainants admitted they were upset and angry with the officers. The officer said she handcuffed the detainees due to officer safety. The officers stated the call was a priority call regarding males with guns in the area. There is insufficient evidence to either prove or disprove the allegations made in the complaint.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/30/09 **DATE OF COMPLETION:** 04//09/09 **PAGE#** 2 of 3

SUMMARY OF ALLEGATIONS #4-5: The officers used inappropriate comments and behavior.

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

FINDINGS OF FACT: The complainants stated that officers used inappropriate comments against them and one threw his identification card at him. The officers denied the inappropriate comments and inappropriate behavior against the complainants. One bystander witness was interviewed but she had not been able to hear the dialog and conversations between the officers and the complainants. There is insufficient evidence to either prove or disprove the allegations made in the complaint.

SUMMARY OF ALLEGATION #6: The officer made a racially derogatory comment.

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

FINDINGS OF FACT: One of the complainants stated the officer used a racially derogatory comment against him, and the other complainant agreed, but had not personally heard the comment. The officer said he did not make any racially derogatory comments to the complainants. A bystander witness was not able to hear the dialog that was exchanged between the complainant and the co-complainant. There is insufficient evidence to either prove or disprove the allegations made in the complaint.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/30/09 **DATE OF COMPLETION:** 04/09/09 **PAGE#** 3 of 3

SUMMARY OF ALLEGATIONS #7-8: The officers used unnecessary force during a detention.

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

FINDINGS OF FACT: The complainants stated the officers used unnecessary force on them. The officers said the complainants were detained on the ground and handcuffed because the call alleged that male subjects had guns, and because the detainees were hostile. The details of the complainants' allegations could not be corroborated. There is insufficient evidence to either prove or disprove the allegations made in the complaint.

SUMMARY OF ALLEGATIONS #9-10: The officers failed to issue a Certificate of Release to the detainees.

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

FINDINGS OF FACT: The complainant stated they did not receive any paperwork or documents regarding the handcuffing incident from the officers at the scene. One of the complainants identified the female officer who handcuffed both of them and released him. The officers admitted they did not issue Certificates of Release to the detainees. One of the officers stated he handcuffed and moved one of the detainees a short distance to the patrol car. Another officer stated she arrived on the scene and handcuffed one of the detainees accordingly. The officers both said they believed the primary officers at the scene should have issued the Certificates of Release to the complainants and not them. The evidence established that no Certificate of Releases was issued to the complainants as required by the Department General Order. By a preponderance of the evidence, the responsible officer failed to follow the San Francisco Police Department procedures as outlined in Department General Order 5.03.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/11/08 **DATE OF COMPLETION:** 04/18/09 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: In his written complaint, the complainant alleged that one of the arresting officers punched him several times in the left eye and the other officer kicked and kned him multiple times on the right eye and upper face area. Both arresting officers denied “punching” and/or “kicking” and/or “kneeing” the complainant during the incident. There were no identifiable witnesses to the occurrence. The complainant’s booking photograph taken within hours after the arrest did not support his assertions of “black eyes” and “laceration to the face” allegedly caused by the arresting officers’ unnecessary force. The complainant did not provide an address and/or contact information and the OCC was unable to locate and interview the complainant after he was released from the jail. The attempts to establish contact with the complainant via the Adult Probation Department also proved unsuccessful. The available evidence was insufficient 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: 09/30/08 **DATE OF COMPLETION:** 04/06/09 **PAGE#** 1 of 4

SUMMARY OF ALLEGATION #1: The officer made inappropriate comments due to the complainant's sexual orientation.

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

FINDINGS OF FACT: The complainant stated the officer made inappropriate comments while she walked past him and a group of other officers. The officer denied the allegation. There were no witnesses. There is insufficient evidence to prove or disprove the allegation.

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

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

FINDINGS OF FACT: The complainant stated the officer pushed her to the ground. The officer denied the allegation. There were no witnesses. There is insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/30/08 **DATE OF COMPLETION:** 04/06/09 **PAGE#** 2 of 4

SUMMARY OF ALLEGATION #3: The officer exhibited inappropriate behavior.

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

FINDINGS OF FACT: The complainant stated the officer threatened to take her to jail. The officer denied the allegation. There were no witnesses. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #4: The officer made inappropriate comments due to the complainant's sexual orientation.

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

FINDINGS OF FACT: The complainant said the supervisor at the station made comments to belittle her because of her sexual orientation. The officer denied the allegation. There is insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/30/08 **DATE OF COMPLETION:** 04/06/09 **PAGE#** 3 of 4

SUMMARY OF ALLEGATION #5: The officer used profanity.

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

FINDINGS OF FACT: The complainant stated that a supervisor at the station used profanity towards her. The officers denied the allegation. There were no witnesses. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #6: The officer exhibited inappropriate behavior.

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

FINDINGS OF FACT: The complainant said the supervisor yelled at her to leave the station. The officers denied the allegation. There were no witnesses. There is insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/30/08 **DATE OF COMPLETION:** 04/06/09 **PAGE#** 4 of 4

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

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

FINDINGS OF FACT: The complainant said the supervisor did not take her complaint against the officer she was complaining about. The officers denied the allegation. There were no witnesses. There is insufficient evidence to prove or disprove the allegation.

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

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

FINDINGS OF FACT: The complainant stated she called 911 at about 10:15AM to report threats. The complainant said she waited until noon and no officer(s) arrived. The complainant said that the location from which she called 911 closed at noon so she left the area. The summary of incidents for TTF on the date from 0900 to 1600 hours does not show anything for the location the complainant reported. There is insufficient evidence to determine whether or not the police showed up after the complainant had left.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/06/08 **DATE OF COMPLETION:** 04/09/09 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer used inappropriate behavior at the scene.

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

FINDINGS OF FACT: The complainant stated the officer was rude and over zealous. The complainant said the officer would not allow a courtesy call by the officers in order for the complainant to arrange transportation from the scene. The officer denied he was rude or overzealous toward the complainant. The officer did not recall the complainant requesting that he or other officers call or to use their phones at the scene to make transportation needs. The officer said he is not obligated to make any calls for the complainant or others at the scene. There were no independent witnesses. There is insufficient evidence to prove or disprove the allegation made in the complaint.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/10/08 **DATE OF COMPLETION:** 04/24/09 **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 believes that the officer is always looking to harass her and has had about six contacts with her. The complainant said the officer calls out her name very loudly and asks for identification, if she is legal, and where she is from. The complainant said she cries because she feels desperate and doesn't know what the officer wants her to do if she lives in that area. The officer denied the allegation. Witnesses did not respond for an interview. There is insufficient evidence to prove or disprove the allegation.

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

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

FINDINGS OF FACT: The complainant stated the officer was hiding outside of her building waiting to arrest her. The complainant stated that at the time she and a friend came out of their apartment building. The complainant stated that the officer told her she had a warrant. The complainant told the officer that she had completed her program and had the paperwork to prove it but the officer did not care and showed her in the computer that there was a warrant. The officer stated she saw the complainant standing in front of her residence and had knowledge that the complainant had a warrant and detained her to arrest her on the warrant. The officer made this arrest in accordance with DGO 6.18.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/10/08 **DATE OF COMPLETION:** 04/25/09 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant stated she was waiting for a cab for about six minutes with friends to go to DIVAS nightclub. The complainant said she was not loitering for prostitution. The officer denied the allegation. The officers stated they observed the complainant and friends for twenty minutes and several cabs passed by that the complainant did not flag down. The witnesses did not respond for an interview. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/10/08 **DATE OF COMPLETION:** 04/25/09 **PAGE#** 1 of 2

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

CATEGORY OF CONDUCT: UA

FINDING: NS

DEPT. ACTION:

FINDINGS OF FACT: The complainant stated the officers detained her for no reason. The officers stated they were assigned to a prostitution abatement detail and observed the complainant loitering in the area attempting to stop pedestrians and motorists. The officers stated it was their belief the complainant was in the area for purposes of prostitution and they detained the complainant for that reason. There were no independent witnesses who came forward during the investigation. There is insufficient evidence to either prove or disprove the allegation.

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

CATEGORY OF CONDUCT: UA

FINDING: NS

DEPT. ACTION:

FINDINGS OF FACT: The complainant stated the officers cited her for no reason. The officers stated they were detailed to prostitution abatement and observed the complainant loitering in the area attempting to stop motorists and pedestrians. The officers said their observations led them to believe the complainant was violating the law and they cited the complainant for the violation. No independent witnesses came forward during the investigation. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/10/08 **DATE OF COMPLETION:** 04/25/09 **PAGE #** 2 of 2

SUMMARY OF ALLEGATION #5: The officer's comments and behavior were inappropriate.

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

FINDINGS OF FACT: The officer denied the allegation. No other officer heard the alleged comments. No independent witnesses came forward during the investigation. There is insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #6: The officer selectively enforced the law.

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

FINDINGS OF FACT: The officer denied the allegation. The officer stated she has worked prostitution enforcement for many years and has cited and arrested persons of all races and genders. No independent witnesses came forward during the investigation. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/23/08 **DATE OF COMPLETION:** 04/07/09 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complaint was begun as a result of a civil claim filed with the Controller's office and forwarded to OCC. The complainant did not contact the OCC in response to our request for contact, and failed to provide evidence to continue the investigation.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/03/08 **DATE OF COMPLETION:** 04/09/09 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant stated the officer arrested her for violating a stay-away order when the order was no longer in effect. The OCC investigation determined that the stay-away order was modified to allow the complainant to pass through the restricted area on her way to work but was still in effect. The complainant admitted loitering in the area at the time of her arrest. The officer's actions were proper.

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

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

FINDINGS OF FACT: The complainant alleged the officer engaged in a systematic pattern of harassment against her. The witness did not provide any specific evidence substantiating conduct by the officer that would consist of harassment. The officer denied the allegation. There was no additional evidence and no available witnesses to further prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/12/08 **DATE OF COMPLETION:** 04/24/09 **PAGE #** 1 of 2

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

CATEGORY OF CONDUCT: UA

FINDING: PC

DEPT. ACTION:

FINDINGS OF FACT: The complainant alleged that he was walking in the Mission district and had spoken to a street vendor, when the named officers told him to stop, an order he refused. He said when a motorcycle officer gave him a direct order to stop, he obeyed. The complainant said he learned from the officers that he was being detained as a suspect in an attempted robbery but that the broadcast description of the suspect's clothing differed from the complainant's. The named officers and three witness officers denied the allegation, saying the complainant was detained because he matched a broadcast suspect description. A review of the description broadcast indicated it was similar to what the complainant said he was wearing. The witness who made the robbery report confirmed the suspect description she provided was appreciably similar to the complainant. She also confirmed that she reported hearing the robbery attempt and the victim's response. A witness whose identity was provided by the complainant said she was not on the scene when the complainant was detained and had not observed the complainant's actions prior to his detention. The evidence showed that the acts that led to the complaint occurred, however those acts were justified, lawful and proper.

SUMMARY OF ALLEGATION #4: The officer searched the complainant without justification.

CATEGORY OF CONDUCT: UA

FINDING: PC

DEPT. ACTION:

FINDINGS OF FACT: The complainant said he did nothing illegal, and did not supply permission to be searched, however, he acknowledged that he did not immediately comply with a lawful order to stop by a police officer he said he knew. The named and one witness officer acknowledged a pat-searching of the complainant for officer safety after detaining him because he matched the description of a robbery suspect. No other officers recalled the search. One witness reported that she was not present for the entire encounter. No other witnesses came forward. The evidence showed that the acts that led to the complaint occurred, however those acts were justified, lawful and proper.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/12/08 **DATE OF COMPLETION:** 04/24/09 **PAGE #** 2 of 2

SUMMARY OF ALLEGATION #5: The officer failed to promptly and politely provide his star number.

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

FINDINGS OF FACT: The named and one witness officer denied the allegation, stating that they both displayed their stars immediately on contact with the complainant. Two witness officers did not recall discussion about the named officer showing his star. One other witness did not mention any argument about the named officer's star. No other witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #6: The officer made inappropriate comments and behaved inappropriately.

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

FINDINGS OF FACT: The complainant said the named officer told him, among other things, he detained him "Because I can" and inappropriately wagged his finger and commented about the complainant's actions with a community group. The named and three witness officers denied the allegations. One witness identified by the complainant said she did not hear the comments or see the actions by the officer, although she conceded she was not present for the entire encounter. No other witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

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

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

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

FINDINGS OF FACT: The complainant stated he suffered an epilepsy seizure on the bus. The complainant said that an officer held him against his will by grabbing his wrists after he told him he did not want an ambulance. The officer denied grabbing the complainant's wrists but maintained contact with the complainant until the arrival of the ambulance. The witness stated the officer held the complainant until the ambulance arrived. . The officer waited for the paramedics who preliminary screened and released the complainant as he refused treatment. Per the department's Basic Training First Aid & CPR, the officer was acting in good faith to assist the victim; the officer's actions were found to be proper.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/12/08 **DATE OF COMPLETION:** 04/15/09 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1-3: The officers failed to properly process property.

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

FINDINGS OF FACT: By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on April 10, 2009.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/17/07 **DATE OF COMPLETION:** 04/09/09 **PAGE#** 1 of 2

SUMMARY OF ALLEGATIONS #1-3: The officers used unnecessary force during the complainant's arrest.

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

FINDINGS OF FACT: The complainant stated that while fleeing from the officers in a stolen vehicle, he crashed his car. The car flipped over. The vehicle's airbags did not deploy. The complainant ran from the scene. He stated an officer took him to the ground in a "bear hug," breaking his collarbone. Another officer slammed his head onto the ground and other officers kicked and punched the right side of his body. He could not identify any of these officers. The complainant further stated he smoked two grams of methamphetamine a couple of hours before this incident.

Two officers stated they took custody of the complainant. One officer stated he tackled the complainant to the ground and used Department-approved physical controls to handcuff the complainant. Both officers stated the complainant was not punched or kicked. They also stated that the complainant's head was not slammed onto the ground. One witness officer stated the complainant ran from the officers after being told to stop, and he struggled to free himself from the officers' grasps. This witness further stated he did not see any officer punch, kick or slam the complainant onto the ground. He saw several officers hold the complainant while another placed him in handcuffs.

Medical records showed that the complainant spent four days in the hospital for injuries suffered as a result of a "high speed rollover at 60-80 mph." These injuries consisted of facial abrasions, a fractured right collarbone and two fractured ribs on his right side. There were no additional witnesses or evidence linking the complainant's injuries to use of excessive police force.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/17/07 **DATE OF COMPLETION:** 04/09/09 **PAGE#** 2 of 2

SUMMARY OF ALLEGATION #4: The officer failed to follow the Department's vehicle pursuit policy.

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

FINDINGS OF FACT: The complainant stated that, while fleeing from the officers in a stolen vehicle, the patrol car struck his vehicle, causing the stolen vehicle to flip over and crash.

The driver of the patrol car stated the pursuit was justified because the complainant attempted to hit two other police officers with his stolen vehicle. A witness confirmed this. One of those officers had to discharge his firearm at the complainant to protect his life and the life of his fellow officer. The named officer, and those two officers, stated the complainant struck their patrol car twice. The first time, the complainant intentionally backed up into the patrol car. The second time, the complainant intentionally slammed on his brakes, causing the patrol car to hit the stolen vehicle. The complainant lost control of his vehicle, drove onto a curb and the vehicle became airborne.

A witness officer saw the complainant strike the patrol car the second time. This officer observed the complainant deliberately drive his vehicle in reverse in order to hit the patrol car. The complainant lost control of his vehicle, struck a parked car, became airborne, and while upright spun in a 360-degree circle, landing upright on all four tires.

A second witness officer stated she saw the complainant turn right in front of the patrol car. She then lost sight of the complainant. Suddenly the rear end of the patrol car bounced up into the air as if it had struck something or something had struck its front end. When she arrived at the scene, she saw that the complainant's vehicle had crashed into an electrical circuit box. This officer's partner, who is now retired, stated she saw the stolen vehicle make a right turn and saw the patrol car follow. She then saw the patrol car come to an abrupt stop in the middle of its turn. It appeared the patrol car had hit something stationary and the rear end of the vehicle popped up into the air and came down abruptly. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/19/08 **DATE OF COMPLETION:** 04/30/09 **PAGE#** 1 of 2

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

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

FINDINGS OF FACT: The named member denied the alleged misconduct. The complainant was uncooperative with the OCC investigation. No witnesses came forward. The available evidence was insufficient to either prove or disprove the allegation.

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

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

FINDINGS OF FACT: The named member denied acting in the alleged manner and making the alleged comments. The complainant was uncooperative with the OCC investigation. No witnesses came forward. The available evidence was insufficient to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/19/08 **DATE OF COMPLETION:** 04/30/09 **PAGE#** 2 of 2

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

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

FINDINGS OF FACT: The OCC was unable to reach a definitive finding because the named member was unavailable for questioning due to extended military leave.

SUMMARY OF ALLEGATION #4: The officer acted inappropriately and made inappropriate comments.

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

FINDINGS OF FACT: The OCC was unable to reach a definitive finding because the named member was unavailable for questioning due to extended military leave.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/19/08 **DATE OF COMPLETION:** 04/09/09 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant stated that she was arrested and cited without any legitimate reason. The named members (assigned to the Department's VICE Crimes unit) stated that they arrested and cited the complainant in the course of their investigation of a complaint concerning sex solicitation over the phone. The Department records (anonymous complaint assigned to the VICE Crimes Unit and the audiotape of the named member's telephone conversation with the complainant) showed that, more likely than not, the officers had probable cause to cite 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 #3: The officer issued an invalid order.

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

FINDINGS OF FACT: The complainant stated that the officer ordered her to remove her personal ad from Craigslist. The named member denied giving the alleged order. The officer's partner stated to the OCC that he did not recall such an order being given. There were no other witnesses to the complainant's contact with the officers. The available evidence was insufficient to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/21/08 **DATE OF COMPLETION:** 04/21/09 **PAGE#** 1 of 3

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

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

FINDINGS OF FACT: The complainant alleged that he was working at Candlestick Park during a 49ers game when the officers arrested him for no reason. The officers said the complainant was arrested for committing battery to another officer and to an elderly female usher. The officers stated that using his food rack, the complainant shoved the officer and the usher. In her statement, the usher made no mention about the alleged battery. No other witnesses came forward, and. The evidence was insufficient to either prove or disprove the allegations.

SUMMARY OF ALLEGATION #3-4: The officers used force during the complainant's arrest.

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

FINDINGS OF FACT: The complainant alleged that the officers used unnecessary force during his arrest. The complainant said the officers pressed their hands above his neck and pushed him back to a seated position. The officers then grabbed his wrists and placed him in handcuffs that aggravated his preexisting shoulder injury. The officers stated they used physical force on the complainant. The officers stated the complainant made mention of his injury, so they took measures to effect the handcuffing with minimal force used to effect the arrest. The officers further stated that the complainant made no complaint of pain during his arrest. Although the complainant suffered a sprain on his shoulder, his injury, however, was the result of his aggressive behavior during the contact. The evidence shows that the complainant was agitated and uncooperative. It was therefore necessary for the officers to physically control the complainant. The evidence proved that the acts, which provided the basis for the allegations, occurred. However, such acts were justified, lawful, and proper.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/21/08 **DATE OF COMPLETION:** 04/21/09 **PAGE#** 2 of 3

SUMMARY OF ALLEGATION #5: The officer used profanity.

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

FINDINGS OF FACT: The complainant alleged that the officer used profanity. The officers that were questioned denied using profanity. The complainant failed to identify the officer. No civilian witnesses came forward. The evidence was insufficient to either prove or disprove the allegation.

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

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

FINDINGS OF FACT: The complainant alleged that the officer made inappropriate comments. The officer denied the allegation. No civilian witnesses came forward, and no additional evidence was presented. The evidence was insufficient to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 112/21/09 **DATE OF COMPLETION:** 04/21/09 **PAGE#** 3 of 3

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 failed to take required action by not entering the use of force in the Use of Force Log. The evidence shows that the force used against the complainant was reportable. The officer, who was the supervisor, was adequately notified of the complainant's complaint of pain. The evidence further shows that the officer, who reviewed and approved the incident report, neither made an entry nor checked the Use of Force Log to ensure that the necessary information was entered regarding the incident. A preponderance of evidence therefore proved that the conduct complained of did occur, and using as a standard the applicable regulations of the Department, the conduct was improper.

SUMMARY OF OCC ADDED ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/19/08 **DATE OF COMPLETION:** 03/31/09 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant alleged that the officer used unnecessary force by hitting him in the chest when she served him with a subpoena. A witness said he saw the officer hit the complainant in the chest. The officer denied the allegation. Two other officers that were at the scene stated the officer did not hit the complainant. No other witnesses came forward. The evidence was insufficient 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 12/09/08 **DATE OF COMPLETION:** 04/25/09 **PAGE#** 1 of 2

SUMMARY OF ALLEGATION #1: The officer failed to investigate/take proper action.

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

FINDINGS OF FACT: The officer was dispatched to the complainant's residence on a call where the complainant's father had reported he could not control his daughter who had attacked him. The officer stated he did not detain the complainant, that he questioned the complainant to determine what had happened between her and her father. The officer stated his type of questioning was in more of a conversation style, because he was dealing with a 12-year-old child. The officer stated the complainant was upset and pouting, her initially denied striking her father, but later admitted it. The complainant's father did not want his daughter arrested. The complainant's father talked to their psychologist over the telephone and the complainant agreed with the psychologist that the complainant should go with her father to Huckleberry House. The complainant calmed down, willingly and freely went with her father to Huckleberry House. The officer determined that no further police action was needed. The officer stated he abated the call because the complainant's father did not want his daughter arrested. The officer stated the complainant was not detained or arrested. The evidence proved that the acts that provided the basis for the allegations occurred, however, such acts were justified, lawful, and proper.

SUMMARY OF ALLEGATION #2: The officer made inappropriate comments to the complainant.

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

FINDINGS OF FACT: The officer denied making any inappropriate comments to the complainant. The officer stated he did question the complainant to determine what had happened between the complainant and her father. The officer stated his style of questioning was more in a conversational manner, because he was dealing with a 12-year-old child. The officer denied making the statement "it takes two to make a baby." The officer stated it was inconsistent with the nature of the call. The complainant's father stated he did not hear any officer threaten, or make any rude remarks or make any unprofessional remarks to the complainant, his daughter. The complainant's father stated the officers were professional in dealing with him and his daughter. The complainant's father stated he did not hear any officer make any statement that had been attributed to the named member. The witness officer stated he did not hear anyone make any inappropriate comments to the complainant. The evidence proved that the acts alleged in the complaint did not occur.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT 12/09/08 **DATE OF COMPLETION:** 04/25/09 **PAGE#** 2 of 2

SUMMARY OF ALLEGATION #3: The officer threatened the complainant.

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

FINDINGS OF FACT: The officer stated the complainant was not detained. The officer stated he asked the complainant if she was ready to go with her father to Huckleberry House. The complainant replied yes. The officer stated the complainant agreed to be taken to Huckleberry House, after the complainant's father had talked to their therapist over the telephone. The complainant's father stated none of the officers threatened, or made any rude remarks to his daughter. The complainant's father stated the officers were professional in dealing with him and his daughter. The evidence proved that the acts alleged in the complaint did not occur.

SUMMARY OF ALLEGATION #4: The officer showed inappropriate behavior towards the complainant.

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

FINDINGS OF FACT: The officer stated the call was categorized as an "A" priority-most urgent call and the call was described as a battery in progress. The officer stated he removed his handcuffs, with the intent to handcuff the suspect to ensure his safety and the safety of others at the scene. The officer stated he did not handcuff anyone at the scene. The complainant was never detained. The complainant's father stated he did not recall if any officers displayed their handcuffs to his daughter, the complainant. The complainant's father stated the officers were professional in dealing with him and his daughter. The evidence proved that the acts alleged in the complaint did not occur.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/05/08 **DATE OF COMPLETION:** 04/06/09 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer behaved inappropriately.

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

FINDINGS OF FACT: The complainant alleged that the officer behaved inappropriately. The complainant said the officer pulled over a vehicle in front of his house blocking his driveway. The complainant said he asked the officer if he could move up the vehicle so he could exit his driveway. The complainant said the officer told him that he had to wait and did not move the vehicle until he finished filling out a citation. The complainant said he waited 15 to 20 minutes before he could finally drive off and he was late for his real estate meeting. The evidence shows that the traffic stop was relatively short (11 minutes), and the vehicle was cleared from the complainant's driveway approximately 5 minutes from the initial contact. The allegation is unfounded.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/19/08 **DATE OF COMPLETION:** 04/09/09 **PAGE#** 1 of 2

SUMMARY OF ALLEGATION #1: The officer detained the complainant at gunpoint.

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

FINDINGS OF FACT: The complainant alleged that the officer detained her at gunpoint. The evidence shows that the officer was called to respond to an incident involving a person attempting to commit suicide. The evidence shows that the officer received information via radio broadcast that the reportee, who happened to be the complainant, had drank a bottle of vodka, ingested drugs and pills, and had a loaded handgun with her. Due to the serious nature of the incident, it was therefore necessary for the officer to respond with his firearm drawn. The evidence proved that the act, which provided the basis for the allegation, occurred. However, such act was justified, lawful, and proper.

SUMMARY OF ALLEGATION #2-3: The officers entered and searched the complainant's residence without cause.

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

FINDINGS OF FACT: The complainant alleged that the officers entered and searched her apartment without cause and without her permission. A witness said she saw the officers going over the complainant's belongings but she could not tell how the officers entered the complainant's apartment. The officers stated the complainant gave them permission to search her apartment for the gun. No other witnesses came forward. The evidence was insufficient to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/19/08 **DATE OF COMPLETION:** 04/09/09 **PAGE#** 2 of 2

SUMMARY OF ALLEGATION #4: 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 an officer took her driver's license and failed to return it at the end of the contact. She could not identify this officer. One officer at the scene said the complainant's driver's license was returned to the complainant at the end of their contact. Other officers at the scene denied taking the complainant's driver's license. A witness said she did not see the officers take the complainant's driver's license. No other witnesses came forward. The evidence was insufficient 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: 01/06/09 **DATE OF COMPLETION:** 04/09/09 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer requested the complainant's service dog tag.

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

FINDINGS OF FACT: The complainant alleged that, while he was visiting the Hall of Justice, the officer requested to see identification for his service animal. The officer stated that she was notified that people were expressing fear of the large dog. When she asked to see a medallion or card or some other identification, the complainant became agitated and refused to do so. Although the law does not require identification, most owners do have a special harness, tag, leash, vest or backpack. According to roll call training on service dogs (254-03), peace officers are permitted to inquire as to whether a dog is a service animal and they can also discreetly ask the person what their disability is. The complainant later acknowledged that the dog was not a legitimate service dog, a violation of Penal Code §365.7. There was no evidence of misconduct by the officer.

SUMMARY OF ALLEGATION #2: The officer made a sarcastic comment to the complainant.

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

FINDINGS OF FACT: The officer denied the allegation. No witnesses came forward. There was no additional evidence to further prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/08/09 **DATE OF COMPLETION:** 04/23/09 **PAGE#** 1 of 2

SUMMARY OF ALLEGATION #1: The officer failed to follow Department policy.

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

FINDINGS OF FACT: The named officer denied the allegation. The witness officer denied that the comments were made. Witnesses at the scene were unavailable. There is insufficient evidence to reach a definitive finding.

SUMMARY OF ALLEGATION #2: The officer made inappropriate comments.

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

FINDINGS OF FACT: The named officer denied the allegation. The witness officer denied that the comments were made. Witnesses at the scene were unavailable. There is insufficient evidence to reach a definitive finding.

OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT

DATE OF COMPLAINT: 01/08/09 **DATE OF COMPLETION:** 04/23/09 **PAGE#** 2 of 2

SUMMARY OF ALLEGATION #3: The officer conducted a biased investigation.

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

FINDINGS OF FACT: The named officer denied the allegation. The witness officer denied the allegation. Witnesses at the scene were unavailable. There is insufficient evidence to reach a definitive finding.

SUMMARY OF ALLEGATION:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/12/09 **DATE OF COMPLETION:** 04/18/09 **PAGE#** 1 of 3

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

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

FINDINGS OF FACT: The complainant stated the officer harassed her by telling her to leave the center. The officer denied the allegation and said the center's staff requested the complainant be removed from the center due to her disruptiveness and non-cooperation. The witnesses stated they called the police to have the complainant removed from the center. 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 used inappropriate comments and behavior.

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

FINDINGS OF FACT: The complainant stated the officer kept asking her to look at him in order to evaluate if she needed a psychiatric evaluation. The complainant believed the officer was trying to cause her to have seizures. The officer denied the allegation and determined the complainant was not in need of psychiatric aid. The witnesses stated the officer was nice and professional with the complainant. The evidence proved that the acts alleged did not occur.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/12/09 **DATE OF COMPLETION:** 04/18/09 **PAGE#** 2 of 3

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

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

FINDINGS OF FACT: The complainant stated the officers did not save her or protect her from the paramedics. The complainant said the paramedics kidnapped and caused injury to her. The officers stated the paramedics arrived on scene due to the complainant's medical request. The officers denied the complainant's allegations that the paramedics kidnapped and injured her. The witnesses were not present at the scene. There is insufficient evidence to prove or disprove the allegations made in the complaint.

SUMMARY OF ALLEGATION #5-7: The officers failed to write an incident report.

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

FINDINGS OF FACT: The complainant stated the officer at scene did not write a police report as she requested from them. The officers said they responded to a call from the Resource Center's staff regarding the complainant who refused to leave. The officers said the complainant did not request a report and since there was no evidence a crime occurred; therefore a police report was not made. The witnesses did not recall the dialog between the officers and the complainant at the Resource Center. The evidence showed that a crime did not occur and the officers were not required to write an incident report.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/12/09 **DATE OF COMPLETION:** 04/18/09 **PAGE#** 3 of 3

SUMMARY OF ALLEGATIONS #8-9: The officers failed to take a Citizen's Arrest from the complainant.

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

FINDINGS OF FACT: The complainant stated she asked the officers to arrest the staff at the Resource Center. The officers denied the complainant requested a Citizen's Arrest from them. The officer said there was no evidence that a crime occurred by others at the scene. The witnesses requested that the officers not let the complainant back into their facility. There is insufficient evidence to 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
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/07/08 **DATE OF COMPLETION:** 04/10/09 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant alleged that the officer harassed him. The officer denied the allegation. The complainant failed to provide additional requested evidence. No witnesses came forward, and the complaint remained uncorroborated. The evidence was insufficient 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: 01/26/09 **DATE OF COMPLETION:** 04/07/09 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on March 31, 2009.

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

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

FINDINGS OF FACT: By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on March 31, 2009

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/27/09 **DATE OF COMPLETION:** 04/09/09 **PAGE#** 1 of 3

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

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

FINDINGS OF FACT: The complainant stated she was walking from her residence when she was stopped by San Francisco police officers in an unmarked vehicle. The complainant stated two police officers got out of their vehicle and questioned her regarding where she was going. The complainant stated the officers asked her for identification and she complied. The complainant stated once her identification information came back clear, the officers told her she was free to leave. The officers stated they observed the complainant jaywalking across the street. An officer stated he observed the complainant talking loudly to herself. Both officers stated they felt the need to conduct a well-being check on the complainant. One officer also ran a computer check on the complainant for any outstanding warrants. Once the computer check came back clear, the officers stated they admonished the complainant for jaywalking and told her she was free to leave. There are no independent witnesses to this incident. There was insufficient evidence to either prove, or disprove the allegations made in the complaint.

SUMMARY OF ALLEGATION #3: The officers displayed their firearm without justification.

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

FINDINGS OF FACT: The complainant stated during the detention an officer displayed his firearm pointing it at the ground. The complainant does not remember which officer displayed their firearm. Both officers stated they did not display their firearms during this incident. There are no independent witnesses to this incident. There was insufficient evidence to either prove, or disprove the allegations made in this complaint.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/27/09 **DATE OF COMPLETION:** 04/09/09 **PAGE#** 2 of 3

SUMMARY OF ALLEGATION #4: The officers used profanity.

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

FINDINGS OF FACT: The complainant stated while she was being detained, she asked the officer why she was being detained. The complainant stated one of the officers answered her using profanity. The complainant does not remember which officer made these statements. Both officers denied these allegations. There are no independent witnesses to this incident. There was insufficient evidence to either prove, or disprove the allegations made in this complaint.

SUMMARY OF ALLEGATION #5: The officers behaved inappropriately.

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

FINDINGS OF FACT: The complainant stated she asked the officers why she was being detained and an officer told her “none of her business.” The complainant stated the officers threatened to take her to jail and told her to shut up while they were conducting the computer check. The complainant does not remember which officer made these statements. Both officers have denied these allegations. There are no independent witnesses to this incident. There was insufficient evidence to either prove, or disprove the allegations made in this complaint.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/27/09 **DATE OF COMPLETION:** 04/09/09 **PAGE#** 3 of 3

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

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

FINDINGS OF FACT: The complainant stated an officer refused to address her using the correct gender. The complainant identifies herself as a woman not a man. The complainant does not remember which officer refused to address her using the correct gender. Both officers have denied this allegation. There are no independent witnesses to this incident. There was insufficient evidence to either prove, or disprove the allegations made in this complaint.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/01/07 **DATE OF COMPLETION:** 04/25/09 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: According to court records, the complainant was on probation at the time of his arrest. As a condition of his probation, he could be stopped and searched without justification. Two officers observed the complainant talking to himself about drugs and asking people for money in a very high security area. The named officer and two other officers stated the complainant repeatedly refused lawful orders to stop. The named officer handcuffed the complainant but he continued to pull away. The complainant had an active restraining order against him as well as an active warrant for making false bomb threats. The officer's conduct was proper.

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

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

FINDINGS OF FACT: According to three officers, the complainant refused repeated orders to stop in a very high security area. Due to the complainant's size, the named officer handcuffed the complainant, but he still pulled away. The officer employed a Department-approved physical control to take the complainant to the ground. The complainant had no visible injuries and did not complain of any physical injury. The officer's conduct was proper.