

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

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

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

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

FINDINGS OF FACT: The officers denied the allegation. The property of the complainant was not continuously in the custody of the San Francisco Police Department and the San Francisco Police Department was not the first agency to take custody thereof. There is no evidence of the missing property having ever come into the possession of the San Francisco Police Department despite detailed documentation of complainant's confiscated property. There were no witnesses.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/26/06 **DATE OF COMPLETION:** 09/12/06 **PAGE#** 1 of 4

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

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

FINDINGS OF FACT: The complainant was arrested pursuant to a valid citizen's arrest. The evidence proved that the acts, which provided the basis for the allegation, occurred, however such acts were justified, lawful and proper.

SUMMARY OF ALLEGATIONS 3 and 4: The officers used unnecessary force during arrest.

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

FINDINGS OF FACT: The officers denied the allegation. There were no other available witnesses. There is insufficient evidence to establish the level of force necessary to detain the complainant.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/26/06 **DATE OF COMPLETION:** 09/12/06 **PAGE#** 2 of 4

SUMMARY OF ALLEGATIONS 5 and 6: The officers failed to provide the complainant with medical attention.

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

FINDINGS OF FACT: The complainant said he complained of pain caused by the officers' twisting motions when handcuffing him and about the pain caused by the handcuffs. The officers stated that the complainant was twice asked if he wanted any medical attention, which they said he refused. The type of pain complained of by the complainant did not rise to the level of requiring immediate medical attention. Even if the officers failed to solicit medical attention for the complainant, which they deny, their inaction in this regard was justified, lawful and proper.

SUMMARY OF ALLEGATIONS 7 and 8: The officers failed to properly process the complainant's property.

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

FINDINGS OF FACT: The complainant stated he lost his dentures during the detention. Neither the named members nor back-up officers recalled seeing the dentures at the scene. There were no other witnesses. There is insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/26/06 **DATE OF COMPLETION:** 09/12/06 **PAGE#** 3 of 4

SUMMARY OF ALLEGATION 9: The officer misrepresented the truth.

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

FINDINGS OF FACT: The named member and back-up officers all corroborated the named members observations. A senior officer took action to prevent the complainant from continuing the alleged conduct. There is substantial supporting evidence that the officer's representations were truthful.

SUMMARY OF ALLEGATION #1 : The officer failed to make an entry into the Use of Force log.

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

FINDINGS OF FACT: The evidence proved that the named member was not involved in the acts alleged.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/26/06 **DATE OF COMPLETION:** 09/12/06 **PAGE#** 4 of 4

SUMMARY OF OCC ADDED ALLEGATIONS 2 and 3: The officers failed to make an entry into the Use of Force log.

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

FINDINGS OF FACT: Physical control was used to take the complainant into custody. The officer reported the use of the physical control to his supervisor. The complainant was injured during the arrest. The officer did not report the injury to his supervisor in violation of the Department General Orders, which contributed to the failure to log the force. The supervising officer, advised of the physical control used during arrest, did not take sufficient action to investigate whether the force resulted in injuries and as a result, did not learn of the injury which resulted in the omission to enter the use of force into the station log in violation of the Department General Orders.

SUMMARY ALLEGATIONS :

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

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

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

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

FINDINGS OF FACT: While standing at his open door, the complainant told the officers that he had a gun in his apartment. The officer initially stated he entered the complainant's residence to search for weapons. The officer subsequently stated he entered the complainant's residence to search for other persons. The officer had no legal authority to enter or search the complainant's residence. The allegation is sustained.

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

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

FINDINGS OF FACT: While standing at his open door, the complainant told the officers that he had a gun in his apartment. The officer initially stated he entered the complainant's residence to search for weapons. The officer subsequently stated he entered the complainant's residence to search for other persons. The officer had no legal authority to enter or search the complainant's residence. The allegation is sustained.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/07/06 **DATE OF COMPLETION:** 09/26/06 **PAGE#** 1 of 3

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

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

FINDINGS OF FACT: The officer denied the allegation, stating he responded to a call of a physical altercation between the complainant and a female bar employee. The named officer and a witness officer interviewed the involved parties and witnesses regarding the incident. The named officer and two witness officers were consistent in stating the complainant was intoxicated and unable to care for her own safety.

The complainant stated the owner of the bar requested that she leave the bar, prior to the police arriving on scene. The evidence proved that the acts that provided the basis for the allegation occurred; however, such acts were justified, lawful and proper.

SUMMARY OF ALLEGATION #2-3: The officers used unnecessary force during the detention.

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

FINDINGS OF FACT: The named officers denied using the force described by the complainant. Both officers stated they applied the SFPD academy approved bar-arm takedown on the complainant, due to her aggressive kicking towards the officers. The named officers and a witness officer corroborated the account of guiding the complainant to the ground onto her knees where she was handcuffed.

The named officers denied stepping into the patrol wagon to grab the complainant's hair and hit her face onto the floor. A witness officer corroborated the officer's account that he stepped into the patrol wagon briefly to assist the complainant to a secure sitting position on the floor, prior to transportation. The other witness officer stated she did not observe any use of force on the complainant by any of the officers on the scene.

All three officers on scene corroborated they observed the complainant to have dried blood near her lip upon their arrival of the incident. The injury on the complainant's lip had been sustained during the physical altercation with the bar employee. The complainant's account of her physical altercation was inconsistent with the statements and physical evidence retrieved by the #2 named officer. All three officers at the scene stated the complainant was very aggressive at her attempts to kick the officers. The one transporting officer said the complainant's kicking was incessant during the transportation to the jail. The complainant was accepted and booked into county jail.

The complainant went to SFGH two days later for medical assistance. The complainant was diagnosed with abrasions and bruises and prescribed Tylenol and Ibuprofen. There was no evidence of an urgent medical condition. There is insufficient evidence to either prove or disprove the allegation made in the complaint.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/07/06 **DATE OF COMPLETION:** 09/26/06 **PAGE# 2 of 3**

SUMMARY OF ALLEGATION #4: The officer failed to state the reason for the detention.

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

FINDINGS OF FACT: The officer denied the allegation, stating he placed the complainant under arrest/detention for public intoxication and advised her accordingly. The two witness officer corroborated they heard the named officer advise the complainant that she was under arrest/detention for being intoxicated in public. There were no independent witnesses. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #5: The officer failed to properly investigate the incident.

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

FINDINGS OF FACT: The officer denied the allegation, stating he attempted to interview the complainant repeatedly about the incident. The officer stated the complainant was intoxicated and could not articulate the incident in detail. The officer said the complainant would mumble that nothing had happened and she wanted to go home, than use foul language and attempt to reengage the other combatant. Both witness officers corroborated the officer's account of the complainant's lack of cooperation and incoherent statements. An Incident Report was written and an independent witness/victim was interviewed as part of the investigation. The evidence proved that the acts that provided the basis for the allegation occurred; however, such acts were justified, lawful and proper.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/07/06 **DATE OF COMPLETION:** 09/26/06 **PAGE#** 3 of 3

SUMMARY OF ALLEGATION #6-7: The officers failed to provide medical attention.

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

FINDINGS OF FACT: The male officer denied the allegation, by stating he offered medical assistance and an ambulance to the complainant upon his arrival to the incident. The male officer said the complainant said she wasn't injured and refused an ambulance. The male officer stated he observed dried blood on the complainant's lip when he arrived. Both witness officers corroborated the officer's account that the complainant never requested medical attention or complained of pain or injury.

The female officer denied the allegation, by stating the complainant did not complain of pain during transportation or upon arriving at the county jail. The female officer said she did not see any additional injuries to the complainant, other than the dried blood on the complainant's lip from the physical altercation with the bar employee.

All officers were consistent in reporting the complainant kicked at the officers during the detention and in the patrol wagon. The female officer stated the nurse at the county jail checked, screened, and medically cleared the complainant, as evidence by the SFPD/SFSD Field Arrest Card. The evidence proved that the acts that provided the basis for the allegation occurred; however, such acts were justified, lawful and proper.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/14/06 **DATE OF COMPLETION:** 09/19/06 **PAGE#** 1 of 2

SUMMARY OF ALLEGATION #1: The officer initiated a traffic stop without justification.

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

FINDINGS OF FACT: The named member and his partner stated that the stop was initiated due to a violation of the traffic code. The complainant and witnesses did not respond to the OCC's requests for an interview.

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

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

FINDINGS OF FACT: The evidence proved that the complainant had an outstanding warrant at the time of the arrest, therefore the arrest was lawful.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/14/06 **DATE OF COMPLETION:** 09/19/06 **PAGE#** 2 of 2

SUMMARY OF ALLEGATION #3:The officer failed to investigate.

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

FINDINGS OF FACT: The evidence proved that the complainant had an outstanding warrant at the time of the arrest. There is no evidence that the officer was neglectful in his investigation.

SUMMARY OF ALLEGATION # :

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/22/06 **DATE OF COMPLETION:** 09/12/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1-3: The officers used unnecessary force during the arrest.

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

FINDINGS OF FACT: The complainant stated that he was assaulted by officers even though he was not involved in any criminal activity. The officers acknowledged that they used some of the force described by the complainant but stated that the force was necessary because the complainant was resisting their attempts to take him into custody. No independent civilian witness was located. There was insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #4: The officer arrested the complainant without cause.

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

FINDINGS OF FACT: The complainant stated that he was unaware of the source of currency that a stranger passed to him but was nonetheless arrested for criminal activity in which he had no part. The officer stated that an individual stole a marked twenty-dollar bill from him and passed it off to the complainant who was standing with the other individual at the time. Although what occurred next is in dispute, a preponderance of the evidence indicates that the initial act, which provided the basis for the allegation, occurred. The act was justified, lawful and proper.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/02/06 **DATE OF COMPLETION:** 09/29/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer entered a residence without justification.

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

FINDINGS OF FACT: The complainant is deceased and thus no longer available to provide further additional needed information.

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

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

FINDINGS OF FACT: The complainant is deceased and thus no longer available to provide further needed information.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/17/06 **DATE OF COMPLETION:** 09/12/06 **PAGE# 1 of 1**

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

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

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

SFPD
Management Control Division
Room 545
850 Bryant
San Francisco CA.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/20/06 **DATE OF COMPLETION:** 09/29/06 **PAGE#** 1 of 2

SUMMARY OF ALLEGATION #1: Unnecessary Force for force used during an arrest

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

FINDINGS OF FACT: The officer denied the allegation, stating he did not use any force on the complainant during his entire contact with the complainant. Numerous efforts were made to contact the complainant, to no avail. The complainant failed to provide additional requested evidence. There were no witnesses that came forward.

SUMMARY OF ALLEGATION #2-3: Neglect of Duty for failure to properly process property.

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

FINDINGS OF FACT: The officer denied the allegation, stating he did not process any of the complainant's personal property during the arrest. Numerous efforts were made to contact the complainant, to no avail. The complainant failed to provide additional requested evidence. There were no witnesses that came forward.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/20/06 **DATE OF COMPLETION:** 09/29/06 **PAGE# 2 of 2**

SUMMARY OF OCC ADDED ALLEGATION #1: Neglect of Duty for failing to properly document property

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

FINDINGS OF FACT: Due to the lack of information received from the complainant, the OCC was unable to fully investigate this matter. Numerous efforts have been made to contact the complainant, to no avail. The complainant failed to provide additional requested evidence. There were no witnesses that came forward.

SUMMARY OF OCC ADDED ALLEGATION #2: Unwarranted Action for intentionally damaging property.

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

FINDINGS OF FACT: Due to the lack of information received from the complainant, the OCC was unable to fully investigate this matter. Numerous efforts have been made to contact the complainant, to no avail. The complainant failed to provide additional requested evidence. There were no witnesses that came forward.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/20/06 **DATE OF COMPLETION:** 09/26/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1-3: The officers used unnecessary force during the arrest.

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

FINDINGS OF FACT: The complainant stated that the officers threw him into the back of a patrol wagon, causing injury to his head. Photographs taken at the police station and medical records obtained during the investigation, confirmed that the complainant had a bleeding wound to his forehead. The officers stated that they placed the complainant in the patrol wagon after he refused to go in on his own, but denied that they threw him into the wagon or that he had any injury or complaint of pain when the wagon doors were closed. The officers stated that they could hear the complainant yelling and thrashing around in the back of the wagon. No independent witnesses came forward. There was insufficient evidence to prove or disprove the allegation.

SUMMARY OF OCC-ADDED ALLEGATION #1: The officers failed to log the Use of Force.

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

FINDINGS OF FACT: No officer acknowledged using reportable force or receiving any report of force used at the scene. The officers stated there was, therefore, nothing to log. No independent witnesses came forward. There was insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/23/06 **DATE OF COMPLETION:** 09/07/06 **PAGE#** 1 of 2

SUMMARY OF ALLEGATION #1-2: The officers used inappropriate comments and behavior.

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

FINDINGS OF FACT: The complainant withdrew his complaint.

SUMMARY OF ALLEGATION #3: The officer used sexual slur.

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

FINDINGS OF FACT: The complainant withdrew his complaint.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/23/06 **DATE OF COMPLETION:** 09/07/06 **PAGE#** 2 of 2

SUMMARY OF ALLEGATION #4: The officer conducted an inappropriate search and seizure.

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

FINDINGS OF FACT: The complainant withdrew his complaint.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/24/06 **DATE OF COMPLETION:** 09/12/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer failed to take an Incident Report.

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

FINDINGS OF FACT: The officer stated at the time he had contact with the complainant he was assigned to the Violence Reduction Program and was unable to take a report. The officer stated he advised the complainant to wait for officers to be dispatched to the scene. According to the officer's supervisor, an assignment to the Violence Reduction Program did not preclude the officer from taking a report of a threat by a gang member. The allegation is sustained.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/31/06 **DATE OF COMPLETION:** 09/12/06 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant stated the officer should not have stopped and detained him. The complainant stated he had his left turn signal on and made a lane change to go around another vehicle. The officer stated he saw the complainant make an illegal left turn without activating a turn signal. There were no witnesses. There was insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #2: The officer used inappropriate behavior and comments.

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

FINDINGS OF FACT: The complainant stated the officer was angry and called him a liar. The complainant stated the officer did not return the citation to him. The officer stated he was not angry and did not call the complainant a liar. The officer stated he took back and cancelled the citation. There were no witnesses at the scene. There were no witnesses. There was insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/18/06 **DATE OF COMPLETION:** 09/12/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: Officer wrote an incomplete/ inaccurate incident report.

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

FINDINGS OF FACT: The complainant stated the incident report was incomplete and inaccurate. The complainant stated the officer wrote in the police report that the complainant was not injured, that she was not pregnant, and that she used profanity. The officer stated the complainant was belligerent, uncooperative, and verbally combative. The officer stated the complainant did not have any visible injuries and did not tell him she was pregnant. The officer stated the complainant used profanity during the encounter, and failed to not provide further information. A witness was uncooperative and did not provide a statement at this time. 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: 04/21/06 **DATE OF COMPLETION:** 09/26/06 **PAGE#** 1 of 2

SUMMARY OF ALLEGATIONS #1 and #2: The officers used unnecessary force against the complainant.

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

FINDINGS OF FACT: The officers denied the allegation. Officers reported that the complainant sustained his injuries when he resisted arrest. Witness officers said the complainant was already handcuffed upon their arrival and did not see force used to take him into custody. The reportee said he heard the verbal argument between the complainant and victim and that the complainant approached him in a menacing manner, which prompted his call to the police. The witness denied seeing any physical contact between the complainant and the officers. Other witnesses did not respond to the OCC's request for an interview or were no longer available. The complainant admitted to resisting officers attempts to detain him. The witness said he heard the victim tell an officer that she had sustained injuries from the fight. There is insufficient evidence to prove or disprove the allegation.

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

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

FINDINGS OF FACT: The officers said the complainant matched the description of the reported suspect and one of the officer's observed blood on the complainant's face, also reported by dispatch. The SFPD Communication dispatch report documents the report of domestic violence and facial bleeding by both parties. Based on the information the officers had at the time, they had sufficient reasonable suspicion to detain the complainant.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/21/06 **DATE OF COMPLETION:** 09/26/06 **PAGE# 2 of 2**

SUMMARY OF ALLEGATIONS #5 and #6: The officers arrested the complainant without cause.

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

FINDINGS OF FACT: The reportee said he heard the victim tell an officer that she and the complainant had been fighting and that she had sustained injuries from the fight. Based on the evidence at the time the officers had probable cause to arrest the complainant.

SUMMARY OF ALLEGATION #7: The officer falsely charged the complainant.

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

FINDINGS OF FACT: The officer confirmed the validity of the charges documented in his report, including the violation of the restraining order. The evidence documents that at the time of the incident the complainant had a restraining order against him to stay away from the victim. The charges were accurate and proper.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/26/05 **DATE OF COMPLETION:** 09/12/06 **PAGE#** 1 of 2

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

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

FINDINGS OF FACT: The named and two witness officers denied the allegation. The co-complainant acknowledged that he was not present at the initial incident. There were no other witnesses. There is insufficient evidence to either prove or disprove the allegation.

SUMMARY OF ALLEGATION #2: The officer failed to call a supervisor.

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

FINDINGS OF FACT: The named and one witness officer denied the allegation. A witness officer who investigated the incident denied there was a requirement for the named officer to call a supervisor. A supervisor was called and responded; however the named officer acknowledged he did not call a supervisor. The co-complainant acknowledged that he was not present at the initial incident. There were no other witnesses. There is no specific requirement to summon a supervisor to the scene.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/26/05 **DATE OF COMPLETION:** 09/12/06 **PAGE#** 2 of 2

SUMMARY OF ALLEGATION #3-5: The officer failed to take an Incident Report.

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

FINDINGS OF FACT: The named officers denied the allegations. The co-complainant acknowledged that he was not present at the initial incident but acknowledged being present when the officer investigated the incident. One of the named officers wrote an Incident Report based on the investigation of another of the named officer. The third named officer did not have a duty to write an incident report. Department records proved an investigation took place and a report was written. 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 #6: The officer left the scene of an accident.

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

FINDINGS OF FACT: The named and two witness officers denied the allegation. The named officer stated that he had to leave the scene to find the complainant, who had left the scene. The complainant acknowledged leaving the scene before the officer. The co-complainant acknowledged he was not present at the scene. Department records indicated that the named officer did re-unite with the complainant at a different location. There were no other witnesses to the initial incident. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/16/06 **DATE OF COMPLETION:** 09/27/06 **PAGE # 1 of 1**

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

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

FINDINGS OF FACT: The complainant failed to provide an interview or information/evidence essential to a competent investigation of his Office of Citizen Complaints complaint.

SUMMARY OF ALLEGATION #2: The officer searched the complainant's residence without justification or cause.

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

FINDINGS OF FACT: The complainant failed to provide an interview or information/evidence essential to a competent investigation of his Office of Citizen Complaints complaint.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/22/06 **DATE OF COMPLETION:** 09/07/06 **PAGE#** 1 of 1

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

CATEGORY OF CONDUCT: N/A **FINDING:** IO2 **DEPT. ACTION:**

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

SUMMARY OF ALLEGATION #2: This complaint raises matters not rationally within OCC's jurisdiction.

CATEGORY OF CONDUCT: N/A **FINDING:** IO2 **DEPT. ACTION:**

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

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/01/06 **DATE OF COMPLETION:** 09/28/06 **PAGE#** 1 of 2

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

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

FINDINGS OF FACT: The complainant stated that she entered an area closed to the public and ignored the security guards' requests to leave. The complainant stated that she had been drinking that day. The officer and a witness stated that the complainant showed objective signs of intoxication and refused to leave when asked to do so. The officer and the witness stated that the complainant was not detained but refused to leave a secured area. The officer's action was proper.

SUMMARY OF ALLEGATION #2: The officer failed to provide identification upon request.

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

FINDINGS OF FACT: The officer stated that he gave his name and badge number to the complainant several times. The officer further stated that he was in uniform with his name clearly spelled in large block letters. A witness stated that the officer gave his name and star number to the complainant. The officer and the witness both stated that the complainant showed objective signs of intoxication. The complainant acknowledged consuming several alcoholic drinks before this incident. The officer's conduct was proper.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/01/06 **DATE OF COMPLETION:** 09/28/06 **PAGE#** 2 of 2

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

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

FINDINGS OF FACT: The complainant could not specify which comments or behavior by the officer were inappropriate. The officer denied acting inappropriately and made inappropriate comments. A witness stated that the officer was completely professional. The officer and the witness both stated that the complainant showed objective signs of intoxication. The complainant acknowledged consuming several alcoholic drinks before this incident. The officer's conduct was proper.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/01/06 **DATE OF COMPLETION:** 09/12/06 **PAGE#** 1 of 2

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

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

FINDINGS OF FACT: The evidence proved that the named member was not involved in the acts alleged in the complaint.

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

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

FINDINGS OF FACT: The investigation was unable to identify any officer making contact with the complainant on the date and time in question. There is insufficient evidence to reach a definitive finding.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/01/06 **DATE OF COMPLETION:** 09/12/06 **PAGE# 2 of 2**

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

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

FINDINGS OF FACT: The investigation was unable to identify any officer making contact with the complainant on the date and time in question. There is insufficient evidence to reach a definitive finding.

SUMMARY OF ALLEGATION #4: The officer searched the complainant's vehicle without cause.

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

FINDINGS OF FACT: The investigation was unable to identify any officer making contact with the complainant on the date and time in question. There is insufficient evidence to reach a definitive finding.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

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

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

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

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

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

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

SUMMARY OF ALLEGATION #1-2: Unnecessary Force used during a detention.

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

FINDINGS OF FACT: The officers denied the allegation stating they did not grab the complainant by his belt and slam the complainant on the ground. The witness officers stated they did not observe any officer grab the complainant in such a manner. The witness said the officers on the scene did not mistreat or mishandle the complainant while removing him from the restaurant premises. The evidence proved that the acts alleged in the complaint did not occur, or that the named member was not involved in the acts alleged.

SUMMARY OF ALLEGATION #3-6: The officers failed to provide medical attention.

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

FINDINGS OF FACT : The officers denied the allegation, stating the complainant was not injured and did not complain of pain during the incident. The witness corroborated he did not hear the complainant complain of pain from an injury during the incident. The complainant said once at the police station, he advised a station officer of his existing medical condition of Multiple Sclerosis. At the conclusion of the complainant's detention, the MAP (Mobile Assistance Patrol) was called to transport the complainant for housing. 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: 06/13/06 **DATE OF COMPLETION:** 09/29/06 **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 officer denied the allegation, stating he responded to a radio call from dispatch of a subject attempting to kidnap a child. The officer stated a witness followed and identified the complainant as the suspect involved in the incident. The officer recognized the complainant from previous incidents. The complainant was detained, identified, and arrested, based on statements and evidence gathered at the scene of the incident. The complainant has a valid stay away order that orders the complainant to stay away from the area of the incident. The evidence proved that the acts which provided the basis for the allegations occurred; however, such acts were justified, lawful, and proper.

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

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

FINDINGS OF FACT: The officer described by the complainant could not be identified. The arresting and searching officer denied the allegation, stating they did not strike the complainant or observe any officer strike the complainant during the booking process at the station. The complainant failed to respond to numerous contacts by OCC to assist the investigation. The complainant failed to provide additional requested evidence.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

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

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

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

FINDINGS OF FACT: The complainant failed to supply required additional information.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/19/06 **DATE OF COMPLETION:** 09/18/06 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: The complainant is being harassed by officers.

CATEGORY OF CONDUCT: CRD **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: 06/20/06 **DATE OF COMPLETION:** 09/12/06 **PAGE#** 1 of 2

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

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

FINDINGS OF FACT: The complainant was arrested for assaulting an ex-girlfriend and vandalizing her vehicle. The complainant stated that he deliberately disabled his ex-girlfriend's vehicle. The complainant's ex-girlfriend did not respond to contact attempts. The officers' conduct was proper.

SUMMARY OF ALLEGATIONS #3-4: The complainant's vehicle was towed without cause.

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

FINDINGS OF FACT: After the complainant was arrested, the complainant's vehicle was towed at the direction of a supervising officer. The complainant stated that his car was blocking a driveway but he told the officers to allow his friends to take custody of the vehicle. There were no available witnesses and no additional evidence to further prove or disprove this allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/20/06 **DATE OF COMPLETION:** 09/12/06 **PAGE#** 2 of 2

SUMMARY OF ALLEGATION #5: The officer failed to properly process the complainant's vehicle.

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

FINDINGS OF FACT: The complainant stated when he went to Auto Return to retrieve his vehicle the keys were missing. The officers stated he left the keys inside the vehicle at the time of the tow. The tow slip indicated that the keys were inside the vehicle at the time it was towed. An Auto Return document indicated that, upon arrival at Pier 70, the vehicle's windows were open and the back windshield was broken; it did not indicate the location of the keys. A bill from Auto Return noted that the keys were not held. There were no available witnesses and no additional evidence to further prove or disprove this allegation.

SUMMARY OF ALLEGATION #6: The officer used profanity.

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

FINDINGS OF FACT: The officers at the scene denied using profanity. There were no available witnesses and no additional evidence to further prove or disprove this allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/10/05 **DATE OF COMPLETION:** 09/26/06 **PAGE#** 1 of 2

SUMMARY OF ALLEGATION #1: The officer displayed an intimidating manner.

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

FINDINGS OF FACT: The named and a witness officer denied the allegation. One witness corroborated the allegations of the complainant, but said she did not recall everything that was said by the complainant and the officer. Four witnesses said they did not see any intimidating behavior by the officer, but each acknowledged that he or she did not see the entire contact. There is insufficient evidence to either 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 named and witness officers denied the allegations. One witness said that words were exchanged between the officer and the complainant but she did not recall what they were. Three other witnesses said they heard no profanity, but said they were not present for the entire exchange. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/10/05 **DATE OF COMPLETION:** 09/26/06 **PAGE# 2 of 2**

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 she was given permission to take the actions she was engaged in when the officer ordered her to leave a public building. One witness said the complainant was given permission. The person from whom the complainant ostensibly received permission denied that he gave such permission. The named and one witness officer denied the allegation, stating that the complainant was told to leave because she was disrupting a school event. Several witnesses said there was a disruption, and heard the officer ask the complainant to leave the building. There is insufficient evidence to either prove or disprove the allegation.

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

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

FINDINGS OF FACT: The complainant stated that the officer grabbed her and pulled her arm when she refused his order to leave a public building, and then bumped her with his chest to force her departure when she pulled her arm away from the officer. She stated further that the officer pushed another person in the chest when that person intervened. One witness stated that she saw the officer grab the complainant by the arm and then bump her with his chest. That witness said that the officer pushed the witness, but gave an account of the incident that was inconsistent with that of the complainant. The named and one witness officer acknowledged that the named officer guided or escorted the complainant by the arm when she refused to leave on her own. Three witnesses said they saw the officer hold the complainant by the arm as she was walking out of the building. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/23/06 **DATE OF COMPLETION:** 09/26/06 **PAGE#** 1 of 5

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

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

FINDINGS OF FACT: The complainant withdrew the complaint.

SUMMARY OF ALLEGATIONS #3: The officer conducted a search beyond the scope of his authority.

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

FINDINGS OF FACT: The complainant withdrew the complaint.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/23/06 **DATE OF COMPLETION:** 09/26/06 **PAGE# 2 of 5**

SUMMARY OF ALLEGATIONS #4-5: The officers used unnecessary force on the complainant.

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

FINDINGS OF FACT: The complainant withdrew the complaint.

SUMMARY OF ALLEGATIONS #6-7: The officers made rude comments and used profanity.

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

FINDINGS OF FACT: The complainant withdrew the complaint.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/23/06 **DATE OF COMPLETION:** 09/26/06 **PAGE#** 3 of 5

SUMMARY OF ALLEGATIONS #8: The officer made a racially derogatory comment.

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

FINDINGS OF FACT: The complainant withdrew the complaint.

SUMMARY OF ALLEGATIONS #9-10: the officers detained the complainant for an unnecessarily prolonged time.

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

FINDINGS OF FACT: The complainant withdrew the complaint.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/23/06 **DATE OF COMPLETION:** 09/26/06 **PAGE#** 4 of 5

SUMMARY OF ALLEGATIONS #11-12: The officers failed to properly process the complainant's property.

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

FINDINGS OF FACT: The complainant withdrew the complaint.

SUMMARY OF ALLEGATION #13: The officer intentionally damaged the complainant's property.

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

FINDINGS OF FACT: The complainant withdrew the complaint.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/23/06 **DATE OF COMPLETION:** 09/26/06 **PAGE# 5 of 5**

OCC-ADDED ALLEGATIONS

SUMMARY OF OCC-ADDED ALLEGATION #1: The officer(s) failed to report and document the use of force.

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

FINDINGS OF FACT: The complainant withdrew the complaint.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/21/06 **DATE OF COMPLETION:** 09/26/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer caused false charges to be filed against the complainant.

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

FINDINGS OF FACT: The officer stated that he added a charge of PC §186.22(a) based on criteria required by the District Attorney's Office. A minimum of two criteria must be met for classification as a gang member. The complainant's criminal history, beginning in 1991, includes thirty-one gang-related incidents totaling fifty-one gang-related criteria. In addition, the complainant was rebooked by the District Attorney's Office on a charge of PC §186.22(b.) The officer further stated that a confirmed gang member was arrested with the complainant. The officer's action was proper.

SUMMARY OF ALLEGATION #

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/30/06 **DATE OF COMPLETION:** 09/12/06 **PAGE#** 1 of 2

SUMMARY OF ALLEGATION #1: The officer issued an invalid order.

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

FINDINGS OF FACT: The complainant stated that his receipt of stickers warning him of a parking violation amounted to an invalid order. The officer denied the allegation. The Municipal Traffic Code indicates that officers are to place warning stickers on cars, providing 72 hours to the owner for removal of the car. The evidence proved that the actions that provided the basis of the allegation occurred; however, the actions were justified, lawful and proper.

SUMMARY OF ALLEGATION #2: The officer engaged in selective enforcement.

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

FINDINGS OF FACT: The complainant stated that the officer's enforcement of the law was selective. The officer denied the allegation. There were no witnesses. There is insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/30/06 **DATE OF COMPLETION:** 09/12/06 **PAGE# 2 of 2**

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

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

FINDINGS OF FACT: The officer denied the allegation. There were no witnesses. 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: 07/03/06 **DATE OF COMPLETION:** 09/28/06 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: The officer behaved and spoke inappropriately.

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

FINDINGS OF FACT: 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: 07/14/06 **DATE OF COMPLETION:** 09/27/06 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: After filing this complaint, the juvenile complainant and his mother failed to respond to repeated contact attempts. The investigation could not go forward without their assistance.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/20/06 **DATE OF COMPLETION:** 09/26/06 **PAGE # 1 of 2**

SUMMARY OF ALLEGATION #1-2: The officers exhibited inappropriate behavior and made inappropriate comments.

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

FINDINGS OF FACT: The complainant stated two officers were discourteous to her during several telephone calls she had made to the police station. The named officer denied the allegation. The officer with a male's voice was not identified during the OCC investigation. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #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 to whom she spoke by telephone refused to permit a supervisor to speak with her. The named officer denied the allegation. The officer with a male's voice was not identified during the OCC investigation. There is insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/20/06 **DATE OF COMPLETION:** 09/26/06 **PAGE # 2 of 2**

SUMMARY OF ALLEGATION #5-6: The officers failed to provide identification upon request.

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

FINDINGS OF FACT: The complainant stated she requested the officers' name and star numbers, however, the officers failed to provide this information. The named officer denied the allegation, stating the complainant never asked for this information and the officer routinely announces her name each time she answers the telephone at the police station. 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: 07/18/06 **DATE OF COMPLETION:** 09/29/06 **PAGE#** 1 of 1

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

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

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

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/20/06 **DATE OF COMPLETION:** 09/20/06 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The parties agreed to mediate this complaint. A mediation was successfully conducted on 09/14/06.

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

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

FINDINGS OF FACT: The parties agreed to mediate this complaint. A mediation was successfully conducted on 09/14/06.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/21/06 **DATE OF COMPLETION:** 09/27/06 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: The officer behaved inappropriately.

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

FINDINGS OF FACT: The complainant stated that the officer told her that he could make up a reason to arrest her and even plant drugs on her. The officer denied the allegation. A witness failed to come forward. There was 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: 07/20/06 **DATE OF COMPLETION:** 09/25/06 **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 stated the officer manipulated and abused his power as a police officer, because, during an interrogation, the officer failed to provide the complainant with water. The officer stated he did provide water to the complainant throughout the interview. The audiotape of the interview conducted by the officer with the complainant proved that the officer did provide the complainant with water during the interview.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/01/06 **DATE OF COMPLETION:** 09/27/06 **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 stated that the signs prohibiting parking were not timely posted in the area where he left his car. The named member stated that he was assigned to a SF Marathon tow detail and he personally erected the signs prohibiting parking in the area three days prior to the scheduled event. In his Office of Citizen Complaints interview, the complainant acknowledged that prohibitive signs were in place and visible in the immediate vicinity to his parking location. California Vehicle Code Section 22651(M) requires that parking restricting signs must be posted at least 24 hours prior to the removal of the vehicle. The available evidence, namely the complainant's admission as to the visibility of the prohibitive signs, indicated that officer, in fact, took required action in compliance with the applicable law.

SUMMARY OF ALLEGATION #2: The officer towed the complainant's vehicle without justification

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

FINDINGS OF FACT: The named member stated that he towed the complainant's vehicle for violation of SF Traffic Code Section 33c (Temporary Parking Restrictions). In his Office of Citizen Complaints interview, the complainant stated that there was no signs prohibiting parking near his car but acknowledged that such signs were posted in the immediate vicinity to his parking location. The officer stated that he personally posted standard San Francisco Police Department signs in the area within 50 to 70 feet from each other prohibiting parking within 100 feet in each direction. The available evidence, namely the complainant's admission as to the visibility of the restrictive signs, indicates that the officer's decision to tow the complainant's vehicle was reasonable and justified.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/31/06 **DATE OF COMPLETION:** 09/27/06 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant stated the officers did nothing to enforce a restraining order against her ex-husband. The complainant stated she obtained the TRO four days prior to calling the police to report that her ex-husband had violated the order. She acknowledged that the order was not served on her ex-husband until after the alleged violation. The officers stated that they advised the complainant that her ex-husband had not violated the order because he had not been served with the order. They further stated that they advised the complainant on how to serve the order. The officers' conduct was proper.

SUMMARY OF ALLEGATION #3: The officer behaved inappropriately.

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

FINDINGS OF FACT: The complainant alleged that the officer told her there was nothing he could do for her and that she should just move. The officer denied making these statements. Another officer at the scene also denied that the officer made these statements. There were no other witnesses. There was no evidence to support this allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/08/06 **DATE OF COMPLETION:** 09/28/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer was rude.

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

FINDINGS OF FACT: The officer denied being rude. There were no witnesses. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/17/06 **DATE OF COMPLETION:** 09/29/06 **PAGE# 1 of 1**

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

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

FINDINGS OF FACT: This complaint raises matters not within OCC's jurisdiction. The complaint is referred to San Francisco Probation Office.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/21/06 **DATE OF COMPLETION:** 09/26/06 **PAGE #** 1 of 1

SUMMARY OF ALLEGATION #1: The officer made inappropriate comments and engaged in inappropriate behavior.

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

FINDINGS OF FACT: The complainant requested the withdrawal of his complaint from OCC investigation.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/28/06 **DATE OF COMPLETION:** 09/28/06 **PAGE#** 1 of 1

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

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

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

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/28/06 **DATE OF COMPLETION:** 09/06/06 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: This complaint raises matters not within OCC's jurisdiction. It was referred for further investigation to:

Internal Affairs Bureau
Los Angeles County Sheriff's Department
4700 Ramona Boulevard
Monterey Park, CA 91754

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/07/06 **DATE OF COMPLETION:** 09/12/06 **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: The complaint raises matters outside OCC's jurisdiction and is referred to the
Maria Williams
Muni Passenger Services
Municipal Railway Services
949 Presido Avenue
San Francisco, CA 94115

Commander Sylvia Harper
Department of Parking & Traffic
505 7th Street
San Francisco, CA 94103

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/08/06 **DATE OF COMPLETION:** 09/19/06 **PAGE#** 1 of 2

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

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

FINDINGS OF FACT: The complainant withdrew the complaint.

SUMMARY OF ALLEGATION #2: The officers exceeded the lawful scope of a residential search.

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

FINDINGS OF FACT: The complainant withdrew the complaint.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/08/06 **DATE OF COMPLETION:** 09/19/06 **PAGE# 2 of 2**

SUMMARY OF ALLEGATION #3: The officers filed an inaccurate police report.

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

FINDINGS OF FACT: The complainant withdrew the complaint.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/11/06 **DATE OF COMPLETION:** 09/12/06 **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: The complaint raises matters outside OCC's jurisdiction and is referred to:
Lt. Al Kenney
San Francisco Sheriff's Department
Investigation Service Unit
25 Van Ness Avenue, #350
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: 09/15/06 **DATE OF COMPLETION:** 09/28/06 **PAGE#** 1 of 1

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

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

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

**California Highway Patrol (CHP)
53 San Clemente Drive
Corte Madera, CA 94925
(415) 924-1100**

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/25/06 **DATE OF COMPLETION:** 09/29/06 **PAGE#** 1 of 2

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

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

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

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

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

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

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/25/06 **DATE OF COMPLETION:** 09/29/06 **PAGE#** 2 of 2

SUMMARY OF ALLEGATION #3: The officer failed to provide his star number.

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

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

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT: .

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/27/06 **DATE OF COMPLETION:** 09/29/06 **PAGE#** 1 of 1

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

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

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

Department of Parking & Traffic
1380 Howard Street
San Francisco, CA 94107

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/28/06 **DATE OF COMPLETION:** 09/29/06 **PAGE#** 1 of 1

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

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

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

Lieutenant Neal P. Griffin
Management Control Division
850 Bryant Street, Room #345
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: 10/06/05 **DATE OF COMPLETION:**09/28/06 **PAGE#** 1 of 4

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

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

FINDINGS OF FACT: The complainant alleged the officer unreasonably struck her co-worker numerous times with his baton without ample provocation, as was corroborated by civilian witnesses at the scene. The officer denied the allegation, stating he was attempting to arrest the suspect for obstruction of a police investigation when the suspect forcefully shoved the officer, as was corroborated by one witness. The officer therefore used his baton to gain control of a suspect resisting arrest. A preponderance of the evidence proved that the conduct complained of did occur, and that using as a standard the applicable regulations of the Department, the conduct was improper.

SUMMARY OF ALLEGATION #2-3: The officers used unnecessary force.

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

FINDINGS OF FACT: The complainant alleged the officers forcefully subdued and arrested her co-worker who had not resisted arrest. The officers denied the allegation, stating several officers were needed to subdue the suspect because he was resisting arrest. There is insufficient evidence either to prove or disprove the allegations.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/06/05 **DATE OF COMPLETION:** 09/28/06 **PAGE#** 2 of 4

SUMMARY OF ALLEGATION #4: The officer behaved inappropriately and made rude comments.

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

FINDINGS OF FACT: The complainant alleged the officer aggressively screamed at her co-worker without provocation. Witnesses at the scene recalled the officer being rude to them but did not witness the officers' approach of their co-worker. The officer denied the allegation, stating his verbal and physical response to the suspect was predicated on the aggressive actions of the suspect. There is insufficient evidence either to prove or disprove the allegation.

SUMMARY OF ALLEGATION #5: The officer behaved inappropriately and made rude comments.

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

FINDINGS OF FACT: The complainant alleged the officer confiscated a bottle/container from the vehicle's passenger and jokingly handed it to a civilian at the scene to drink. The officer admitted to confiscating an open container of suspected alcohol and handing it to a civilian known to him for disposal; the officer did not witness the disposal of the container. Under California State Penal Code Section 647e(b), any person possessing an opened alcoholic beverage in public is guilty of an infraction. A preponderance of the evidence proved that the conduct complained of did occur, and the officer behaved improperly when entrusting an alcoholic beverage to a civilian without securing its disposal.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/06/05 **DATE OF COMPLETION:** 09/28/06 **PAGE#** 3 of 4

SUMMARY OF ALLEGATION #6: The officer behaved inappropriately.

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

FINDINGS OF FACT: The complainant alleged the officer acted prematurely in taking a vehicle's passenger into custody during a traffic stop. The officer denied the allegation, stating he spotted a container in the possession of the vehicle's passenger that he determined to contain an alcoholic beverage, resulting in his taking that person into custody. Under California State Vehicle Code Section 23223(b), the officer acted properly in taking into custody a person in possession of an alcoholic beverage while in a motor vehicle upon a highway.

SUMMARY OF ALLEGATION #7-8: The officers arrested an individual without cause.

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

FINDINGS OF FACT: The complainant alleged the officers arrested her co-worker without reason or cause, as the arrestee was not intoxicated, did not obstruct the officers traffic stop of a motorist, and did not commit a battery upon an officer. The officers denied the allegation, stating the arrestee was intoxicated and interfered with their traffic stop of a motorist, using an aggressive tone and committing a battery upon the officer. There is insufficient evidence either to prove or disprove the allegations.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/06/05 **DATE OF COMPLETION:** 09/28/06 **PAGE#** 4 of 4

SUMMARY OF ALLEGATION #9 The officer used profanity.

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

FINDINGS OF FACT: The complainant alleged the officer used profanity during his arrest of her co-worker. The officer denied the allegation. There is insufficient evidence either to prove or disprove the allegations.

SUMMARY OF ALLEGATION #10-11: The officers failed to investigate.

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

FINDINGS OF FACT: The complainant alleged the officers failed to seek out witnesses at the scene, other than a saloon doorman who corroborated the officers' recollection of the incident. The officers denied the allegation, stating they attempted to obtain civilian witness statements but it was difficult due to the crowd showing hostility towards the police officers. There is insufficient evidence either to prove or disprove the allegations.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/06/05 **DATE OF COMPLETION:** 09/27/06 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The officer gives probable cause for the citations in Incident Reports she wrote, but there are no witnesses, and the complainant has not responded to requests for an interview. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #2: The officer spoke and behaved inappropriately.

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

FINDINGS OF FACT: The officer denies the allegations, there are no witnesses, and the complainant has not responded to requests for an interview. There is insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/06/05 **DATE OF COMPLETION:** 09/28/06 **PAGE#** 1 of 2

SUMMARY OF ALLEGATION #2: The officer spoke and behaved inappropriately.

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

FINDINGS OF FACT: The officer denies the allegations, there are no witnesses, and the complainant has not responded to requests for an interview. There is insufficient evidence to prove or disprove the allegation.

SUMMARY OF ALLEGATION #2: The officer practiced selective enforcement.

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

FINDINGS OF FACT: The officer denies the allegations, there are no witnesses, and the complainant has not responded to requests for an interview. There is insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/06/05 **DATE OF COMPLETION:** 09/28/06 **PAGE# 2 of 2**

SUMMARY OF ALLEGATION #3: The officer used profanity.

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

FINDINGS OF FACT: The officer denies the allegation, there are no witnesses, and the complainant has not responded to requests 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: 10/17/05 **DATE OF COMPLETION:** 09/12/06 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant stated that she lawfully was crossing the street on the green light and the officer stopped and cited her without any legitimate reason. The named member stated that he cited the complainant because he saw her crossing the street against a “do not walk” orange control sign. A potential witness to this incident did not respond to the Office of Citizen Complaints request for an interview. The available evidence was insufficient to either prove or disprove the allegation.

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

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

FINDINGS OF FACT: The complainant stated that the officer forcefully grabbed her by the arm causing it to bruise. The named member stated that he actually “gently grabbed” the complainant by her wrist and did not touch or cause any bruises on the complainant’s arm. A potential witness to this occurrence did not respond to the Office of Citizen Complaints request for an interview. The available evidence was insufficient to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/14/05 **DATE OF COMPLETION:** 09/28/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1 & #2: The officers failed to take required action.

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

FINDINGS OF FACT: The complainant failed to provide requested evidence necessary to the investigation.

SUMMARY OF ALLEGATION #3 & #4: The officers spoke and behaved inappropriately.

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

FINDINGS OF FACT: The complainant failed to provide requested evidence necessary to the investigation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/22/05 **DATE OF COMPLETION:** 09/25/06 **PAGE# 1 of 3**

SUMMARY OF ALLEGATION # 1-3: The officers arrested the complainant and co-complainant without cause.

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

FINDINGS OF FACT: The complainant and co-complainant stated the officers woke them up at 4:30 in the morning and arrested them for MPC 97 (a) and 372 PC Public Nuisance; Maintaining; Committing. The officers stated that the complainants have been previously cited for the same offense. One officer keeps track of the violation status for each individual that was previously cited or admonished. The complainants admitted that they were previously cited twice. Per the above laws, the officers had the authority to arrest the complainants.

SUMMARY OF ALLEGATION # 4-5: The officers failed to take required action.

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

FINDINGS OF FACT: The complainants stated the officers did not read them Miranda rights. The officers stated they did not interrogate the complainants and were not required to read Miranda. The complainants were both arrested for a misdemeanor and Miranda warnings are not applicable.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/22/05 **DATE OF COMPLETION:** 09/25/06 **PAGE# 2 of 3**

SUMMARY OF ALLEGATION #6: The officer used profanity.

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

FINDINGS OF FACT: The complainant stated that the officer used profanity against her during the incident. The officer denied the allegation. The co-complainant corroborated the complainant's statement. The other officers stated they did not hear the officer use such language however, they were all attending to different vehicles that they were citing and arresting during this assignment so were not present when this officer dealt with these complainants at all times. During his Office of Citizen Complaints interview, the officer admitted that at times he uses threats as a ploy to get people to come out of their vehicles. The officer also stated that there is no General Order saying he cannot lie or cannot use subterfuge in order to have somebody come out of the vehicle. Given this statement the officer's credibility is in question and is more likely than not that the officer violated DGO 2.01 Rule 14. Public Courtesy.

SUMMARY OF ALLEGATION #7: The officer used sexually demeaning language.

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

FINDINGS OF FACT: The complainant said the officer used a sexual slur against her during the incident. The officer denied the allegation. The co-complainant corroborated the complainant's statement. The other officers stated they did not hear the officer use such language however, they were all attending to different vehicles that they were citing and arresting during this assignment so were not present when this officer dealt with these complainants at all times. During his Office of Citizen Complaints interview, the officer admitted that at times he uses threats as a ploy to get people to come out of their vehicles. The officer also stated that there is no General Order saying he cannot lie or cannot use subterfuge in order to have somebody come out of the vehicle. Given this statement the officer's credibility is in question and is more likely than not that the officer violated DGO 2.01 Rule 14. Public Courtesy

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/22/05 **DATE OF COMPLETION:** 09/25/06 **PAGE#** 3 of 3

SUMMARY OF ALLEGATION # 8: The officer behaved inappropriately.

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

FINDINGS OF FACT: The co-complainant stated that the officer snatched the phone from an arrestee while at the station. The officer denied the allegation. There were no witnesses.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/28/05 **DATE OF COMPLETION:** 09/18/06 **PAGE#** 1 of 2

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

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

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

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

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

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

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/28/05 **DATE OF COMPLETION:** 09/18/06 **PAGE#** 2 of 2

SUMMARY OF ALLEGATION #3: The officers intentionally damaged property.

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

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

SUMMARY OF ALLEGATION #4: The officers failed to issue a property receipt.

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

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

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/30/05 **DATE OF COMPLETION:** 09/26/06 **PAGE#** 1 of 2

SUMMARY OF ALLEGATION #1: The officer displayed his weapon without justification.

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

FINDINGS OF FACT: The complainant stated that he followed a patrol vehicle in his car in an attempt to get police assistance. He said one officer came out of the police vehicle with his service revolver out of the holster, for no reason. A witness stated that he observed the complainant try to get the officers' attention and saw an officer with his weapon displayed. The officer acknowledged that he drew his weapon from the holster and held it at his side until he could determine whether or not there was any danger, as he and his partner thought the complainant was trying to hit the rear of their vehicle. The Department regulations require that the officer be able to articulate a reason for drawing a weapon but permit an officer to do so if he reasonably feels there is a danger. The evidence proves that the act, which provided the basis for the allegation, occurred. However, the act was justified, lawful and proper.

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

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

FINDINGS OF FACT: The complainant stated that the officer spoke rudely to him. The officer denied that he was rude and said he was calm and professional throughout the contact. A witness stated he could not hear what was said. There was insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/30/05 **DATE OF COMPLETION:** 09/26/06 **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 complainant stated that the officer drew his weapon without justification because of the complainant's race. The officer denied that the complainant's race had anything to do with his response to what he considered a possibly dangerous situation, requiring him to have his weapon ready. There was 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: 11/30/05 **DATE OF COMPLETION:** 09/26/06 **PAGE#** 1 of 1

SUMMARY OF ALLEGATIONS #1-3: The officers used unnecessary force during an arrest.

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

FINDINGS OF FACT: The complainant failed to contact the OCC for a further interview. The named officers denied the allegations. There were no witnesses. 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: 12/06/05 **DATE OF COMPLETION:** 09/26/06 **PAGE #** 1 of 2

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

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

FINDINGS OF FACT: The complainant alleged the officer failed to pursue a vandalism suspect, driving off in a different direction, as corroborated by his girlfriend. The officer denied the allegation, stating he sought the vandalism suspect and located that suspect who was stopped by another officer; however, this event was not corroborated. 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:** PC **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated the officer failed to pursue a vandalism suspect. The officer denied the allegation, stating he conducted a traffic stop of the vandalism suspect, as verified by Emergency Communications Division and SFPD records. The evidence proved that the act, which provided the basis for the allegation occurred. However, the act was justified, lawful and proper.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/06/05 **DATE OF COMPLETION:** 09/26/06 **PAGE #** 2 of 2

SUMMARY OF ALLEGATION #3: The officer took the complainant into custody without cause.

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

FINDINGS OF FACT: The complainant stated the officer took him into custody in retaliation for the complainant's loudly protesting that the officer failed to do his job (i.e., pursue a vandalism suspect). The officer denied the allegation, stating the complainant was publicly intoxicated and unable to care for himself and, therefore, was taken into custody under California Penal Code §647(f). Witnesses interviewed by the OCC failed to support the officer's assertion that the complainant was intoxicated and unable to care for himself. A preponderance of the evidence proved that the conduct complained of did occur, and that, using as a standard the applicable regulations of the Department, the conduct was improper.

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

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

FINDINGS OF FACT: The complainant stated the officer made rude remarks and told the complainant he would not investigate the complainant's report of vandalism unless he first provided the officer with his identification. 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: 12/19/05 **DATE OF COMPLETION:** 09/07/06 **PAGE #1 of 2**

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

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

FINDINGS OF FACT: In taped interviews with the Office of Citizen Complaints and the San Francisco Police Department, the complainant stated he observed an unattended Jeep Wrangler parked at the curb with a plastic rear zippered window. The complainant stated he knew this was an easy vehicle to break into because of the zippered plastic rear window. The complainant stated he entered the Jeep Wrangler through the zippered window and crawled to a seated position in the front passenger seat. The complainant stated he did not know who owned the vehicle and he did not have permission to enter the vehicle. The complainant said he entered the vehicle to look for money and property that he could use to acquire illegal narcotics (crack). The complainant stated he was not carrying a weapon when he entered the vehicle and at no time inside the vehicle did he have a weapon of any sort. The complainant stated he went through the Jeep's glove box and ashtray looking for items of value. The complainant stated that as he gathered coins from the Jeep's ashtray, a man came up to the vehicle. The complainant stated he knew this man was the owner of the vehicle by the way the man came up to the Jeep. He also knew this man was a police officer by the pants the man was wearing. The complainant stated the man had a gun in his hand but did not show a badge and did not identify himself as a police officer. The complainant stated the man yelled at him, "Open the door, open the door". The complainant stated that both his hands were below the window of the vehicle as he began to reach for the door with both hands. The complainant stated it was dark inside the Jeep as he twisted his body to bring both hands towards the door looking for the door latch. The complainant said that as he was trying to find the door handle, the man fired one shot through the plastic passenger door window that struck his upper chest. The complainant estimated that it was ten seconds between the time the man approached him and when the shot was fired. The complainant stated the officer used unnecessary force in this incident.

The officer stated he was off duty when this incident occurred. The officer stated he parked and locked his vehicle and went into a restaurant to get take out food. The officer stated he returned to his Jeep with food in hand and observed a man sitting in the front passenger seat, "rummaging" around in the vehicle. The officer said he had not given anyone permission to be in his vehicle. The officer approached his parked car and placed his food on the sidewalk. The officer stated he drew his duty weapon from an ankle holster with his left hand and retrieved his star with his right hand. The officer said he moved towards the passenger window of his jeep so that he positioned himself next to the complainant seated in the passenger seat. The officer stated that he identified himself as a police officer and gave repeated orders for the complainant to show his hands and to exit the vehicle. The officer stated that the complainant did not respond to his repeated orders to show his hands or to exit the vehicle. The officer said the complainant then moved both hands in a deliberate motion towards his right side to a position that the officer could not see the complainant's hands. The officer said that the interior of the vehicle was dark and the complainant's hands were below the window of the vehicle. The officer stated that he felt the complainant was going to shoot him because the complainant ignored his repeated commands to show

OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT

DATE OF COMPLAINT: 12/19/05 DATE OF COMPLETION: 09/07/06 PAGE #2 of 2

Continued:

his hands and exit the vehicle combined with the complainant's deliberate hand movement to a position where the officer could not see the complainant's hands in the darkened vehicle. The officer stated he fired one shot through the window of the Jeep that struck the complainant in the upper body.

There were no witnesses to this contact between the complainant and the officer.

The Use of Force Options trainer at the San Francisco Police Department academy was interviewed for this complaint and explained there is not always a right or wrong way to do things but officers are trained that there are options in most cases. The officers are trained on the findings of Tennessee v Garner and Connor v. Graham. Based on this and other training provided to all officers, the Trainer stated in this case, the officer's actions were not unreasonable based on the circumstances known to the officer at the time of the incident. However, the Trainer stated that because there are usually options available to an officer, that ideally, the officer may have had other options in this case but reiterated that the officer's actions were not unreasonable in this matter.

The lack of witnesses and the evidence gathered during the investigation, failed to disclose sufficient 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: 12/30/05 **DATE OF COMPLETION:** 09/12/06 **PAGE #** 1 of 2

SUMMARY OF ALLEGATION #1: The officer used unnecessary force during the complainant's arrest.

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

FINDINGS OF FACT: The complainant failed to provide an interview or information/evidence essential to a competent investigation of his Office of Citizen Complaints complaint.

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

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

FINDINGS OF FACT: The complainant failed to provide an interview or information/evidence essential to a competent investigation of his OCC complaint.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/30/05 **DATE OF COMPLETION:** 09/12/06 **PAGE # 2 of 2**

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

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

FINDINGS OF FACT: The complainant failed to provide an interview or information/evidence essential to a competent investigation of his OCC complaint.

SUMMARY OF ALLEGATION #4: The officer damaged the complainant's property.

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

FINDINGS OF FACT: The complainant failed to provide an interview or information/evidence essential to a competent investigation of his Office of Citizen Complaints complaint.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/05/06 **DATE OF COMPLETION:** 09/26/06 **PAGE#** 1 of 2

SUMMARY OF ALLEGATION #1-4: The officers entered and searched the complainant's home without cause.

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

FINDINGS OF FACT: The complainant said the officers did not have a search warrant and did not give her any paperwork. The officers had an arrest warrant for her husband. The felony arrest warrant for the complainant's husband indicated that he was to be admitted to bail in the sum of \$30,000 and that the warrant could be served day or night signed on December 6, 2005. Therefore, a search warrant was not necessary to enter and search for the complainant's husband in his own home. The complainant stated the officers looked in all the rooms for her husband, but did not search areas where a person would not be likely to be found. The officers' conduct was proper.

SUMMARY OF ALLEGATION #5: The officer used a battering ram without justification.

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

FINDINGS OF FACT: The complainant stated a neighbor informed her that the officer tried to get into her door with a battering ram. The complainant said she opened the door and that is how the officers gained entry. The officers stated the complainant had opened the door and denied using the battering ram. The complainant did not have any damage to her door. The neighbor did not come forward.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/05/06 **DATE OF COMPLETION:** 09/26/06 **PAGE # 2 of 2**

SUMMARY OF ALLEGATION #6: The officer failed to properly process the complainant's property.

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

FINDINGS OF FACT: The complainant stated that after the officer's left her home she noticed that her wedding ring was missing. The officers denied taking anything from the complainant's home. There were no witnesses.

SUMMARY OF ALLEGATION #:

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

FINDINGS OF FACT:

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/11/06 **DATE OF COMPLETION:** 09/26/06 **PAGE#** 1 of 2

SUMMARY OF ALLEGATIONS #1-3: The officers made an improper entry.

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

FINDINGS OF FACT: The officers stated that they agreed to participate in a ruse created by the FBI to search for a homicide suspect. The officers entered a residence under false pretenses. The officers interviewed believed that, under the circumstances, using a ruse to enter the residence was proper. The officers' supervisor took full responsibility for the execution of this plan and emphasized that the officers were following his orders. The OCC is forwarding this complaint to the Department as a Training Failure.

SUMMARY OF ALLEGATIONS #4-6: The officers failed to take required action.

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

FINDINGS OF FACT: The first officer stated that all three officers promptly provided their names and star numbers upon request. The second officer stated that she provided her name and star number upon request but did not know whether the other two officers did the same. The third officer stated that, upon request, she provided her own name and star number as well as the names and star numbers of the other two officers. There was no additional evidence to further prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/11/06 **DATE OF COMPLETION:** 09/26/06 **PAGE#** 2 of 2

SUMMARY OF ALLEGATION #7: The officer failed to properly supervise.

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

FINDINGS OF FACT: Three officers stated that the named member authorized their participation with the FBI to search for a homicide suspect. The named member stated that the officers did not inform him that a ruse was to be employed to gain access to and search a residence. The inspector that lead the investigation took full responsibility for the officers' involvement in the FBI's plan to search for a homicide suspect. There was no additional evidence to further prove or disprove the allegation.

SUMMARY OF ALLEGATION #8: The officer failed to properly supervise.

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

FINDINGS OF FACT: The officer stated that he took full responsibility for three officers' participation in a ruse created by the FBI to gain entrance to and search a residence to search for a homicide suspect. The entry and search violated Department General Order 5.16, which prohibits searches without a search warrant. Although there are exceptions to this rule, none existed in this case.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

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

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

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

FINDINGS OF FACT: The officer stated that he observed the complainant in an area of high narcotics activity, surrounded by persons who walked away from her when they saw officers approaching. The officer stated that, from his experience, he knows it is common for people trying to buy narcotics to separate from the dealer when the police approach, and he therefore detained the complainant while investigating possible criminal activity. No independent witnesses were located. There was insufficient evidence to prove or disprove the allegation.

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

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

FINDINGS OF FACT: The complainant stated that the officer seized currency from her, and when she was released, her money was not returned to her. The officer stated that the money was seized as possible evidence in a criminal action, and it was held pending completion of the investigation and a decision by the District Attorney on whether to proceed. The paperwork supported the officer's description of the steps taken to process the property, and the Department confirmed that the property is still held at the Property Control Department where the complainant can collect it. The evidence proves that the act, which provided the basis for the allegation, occurred. However, the act was justified, lawful and proper.