



# THE OFFICE OF CITIZEN COMPLAINTS ANNUAL REPORT 2005

## Included In This Document

Comprehensive Statistical Report  
Comparative Overview of Caseload  
Cases Pending Report  
How Complaints Were Received  
Demographic Characteristics of OCC Complainants  
Allegations Received by Type  
Sustained Allegations by Type  
Complaints and Allegations by Unit  
Findings And Allegations Closed  
Days to Close – All Cases Closed 2005  
Days to Close – Sustained Cases 2005  
OCC Mediation Program  
Sustained Case List 1999-2005

Presented by: Jean Field, Interim Director  
Compiled by: Chris Wisniewski and Linda Taylor

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# OFFICE OF CITIZEN COMPLAINTS

CITY AND COUNTY OF SAN FRANCISCO



**Jean Field**  
Interim Director

February 28, 2007

To: The Honorable Gavin Newsom  
Members, San Francisco Board of Supervisors  
Members, San Francisco Police Commission  
San Francisco Police Chief Heather Fong  
Members of the San Francisco community

Enclosed please find the Office of Citizen Complaint's Annual Report for the year 2005. This is an abbreviated report, because it has been so long delayed. The majority of these statistics have been posted to the OCC web site ([www.sfgov.org/occ](http://www.sfgov.org/occ)) since June 2006, but this information was never formally presented to the Mayor, the Board of Supervisors, the Police Commission or the community.

It is clear that the OCC needs to do a much better job of informing the public about its accomplishments as well as its challenges. The Controller's Audit, issued in January 2007, emphasized that the agency's failure to publish its quarterly and annual reports undermined the agency's effectiveness. We recognize that the enclosed report, while it provides a basic snapshot of the agency's annual activity, does not provide sufficient information about the OCC's mission and structure. Nor does it adequately portray community concerns about the San Francisco Police Department, which are brought to our agency in the form of complaints. In the future, we hope to work on improving the quality and level of detail provided in these and other reports. In the meantime, however, we felt it was paramount to release the statistics for past years so that future statistical reports can be put into proper perspective.

## **CASELOAD**

As the Comprehensive Statistical Report shows, in the year 2005, the OCC opened 881 cases, and closed 798. The failure to close as many cases as the agency opened contributed to a growing backlog of pending cases. As of December 2005, 431 cases were open and pending. That is a significant increase from the caseloads carried just a few years before – at the close of calendar year 2002, for example, there were only 263 cases pending.

That higher number of pending cases, in turn, acted to slow case closure time, because investigators are simultaneously working on higher numbers of cases. During the year 2005, there were 15 full-time line investigators, meaning that on average, each was assigned 58 new cases. The more cases assigned to each investigator, the higher likelihood that some of these cases experience gaps in active investigation. Those gaps, in turn, slowed closure timelines.

The Controller's report was justifiably critical of the OCC's failure to meet its Charter mandate of closing sustained cases within 9 months of filing. In 2005, only 38 percent of 71 sustained cases were closed within nine months. But the Controller's audit did not note the agency's performance on closing cases within one year. In 2005, of 71 sustained cases only two took more than one year to investigate. This number is lower than in 2004, in which 11 sustained cases were closed after one year.

The OCC successfully prioritized some of its major, complicated cases in order to minimize legal challenges. During 2005, no cases considered for Police Commission adjudication were dismissed because of missing the statute of limitations period. In addition, only five cases closed in 2005 were deemed by the Department to be barred from disciplinary action because it had inadequate time to review them and administer discipline in a timely way. Five cases is of course five cases too many, but it represents a decrease from prior years.

Timely case closure is just as important for cases that do not have sustained allegations. Complainants, officers and the Department deserve prompt resolution of all allegations of misconduct. And for all 798 cases closed in 2005 -- including those with findings of sustained as well as proper conduct, not sustained, etc. -- 72 percent closed within nine months of opening. This figure is comparable to the 73 percent of all cases closed within 9 months in 2004. And for 2005, 92 percent of all closed cases were closed within a year. Again -- it's not good enough, but it does show that in the majority of cases, the OCC was completing the vast majority of its investigations in a timely manner.

Although they represented only 8 percent of the 2005 closures, cases with sustained finding typically take longer to close. Sustained cases typically involve more investigative steps, and require a more complex report be written to facilitate the Chief's review. The challenge, clearly, is to ensure that cases with potentially sustained findings are identified earlier in the investigation, and monitored so that they do not encounter delays. Some of the recommendations outlined in the Controller's audit, as well as more aggressive supervision of case timelines, should help meet these goals.

## **OTHER PROGRAM HIGHLIGHTS**

Mediation Program: In 2005, the OCC revitalized its mediation program, which allows complainants and officers to sit together with professional mediators to craft a nondisciplinary resolution to complaints. The number of cases successfully mediated quadrupled, from 6 in 2004 to 25 in 2005. This program has attracted national attention, and significant resources -- in the form of a full-time investigator who spent much of his time coordinating the program -- were dedicated to bringing this program closer to its potential.

Legal Work: In 2005, the OCC's legal team consists of two lawyers and a part-time policy analyst. One of the primary duties of the legal team is to present misconduct cases to the Police Commission. Under the City Charter, only the Police Commission has the authority to administer suspensions of greater than 10 days or to terminate a police officer who has been found to have committed misconduct.

During 2005, the OCC presented evidence to the Police Commission against three San Francisco police officers in separate disciplinary hearings. The charges ranged from conduct reflecting

discredit for inappropriate behavior, to misuse of Department computers and inaccurate reporting. The Commission reviewed evidence, heard testimony from witnesses, and the Accused Officers mounted a defense against the charges of misconduct. In one case, the officer was terminated by a vote of the Police Commission. In each of the other two cases, the officer retired or resigned voluntarily after the hearing began, but prior to the imposition of discipline.

The Police Commission held open hearings in those cases. Members of the public were able to obtain copies of the charges and attend the hearings and arguments, and the results of the hearings were discussed in the press. However, in August of 2006, the California Supreme Court issued a decision clarifying the application of Penal Code section 832.7, which makes peace officer personnel records confidential. In light of that decision, OCC charges filed with the Police Commission are now confidential and Police Commission hearings resulting from those charges are closed to the public unless the individual officer waives his or her right to confidentiality. Although more of the OCC's work will now be done behind closed doors, the OCC will nonetheless continue to conduct full and fair investigations, and, when it files charges, to advocate zealously for appropriate disposition of those charges.

### Policy Work

Also in 2005, the OCC continued its Charter-mandated policy work. Throughout the first quarter of 2005, the OCC and the San Francisco Youth Commission engaged in lengthy negotiations with SFPD to revise the Department General Order 7.01, the Department's written protocol for interacting with youth and children. As a result of these negotiations, the Department agreed to provide greater protections for children and youth. Protections include audiotaping all juvenile interrogations and permitting parents to be present during juvenile interrogations. The OCC awaits the Department's introduction of these revisions to the Police Commission for formal adoption.

In addition, the OCC advocated for greater review and accountability concerning the Department's investigative process of officer-involved shootings. In Police Commission hearings concerning the creation of a Firearm Discharge Review Board, the OCC argued that its Director should sit on the Board to provide civilian participation during the Department's review of shooting cases. The OCC also argued that officers involved in shootings should be relieved of street duty for at least two weeks based on best practice standards. Ultimately, the Commission created a Firearm Discharge Review Board that includes both the OCC Director and a member of the Police Commission. The Commission also adopted provisions that require officers involved in shootings to be relieved of their regular assignment for a minimum of ten days.

In 2005 the OCC proposed that the Department adopt a written protocol for the investigation, review and reporting to the Police Commission of In-Custody deaths. The OCC recommended that in-custody death cases be subject to the same investigative timelines, administrative reassignment, reporting requirements and review board procedures that the Police Commission adopted in officer-involved shooting cases. Throughout negotiations in 2005, the OCC obtained the Department's agreement to adopt a written protocol and provided the Department a detailed draft protocol. The OCC continues to advocate for the establishment of a written In-Custody death protocol.

Other policy areas that the agency worked on in 2005 included: advocating the creation of clearer written guidelines for dealing with deaf, hard of hearing and Limited English Proficient individuals and training issues related to dangerous canines.

## **CONCLUSION**

The enclosed statistical report, when read in conjunction with the Controller's audit, reveals an agency facing significant challenges managing its caseload effectively, particularly in the area of sustained cases. But it also shows an agency that was working to accomplish its core mission of thoroughly and fairly investigating complaints of police misconduct. Ninety two percent of the cases closed in 2005 were closed within a year of filing. In addition, 2005 contained significant achievements in mediation, policy work and prosecution of Police Commission cases.

The Controller's audit pointed out specific and general failures of leadership that resulted in poor employee morale and lowered effectiveness. The audit did not adequately acknowledge the many members of the OCC staff who have worked tirelessly to fulfill the responsibility placed upon them by members of the community and the Department. I trust that with the Commission's support, and incoming new leadership of the agency, we will work to overcome the legacy of those past deficiencies, and steer the OCC to its full potential as one of the nation's strongest models of civilian oversight.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jean Field". The signature is fluid and cursive, with the first name "Jean" written in a larger, more prominent script than the last name "Field".

Jean Field  
Interim OCC Director

**COMPREHENSIVE STATISTICAL REPORT**  
**January 2005 - December 2005**

THE POLICE COMMISSION  
**OFFICE OF CITIZEN COMPLAINTS**  
 CITY AND COUNTY OF SAN FRANCISCO



| CASE YEAR                                  | JAN       | FEB       | MAR       | 1ST        | APR       | MAY       | JUN       | 2ND        | JUL       | AUG       | SEP       | 3RD        | OCT       | NOV       | DEC       | 4TH        | YTD        |
|--|-----------|-----------|-----------|------------|-----------|-----------|-----------|------------|-----------|-----------|-----------|------------|-----------|-----------|-----------|------------|------------|
| <b>CASES OPENED</b>                        |           |           |           |            |           |           |           |            |           |           |           |            |           |           |           |            |            |
| 2005                                       | 81        | 57        | 102       | 240        | 68        | 69        | 74        | 211        | 71        | 93        | 64        | 228        | 76        | 58        | 68        | 202        | 881        |
| <b>CASES MERGED/VOIDED/WITHDRAW</b>        |           |           |           |            |           |           |           |            |           |           |           |            |           |           |           |            |            |
| 2005                                       | 6         | 3         | 6         | 15         | 1         | 4         | 3         | 8          | 0         | 7         | 4         | 11         | 1         | 2         | 4         | 7          | 41         |
| <b>CASES CLOSED, BY YEAR CASE WAS FILE</b> |           |           |           |            |           |           |           |            |           |           |           |            |           |           |           |            |            |
| 2001                                       | 0         | 0         | 0         | 0          | 0         | 0         | 0         | 0          | 1         | 0         | 0         | 1          | 0         | 0         | 0         | 0          | 1          |
| 2002                                       | 0         | 0         | 0         | 0          | 1         | 0         | 0         | 1          | 0         | 0         | 0         | 0          | 0         | 0         | 0         | 0          | 1          |
| 2003                                       | 2         | 1         | 0         | 3          | 1         | 0         | 0         | 1          | 2         | 1         | 0         | 3          | 0         | 0         | 1         | 1          | 8          |
| 2004                                       | 33        | 36        | 23        | 92         | 40        | 23        | 36        | 99         | 22        | 32        | 35        | 89         | 23        | 6         | 8         | 37         | 317        |
| 2005                                       | 7         | 20        | 16        | 43         | 41        | 24        | 31        | 96         | 52        | 49        | 47        | 148        | 58        | 57        | 69        | 184        | 471        |
| <b>TOTAL</b>                               | <b>42</b> | <b>57</b> | <b>39</b> | <b>138</b> | <b>83</b> | <b>47</b> | <b>67</b> | <b>197</b> | <b>77</b> | <b>82</b> | <b>82</b> | <b>241</b> | <b>81</b> | <b>63</b> | <b>78</b> | <b>222</b> | <b>798</b> |
| <b>CASES OUTSIDE JURISDICTION</b>          |           |           |           |            |           |           |           |            |           |           |           |            |           |           |           |            |            |
| 2004                                       | 4         | 0         | 0         | 4          | 1         | 0         | 0         | 1          | 0         | 0         | 0         | 0          | 0         | 0         | 0         | 0          | 5          |
| 2005                                       | 6         | 7         | 6         | 19         | 12        | 12        | 9         | 33         | 11        | 8         | 5         | 24         | 5         | 4         | 3         | 12         | 88         |
| <b>TOTAL</b>                               | <b>10</b> | <b>7</b>  | <b>6</b>  | <b>23</b>  | <b>13</b> | <b>12</b> | <b>9</b>  | <b>34</b>  | <b>11</b> | <b>8</b>  | <b>5</b>  | <b>24</b>  | <b>5</b>  | <b>4</b>  | <b>3</b>  | <b>12</b>  | <b>93</b>  |
| <b>CASES SUSTAINED</b>                     |           |           |           |            |           |           |           |            |           |           |           |            |           |           |           |            |            |
| 2003                                       | 0         | 1         | 0         | 1          | 0         | 0         | 0         | 0          | 0         | 0         | 0         | 0          | 0         | 0         | 0         | 0          | 1          |
| 2004                                       | 6         | 1         | 2         | 9          | 10        | 4         | 8         | 22         | 4         | 5         | 7         | 16         | 1         | 3         | 0         | 4          | 51         |
| 2005                                       | 0         | 0         | 0         | 0          | 0         | 0         | 1         | 1          | 3         | 2         | 1         | 6          | 0         | 4         | 8         | 12         | 19         |
| <b>TOTAL</b>                               | <b>6</b>  | <b>2</b>  | <b>2</b>  | <b>10</b>  | <b>10</b> | <b>4</b>  | <b>9</b>  | <b>23</b>  | <b>7</b>  | <b>7</b>  | <b>8</b>  | <b>22</b>  | <b>1</b>  | <b>7</b>  | <b>8</b>  | <b>16</b>  | <b>71</b>  |

**COMPARATIVE OVERVIEW OF CASELOAD**  
**January 2003 - December 2005**

THE POLICE COMMISSION  
**OFFICE OF CITIZEN COMPLAINTS**  
 CITY AND COUNTY OF SAN FRANCISCO



| CASE YEAR           | JAN | FEB | MAR | 1ST | APR | MAY | JUN | 2ND | JUL | AUG | SEP | 3RD | OCT | NOV | DEC | 4TH | YTD  |
|---------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|------|
| <b>CASES OPENED</b> |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |      |
| 2005                | 81  | 57  | 102 | 240 | 68  | 69  | 74  | 211 | 71  | 93  | 64  | 228 | 76  | 58  | 68  | 202 | 881  |
| 2004                | 55  | 54  | 73  | 182 | 67  | 61  | 59  | 187 | 72  | 48  | 95  | 215 | 73  | 63  | 74  | 210 | 794  |
| 2003                | 109 | 79  | 137 | 325 | 96  | 86  | 79  | 261 | 105 | 95  | 62  | 262 | 86  | 60  | 63  | 209 | 1057 |

|                     |    |    |    |     |     |    |    |     |    |    |    |     |    |    |    |     |     |
|---------------------|----|----|----|-----|-----|----|----|-----|----|----|----|-----|----|----|----|-----|-----|
| <b>CASES CLOSED</b> |    |    |    |     |     |    |    |     |    |    |    |     |    |    |    |     |     |
| 2005                | 42 | 57 | 39 | 138 | 83  | 47 | 67 | 197 | 77 | 82 | 82 | 241 | 81 | 63 | 78 | 222 | 798 |
| 2004                | 74 | 55 | 58 | 187 | 107 | 60 | 61 | 228 | 85 | 94 | 35 | 214 | 59 | 83 | 79 | 221 | 850 |
| 2003                | 64 | 85 | 77 | 226 | 74  | 64 | 74 | 212 | 98 | 76 | 82 | 256 | 74 | 56 | 92 | 222 | 916 |

|                        |   |    |    |    |    |   |    |    |    |   |    |    |   |   |    |    |    |
|------------------------|---|----|----|----|----|---|----|----|----|---|----|----|---|---|----|----|----|
| <b>CASES SUSTAINED</b> |   |    |    |    |    |   |    |    |    |   |    |    |   |   |    |    |    |
| 2005                   | 6 | 2  | 2  | 10 | 10 | 4 | 9  | 23 | 7  | 7 | 8  | 22 | 1 | 7 | 8  | 16 | 71 |
| 2004                   | 9 | 5  | 9  | 23 | 5  | 9 | 2  | 16 | 10 | 5 | 8  | 23 | 5 | 7 | 9  | 21 | 83 |
| 2003                   | 2 | 11 | 13 | 26 | 2  | 5 | 10 | 17 | 12 | 8 | 10 | 30 | 6 | 7 | 13 | 26 | 99 |



**CASES PENDING REPORT**  
**January 2005 - December 2005**

THE POLICE COMMISSION  
 OFFICE OF CITIZEN COMPLAINTS  
 CITY AND COUNTY OF SAN FRANCISCO



**PENDING CASES BY YEAR CASE WAS FILED**

| <b>CASE YEAR</b> | <b>JAN</b> | <b>FEB</b> | <b>MAR</b> | <b>APR</b> | <b>MAY</b> | <b>JUN</b> | <b>JUL</b> | <b>AUG</b> | <b>SEP</b> | <b>OCT</b> | <b>NOV</b> | <b>DEC</b> |
|------------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|
| 2001             | 1          | 1          | 1          | 1          | 1          | 1          | 0          | 0          | 0          | 0          | 0          | 0          |
| 2002             | 3          | 3          | 3          | 2          | 2          | 2          | 2          | 2          | 2          | 2          | 2          | 2          |
| 2003             | 7          | 6          | 6          | 5          | 5          | 5          | 3          | 2          | 2          | 2          | 2          | 1          |
| 2004             | 302        | 266        | 243        | 203        | 180        | 144        | 122        | 90         | 55         | 32         | 26         | 18         |
| 2005             | 74         | 111        | 197        | 224        | 269        | 312        | 331        | 375        | 392        | 410        | 411        | 410        |
| <b>Total</b>     | <b>387</b> | <b>387</b> | <b>450</b> | <b>435</b> | <b>457</b> | <b>464</b> | <b>458</b> | <b>469</b> | <b>451</b> | <b>446</b> | <b>441</b> | <b>431</b> |

**FIVE YEAR OVERVIEW OF TOTAL PENDING CASELOAD**

| <b>CASES PENDING</b> | <b>JAN</b> | <b>FEB</b> | <b>MAR</b> | <b>APR</b> | <b>MAY</b> | <b>JUN</b> | <b>JUL</b> | <b>AUG</b> | <b>SEP</b> | <b>OCT</b> | <b>NOV</b> | <b>DEC</b> |
|----------------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|
| 2001                 | 434        | 421        | 401        | 404        | 397        | 408        | 388        | 400        | 385        | 365        | 318        | 251        |
| 2002                 | 272        | 261        | 268        | 293        | 293        | 323        | 328        | 340        | 326        | 318        | 293        | 263        |
| 2003                 | 308        | 303        | 363        | 385        | 407        | 412        | 419        | 438        | 418        | 430        | 434        | 404        |
| 2004                 | 383        | 382        | 397        | 357        | 358        | 356        | 343        | 297        | 357        | 371        | 352        | 347        |
| 2005                 | 387        | 387        | 450        | 435        | 457        | 464        | 458        | 469        | 451        | 446        | 441        | 431        |

**HOW COMPLAINTS WERE RECEIVED**

January 2005 - December 2005

THE POLICE COMMISSION  
 OFFICE OF CITIZEN COMPLAINTS  
 CITY AND COUNTY OF SAN FRANCISCO



| RECEIVED     | JAN       | FEB       | MAR        | 1ST        | APR       | MAY       | JUN       | 2ND        | JUL       | AUG       | SEP       | 3RD        | OCT       | NOV       | DEC       | 4TH        | YTD        |
|--------------|-----------|-----------|------------|------------|-----------|-----------|-----------|------------|-----------|-----------|-----------|------------|-----------|-----------|-----------|------------|------------|
| IN PERSON    | 26        | 18        | 36         | 80         | 21        | 20        | 25        | 66         | 31        | 38        | 26        | 95         | 21        | 19        | 22        | 62         | 303        |
| LETTER       | 7         | 2         | 7          | 16         | 3         | 6         | 3         | 12         | 6         | 1         | 3         | 10         | 3         | 3         | 5         | 11         | 49         |
| MAIL         | 29        | 24        | 40         | 93         | 28        | 27        | 28        | 83         | 19        | 33        | 15        | 67         | 31        | 20        | 26        | 77         | 320        |
| OTHER        | 3         | 1         | 1          | 5          | 1         | 4         | 7         | 12         | 3         | 2         | 0         | 5          | 3         | 1         | 1         | 5          | 27         |
| PHONE        | 3         | 5         | 2          | 10         | 7         | 2         | 1         | 10         | 2         | 5         | 6         | 13         | 12        | 13        | 11        | 36         | 69         |
| SFPD         | 13        | 7         | 16         | 36         | 8         | 10        | 10        | 28         | 10        | 14        | 14        | 38         | 6         | 2         | 3         | 11         | 113        |
| <b>TOTAL</b> | <b>81</b> | <b>57</b> | <b>102</b> | <b>240</b> | <b>68</b> | <b>69</b> | <b>74</b> | <b>211</b> | <b>71</b> | <b>93</b> | <b>64</b> | <b>228</b> | <b>76</b> | <b>58</b> | <b>68</b> | <b>202</b> | <b>881</b> |

**OCC COMPLAINANTS BY SELECTED  
DEMOGRAPHIC CHARACTERISTICS**  
January 2005 - December 2005

THE POLICE COMMISSION  
**OFFICE OF CITIZEN COMPLAINTS**  
CITY AND COUNTY OF SAN FRANCISCO



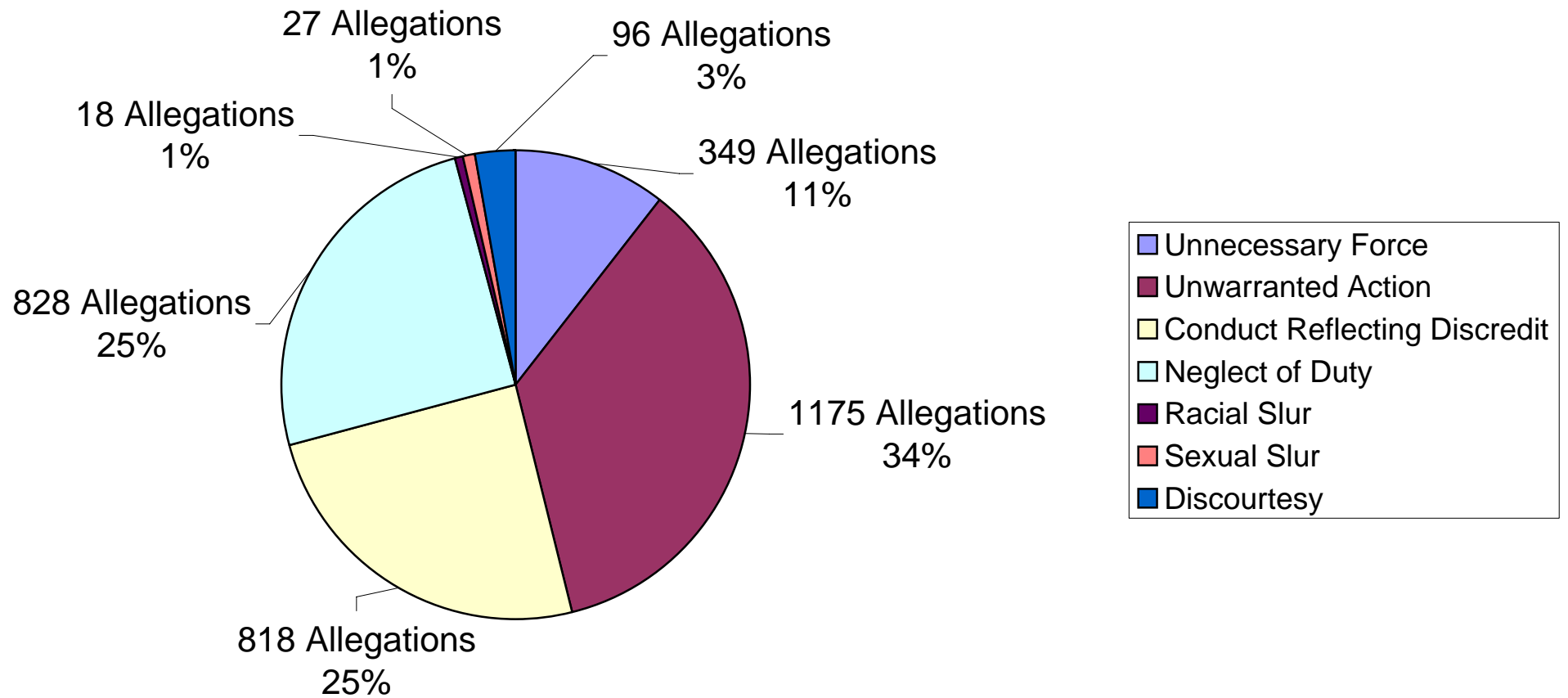
|                                   | <b>NUMBER</b> | <b>PERCENT</b> |
|-----------------------------------|---------------|----------------|
| Named Individuals (inc. co-comps) | 927           | 98.30%         |
| Anonymous Persons                 | 14            | 1.48%          |
| Organizational Complaint          | 2             | 0.21%          |
| Total Complainant                 | 943           | 100.00%        |
| <b><u>GENDER</u></b>              |               |                |
| Blank or Declined to State        | 62            | 6.57%          |
| Females                           | 314           | 33.30%         |
| Males                             | 567           | 60.13%         |
| <b><u>RACE/ETHNICITY**</u></b>    |               |                |
| African-American                  | 287           | 30.43%         |
| Asian-American                    | 59            | 6.26%          |
| Blank or Declined to State        | 180           | 19.09%         |
| Caucasian/White                   | 286           | 30.33%         |
| Latino/a/Hispanic                 | 96            | 10.18%         |
| Native American/Pacific Islander  | 8             | 0.85%          |
| Other                             | 27            | 2.86%          |
| <b><u>AGE</u></b>                 |               |                |
| 1-13 (by an adult)                | 2             | 0.21%          |
| 14-16                             | 11            | 1.17%          |
| 17-19                             | 26            | 2.76%          |
| 20-30                             | 188           | 19.94%         |
| 31-40                             | 228           | 24.18%         |
| 41-50                             | 175           | 18.56%         |
| 51-60                             | 131           | 13.89%         |
| 61-70                             | 25            | 2.65%          |
| 71-80                             | 14            | 1.48%          |
| Over 80                           | 2             | 0.21%          |
| Blank or Declined to State        | 141           | 14.95%         |
| Disabled*** Persons               | 32            | 3.39%          |
| Homeless**** Persons              | 3             | 0.32%          |

\*OCC served a number of transgendered persons during this period; of this group, only those who elected to self-designate on the form were counted here.

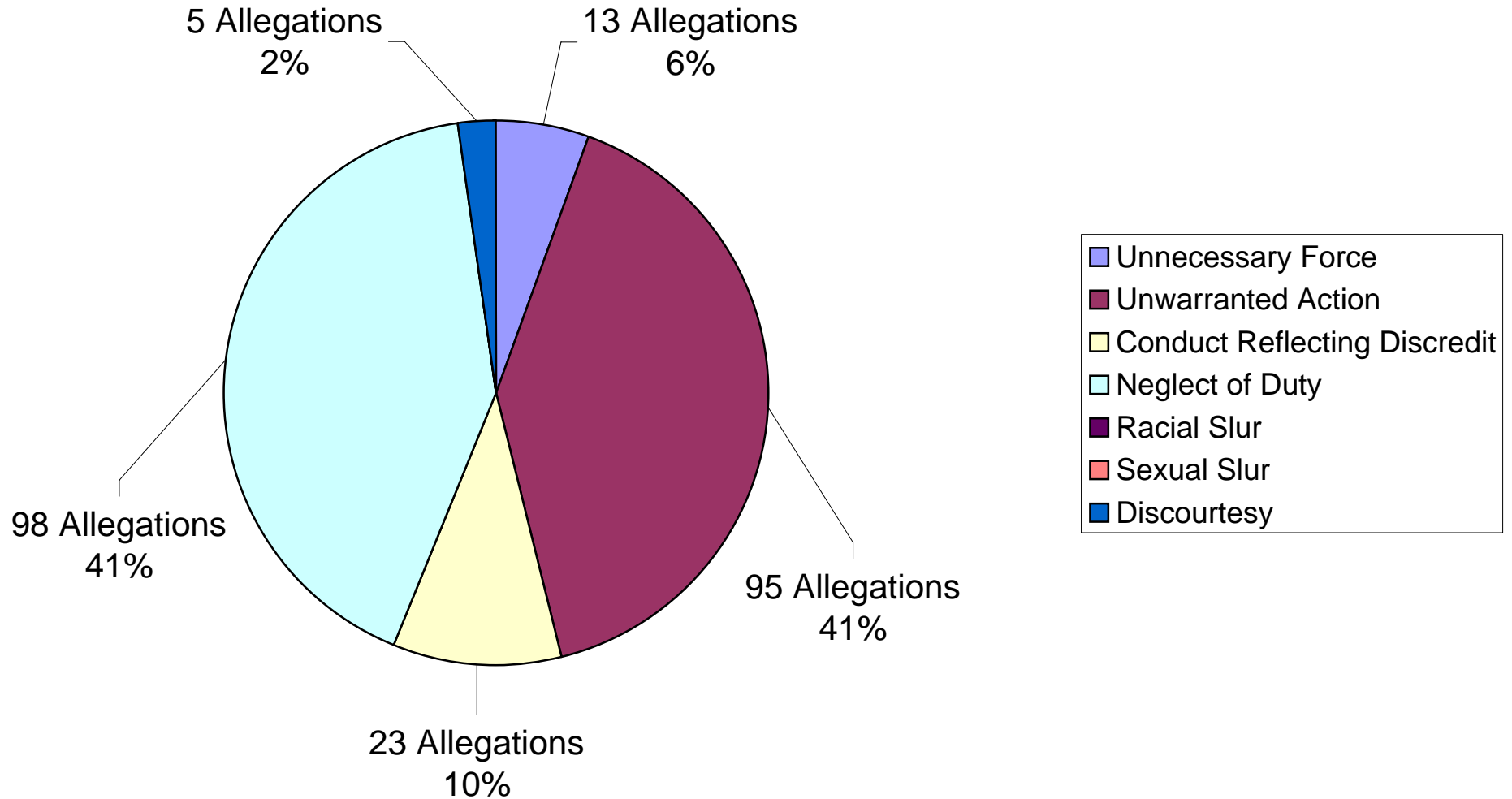
\*\* The total of race/ethnicity designations does not reflect those who checked multiple self-designations.

\*\*\*& \*\*\*\* The indicated numbers of individuals volunteered this information; a number of other disabled and homeless persons, who did not self-designate, also were complainants served by OCC during this report year.

# Allegations Received by Type - 2005



# Sustained Allegations by Type - 2005



**COMPLAINTS AND ALLEGATIONS BY UNIT**

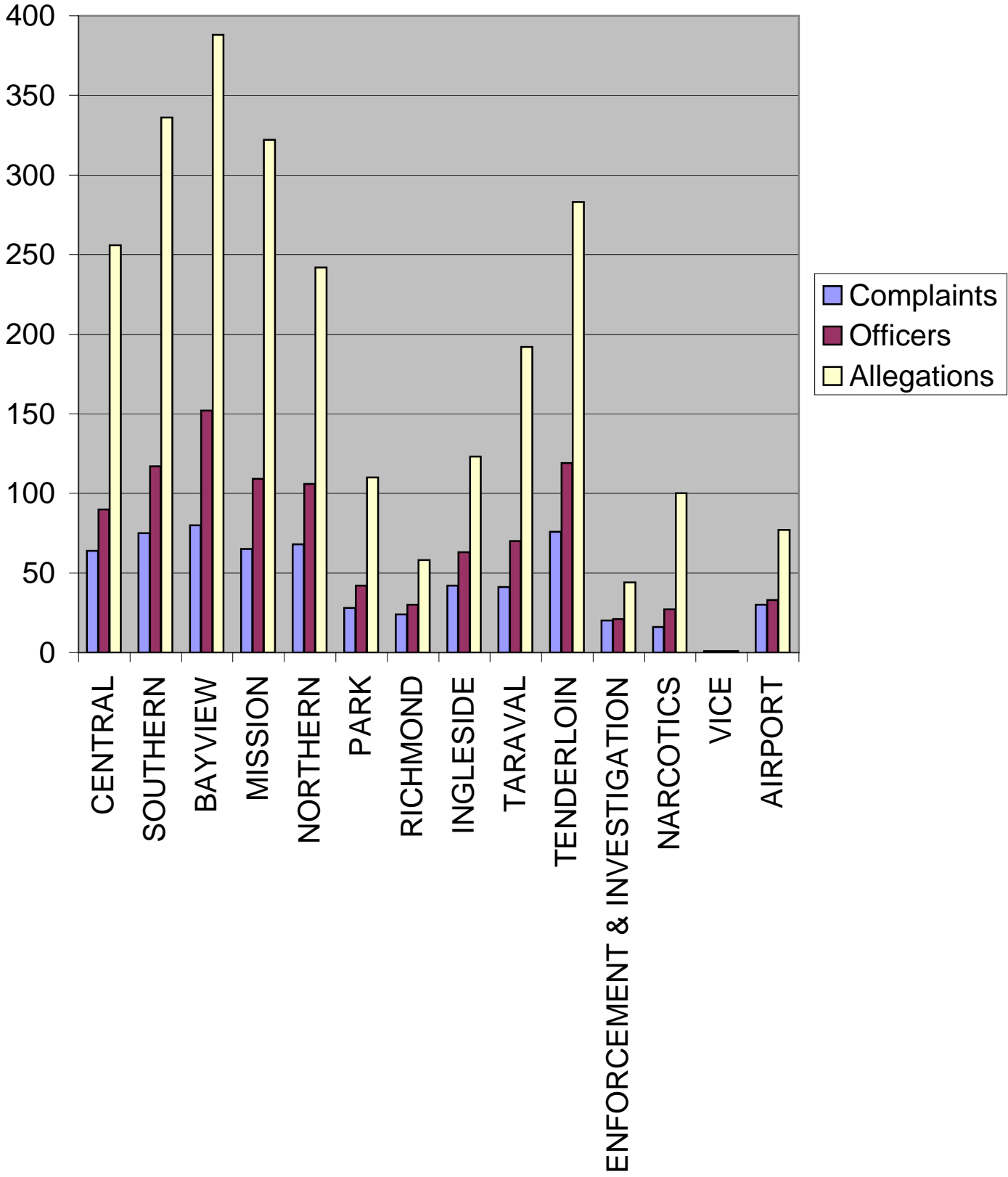
January 1, 2005 - December 31, 2005

THE POLICE COMMISSION  
**OFFICE OF CITIZEN COMPLAINTS**  
 CITY AND COUNTY OF SAN FRANCISCO



| SFPD UNIT NAME                         | TOTAL<br>COMP | ALLEGATION TYPES |             |            |            |           |           |           |          |          |          | TOTAL<br>ALLEG | OFF.<br>INVL |
|--|---------------|------------------|-------------|------------|------------|-----------|-----------|-----------|----------|----------|----------|----------------|--------------|
|  |               | UF               | UA          | CRD        | ND         | RS        | SS        | D         | PRO      | POL      | TF       |                |              |
| 1A CHIEF'S OFFICE                      | 2             | 0                | 0           | 1          | 0          | 0         | 0         | 0         | 0        | 0        | 0        | 1              | 2            |
| 2A SUPPORT SERVICES                    | 1             | 0                | 0           | 0          | 1          | 0         | 0         | 0         | 0        | 0        | 0        | 1              | 1            |
| 2F RECORDS SECTION                     | 1             | 0                | 0           | 3          | 0          | 0         | 0         | 0         | 0        | 0        | 0        | 3              | 1            |
| 2G PERMITS SECTION                     | 2             | 1                | 1           | 2          | 0          | 0         | 0         | 0         | 0        | 0        | 0        | 4              | 2            |
| 2L LEGAL DIVISION                      | 1             | 0                | 1           | 0          | 0          | 0         | 0         | 1         | 0        | 0        | 0        | 2              | 1            |
| 3A CENTRAL STATION                     | 64            | 34               | 71          | 65         | 70         | 5         | 1         | 10        | 0        | 0        | 0        | 256            | 90           |
| 3B SOUTHERN STATION                    | 75            | 33               | 106         | 78         | 98         | 2         | 7         | 11        | 0        | 0        | 0        | 336            | 117          |
| 3C BAYVIEW STATION                     | 80            | 43               | 146         | 86         | 94         | 2         | 6         | 10        | 0        | 0        | 0        | 388            | 152          |
| 3D MISSION STATION                     | 65            | 42               | 108         | 82         | 78         | 2         | 1         | 9         | 0        | 0        | 0        | 322            | 109          |
| 3E NORTHERN STATION                    | 68            | 21               | 80          | 68         | 69         | 0         | 1         | 3         | 0        | 0        | 0        | 242            | 106          |
| 3F PARK STATION                        | 28            | 10               | 32          | 28         | 36         | 0         | 0         | 3         | 0        | 0        | 0        | 110            | 42           |
| 3G RICHMOND STATION                    | 24            | 5                | 14          | 19         | 16         | 1         | 0         | 3         | 0        | 0        | 0        | 58             | 30           |
| 3H INGLESIDE STATION                   | 42            | 11               | 36          | 42         | 26         | 1         | 1         | 6         | 0        | 0        | 0        | 123            | 63           |
| 3I TARAVAL STATION                     | 41            | 5                | 103         | 42         | 38         | 0         | 1         | 3         | 0        | 0        | 0        | 192            | 70           |
| 3J TENDERLOIN TASK FORCE               | 76            | 33               | 115         | 54         | 67         | 2         | 0         | 12        | 0        | 0        | 0        | 283            | 119          |
| 3M MUNI DIVISION                       | 1             | 0                | 0           | 1          | 0          | 0         | 0         | 0         | 0        | 0        | 0        | 1              | 1            |
| 4B ENFORCEMENT & INVESTIGATION (SOLOS) | 20            | 0                | 15          | 18         | 9          | 0         | 0         | 2         | 0        | 0        | 0        | 44             | 21           |
| 4K SPECIAL MOTORCYCLE                  | 4             | 0                | 2           | 4          | 1          | 0         | 0         | 0         | 0        | 0        | 0        | 7              | 4            |
| 4T CRIME PREVENTION COMPANY            | 9             | 4                | 10          | 2          | 4          | 0         | 0         | 0         | 0        | 0        | 0        | 20             | 11           |
| 5B HIT & RUN                           | 1             | 0                | 0           | 1          | 0          | 0         | 0         | 0         | 0        | 0        | 0        | 1              | 1            |
| 5C AUTO SECTION                        | 4             | 0                | 1           | 9          | 4          | 0         | 0         | 0         | 0        | 0        | 0        | 14             | 4            |
| 5D BURGLARY SECTION                    | 1             | 0                | 2           | 2          | 1          | 0         | 0         | 0         | 0        | 0        | 0        | 5              | 2            |
| 5G GENERAL WORK SECTION                | 4             | 0                | 1           | 3          | 4          | 0         | 0         | 0         | 0        | 0        | 0        | 8              | 6            |
| 5J ROBBERY SECTION                     | 4             | 0                | 3           | 3          | 5          | 0         | 0         | 0         | 0        | 0        | 0        | 11             | 4            |
| 5N NARCOTICS                           | 16            | 7                | 54          | 19         | 17         | 0         | 1         | 2         | 0        | 0        | 0        | 100            | 27           |
| 5T JUVENILE DIVISION                   | 1             | 0                | 0           | 1          | 0          | 0         | 0         | 0         | 0        | 0        | 0        | 1              | 1            |
| 5V VICE CRIMES DIVISION                | 1             | 0                | 0           | 1          | 0          | 0         | 0         | 0         | 0        | 0        | 0        | 1              | 1            |
| 5W DOMESTIC VIOLENCE UNIT              | 1             | 0                | 2           | 1          | 0          | 0         | 0         | 0         | 0        | 0        | 0        | 3              | 1            |
| AB AIRPORT BUREAU                      | 30            | 1                | 31          | 31         | 13         | 0         | 0         | 1         | 0        | 0        | 0        | 77             | 33           |
| UK UNKNOWN ASSIGNMENT                  | 260           | 99               | 241         | 152        | 177        | 3         | 8         | 20        | 0        | 0        | 0        | 701            | 217          |
| <b>TOTALS</b>                          | <b>927</b>    | <b>349</b>       | <b>1175</b> | <b>818</b> | <b>828</b> | <b>18</b> | <b>27</b> | <b>96</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>3315</b>    | <b>1239</b>  |

# Unit Comparison - Complaints, Allegations & Officers Involved - 2005



**FINDINGS AND ALLEGATIONS CLOSED**

January, 2005 - December, 2005

THE POLICE COMMISSION  
**OFFICE OF CITIZEN COMPLAINTS**  
 CITY AND COUNTY OF SAN FRANCISCO



| NO FINDING       | ALLEGATION TYPES |           |           |           |          |          |          | SUBTL      |          |          |          | TOTAL      |
|------------------|------------------|-----------|-----------|-----------|----------|----------|----------|------------|----------|----------|----------|------------|
|                  | UF               | UA        | CRD       | ND        | RS       | SS       | D        |            | PRO      | POL      | TF       |            |
| January          | 1                | 0         | 1         | 0         | 0        | 0        | 0        | 2          | 0        | 0        | 0        | 2          |
| February         | 2                | 4         | 9         | 5         | 0        | 0        | 1        | 21         | 0        | 0        | 0        | 21         |
| March            | 1                | 2         | 3         | 2         | 0        | 0        | 1        | 9          | 0        | 0        | 0        | 9          |
| April            | 2                | 4         | 2         | 4         | 0        | 1        | 0        | 13         | 0        | 0        | 0        | 13         |
| May              | 3                | 3         | 1         | 4         | 0        | 0        | 0        | 11         | 0        | 0        | 0        | 11         |
| June             | 0                | 3         | 6         | 3         | 0        | 0        | 0        | 12         | 0        | 0        | 0        | 12         |
| July             | 1                | 1         | 1         | 0         | 0        | 0        | 1        | 4          | 0        | 0        | 0        | 4          |
| August           | 8                | 3         | 6         | 8         | 0        | 0        | 0        | 25         | 0        | 0        | 0        | 25         |
| September        | 4                | 1         | 6         | 1         | 0        | 1        | 1        | 14         | 0        | 0        | 0        | 14         |
| October          | 0                | 0         | 1         | 2         | 0        | 0        | 1        | 4          | 0        | 0        | 0        | 4          |
| November         | 1                | 6         | 6         | 7         | 0        | 1        | 1        | 22         | 0        | 0        | 0        | 22         |
| December         | 1                | 10        | 7         | 7         | 0        | 1        | 1        | 27         | 0        | 0        | 0        | 27         |
| <b>YTD TOTAL</b> | <b>24</b>        | <b>37</b> | <b>49</b> | <b>43</b> | <b>0</b> | <b>4</b> | <b>7</b> | <b>164</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>164</b> |

| NO FINDING/WITHDRAWN | ALLEGATION TYPES |           |           |           |          |          |          | SUBTL      |          |          |          | TOTAL      |
|----------------------|------------------|-----------|-----------|-----------|----------|----------|----------|------------|----------|----------|----------|------------|
|                      | UF               | UA        | CRD       | ND        | RS       | SS       | D        |            | PRO      | POL      | TF       |            |
| January              | 0                | 2         | 3         | 1         | 0        | 0        | 0        | 6          | 0        | 0        | 0        | 6          |
| February             | 1                | 7         | 2         | 4         | 0        | 0        | 2        | 16         | 0        | 0        | 0        | 16         |
| April                | 3                | 6         | 4         | 6         | 1        | 0        | 0        | 20         | 0        | 0        | 0        | 20         |
| May                  | 0                | 1         | 0         | 1         | 0        | 0        | 0        | 2          | 0        | 0        | 0        | 2          |
| June                 | 2                | 9         | 10        | 4         | 0        | 0        | 0        | 25         | 0        | 0        | 0        | 25         |
| July                 | 5                | 14        | 8         | 2         | 0        | 0        | 1        | 30         | 0        | 0        | 0        | 30         |
| August               | 1                | 2         | 0         | 0         | 0        | 0        | 0        | 3          | 0        | 0        | 0        | 3          |
| September            | 2                | 16        | 8         | 1         | 0        | 0        | 0        | 27         | 0        | 0        | 0        | 27         |
| October              | 2                | 12        | 3         | 3         | 0        | 0        | 0        | 20         | 0        | 0        | 0        | 20         |
| December             | 2                | 3         | 0         | 4         | 0        | 0        | 0        | 9          | 0        | 0        | 0        | 9          |
| <b>YTD TOTAL</b>     | <b>18</b>        | <b>72</b> | <b>38</b> | <b>26</b> | <b>1</b> | <b>0</b> | <b>3</b> | <b>158</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>158</b> |



**FINDINGS AND ALLEGATIONS CLOSED**

January, 2005 - December, 2005

THE POLICE COMMISSION  
**OFFICE OF CITIZEN COMPLAINTS**  
 CITY AND COUNTY OF SAN FRANCISCO



| NOT SUSTAINED    | ALLEGATION TYPES |            |            |            |           |           |           | SUBTL       |          |          |          | TOTAL       |
|------------------|------------------|------------|------------|------------|-----------|-----------|-----------|-------------|----------|----------|----------|-------------|
|                  | UF               | UA         | CRD        | ND         | RS        | SS        | D         |             | PRO      | POL      | TF       |             |
| January          | 16               | 68         | 44         | 27         | 1         | 3         | 8         | 167         | 0        | 0        | 0        | 167         |
| February         | 16               | 34         | 26         | 19         | 1         | 1         | 1         | 98          | 0        | 0        | 0        | 98          |
| March            | 26               | 27         | 37         | 22         | 2         | 4         | 6         | 124         | 0        | 0        | 0        | 124         |
| April            | 31               | 51         | 48         | 72         | 1         | 3         | 13        | 219         | 0        | 0        | 0        | 219         |
| May              | 9                | 41         | 37         | 26         | 1         | 4         | 7         | 125         | 0        | 0        | 0        | 125         |
| June             | 16               | 43         | 39         | 37         | 3         | 0         | 12        | 150         | 0        | 0        | 0        | 150         |
| July             | 20               | 30         | 45         | 38         | 1         | 0         | 6         | 140         | 0        | 0        | 0        | 140         |
| August           | 27               | 62         | 49         | 59         | 1         | 3         | 7         | 208         | 0        | 0        | 0        | 208         |
| September        | 29               | 59         | 54         | 54         | 1         | 0         | 10        | 207         | 0        | 0        | 0        | 207         |
| October          | 24               | 42         | 67         | 69         | 3         | 3         | 6         | 214         | 0        | 0        | 0        | 214         |
| November         | 21               | 46         | 46         | 37         | 1         | 2         | 3         | 156         | 0        | 0        | 0        | 156         |
| December         | 25               | 59         | 71         | 64         | 3         | 4         | 10        | 236         | 0        | 0        | 0        | 236         |
| <b>YTD TOTAL</b> | <b>260</b>       | <b>562</b> | <b>563</b> | <b>524</b> | <b>19</b> | <b>27</b> | <b>89</b> | <b>2044</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>2044</b> |

| PROPER CONDUCT   | ALLEGATION TYPES |            |           |            |          |          |          | SUBTL      |          |          |          | TOTAL      |
|------------------|------------------|------------|-----------|------------|----------|----------|----------|------------|----------|----------|----------|------------|
|                  | UF               | UA         | CRD       | ND         | RS       | SS       | D        |            | PRO      | POL      | TF       |            |
| January          | 0                | 24         | 2         | 4          | 0        | 0        | 0        | 30         | 0        | 0        | 0        | 30         |
| February         | 0                | 26         | 3         | 8          | 0        | 0        | 0        | 37         | 0        | 0        | 0        | 37         |
| March            | 1                | 36         | 0         | 3          | 0        | 0        | 0        | 40         | 0        | 0        | 0        | 40         |
| April            | 7                | 54         | 1         | 18         | 0        | 0        | 0        | 80         | 0        | 0        | 0        | 80         |
| May              | 0                | 33         | 2         | 10         | 0        | 0        | 0        | 45         | 0        | 1        | 0        | 46         |
| June             | 1                | 50         | 1         | 7          | 0        | 0        | 0        | 59         | 0        | 0        | 0        | 59         |
| July             | 1                | 40         | 5         | 13         | 0        | 0        | 0        | 59         | 0        | 0        | 0        | 59         |
| August           | 4                | 38         | 15        | 19         | 0        | 0        | 0        | 76         | 0        | 0        | 0        | 76         |
| September        | 7                | 52         | 7         | 14         | 0        | 0        | 0        | 80         | 0        | 0        | 0        | 80         |
| October          | 0                | 31         | 0         | 21         | 0        | 0        | 0        | 52         | 0        | 0        | 0        | 52         |
| November         | 2                | 55         | 5         | 17         | 0        | 0        | 0        | 79         | 0        | 0        | 0        | 79         |
| December         | 0                | 40         | 0         | 16         | 0        | 0        | 1        | 57         | 0        | 1        | 0        | 58         |
| <b>YTD TOTAL</b> | <b>23</b>        | <b>479</b> | <b>41</b> | <b>150</b> | <b>0</b> | <b>0</b> | <b>1</b> | <b>694</b> | <b>0</b> | <b>2</b> | <b>0</b> | <b>696</b> |

**FINDINGS AND ALLEGATIONS CLOSED**

January, 2005 - December, 2005

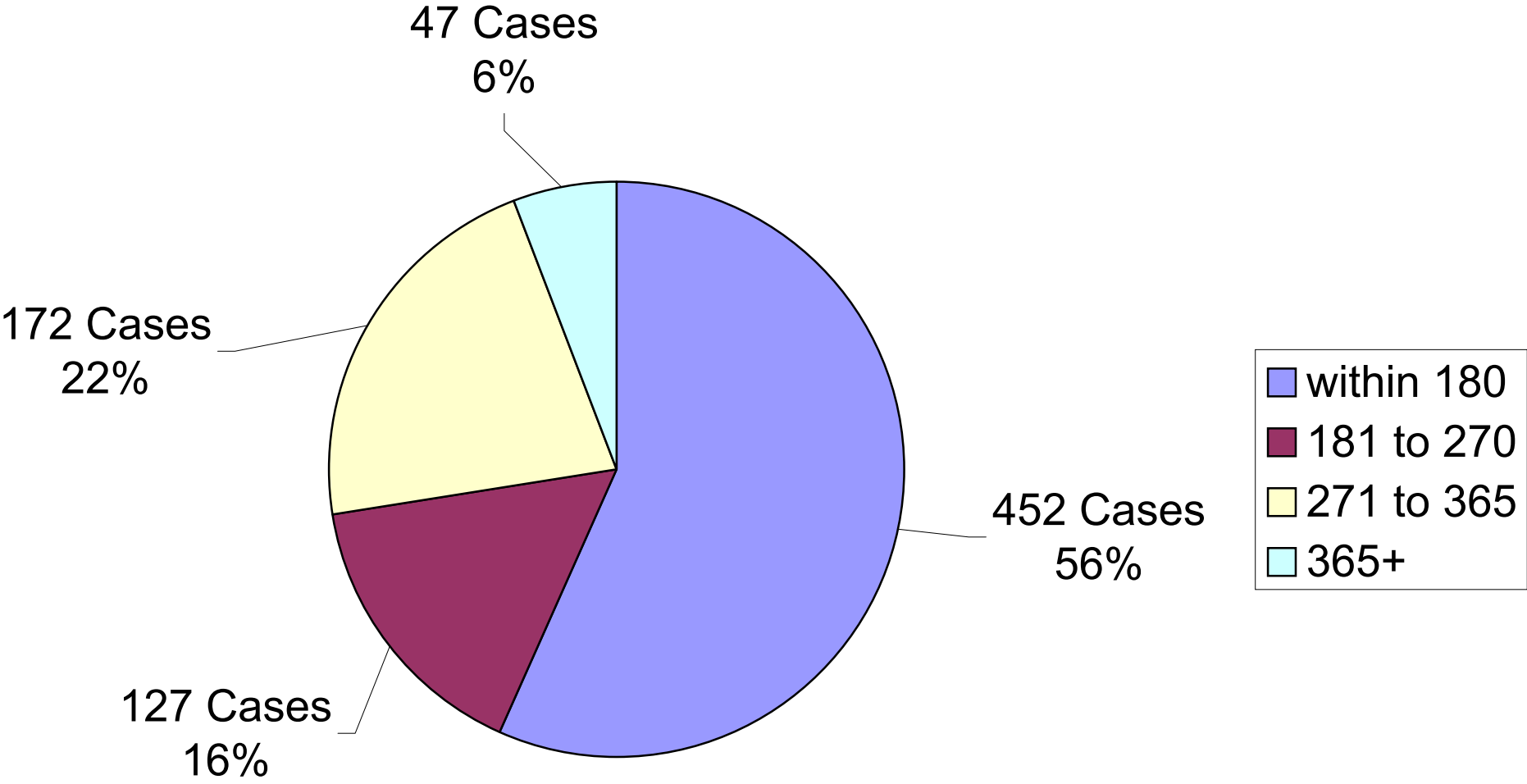
THE POLICE COMMISSION  
**OFFICE OF CITIZEN COMPLAINTS**  
 CITY AND COUNTY OF SAN FRANCISCO



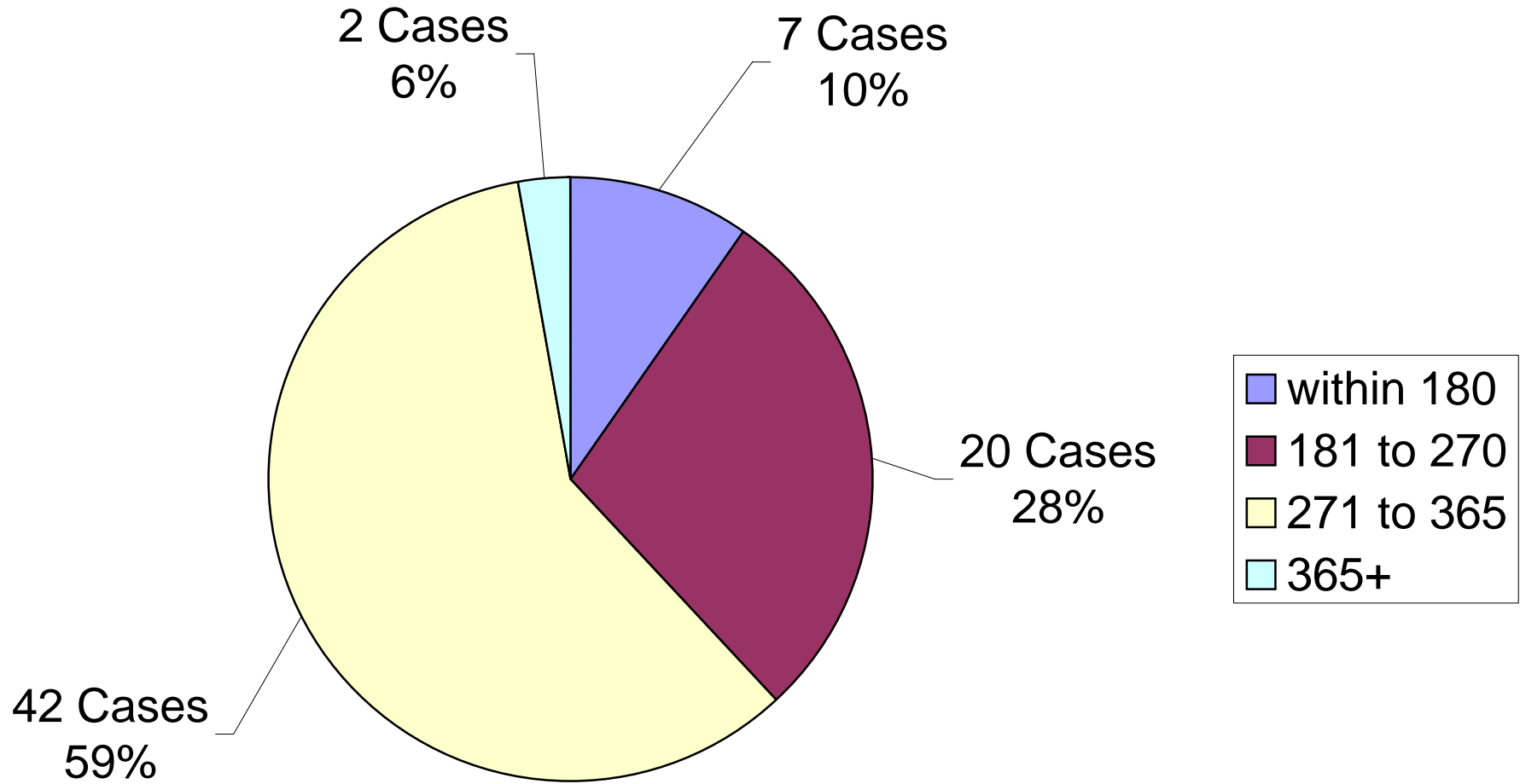
| SUSTAINED        | ALLEGATION TYPES |           |           |           |          |          |          | SUBTL      |          |          |          | TOTAL      |
|------------------|------------------|-----------|-----------|-----------|----------|----------|----------|------------|----------|----------|----------|------------|
|                  | UF               | UA        | CRD       | ND        | RS       | SS       | D        |            | PRO      | POL      | TF       |            |
| January          | 1                | 7         | 1         | 6         | 0        | 0        | 0        | 15         | 0        | 0        | 0        | 15         |
| February         | 0                | 1         | 1         | 3         | 0        | 0        | 0        | 5          | 0        | 0        | 0        | 5          |
| March            | 0                | 3         | 1         | 2         | 0        | 0        | 0        | 6          | 0        | 0        | 0        | 6          |
| April            | 4                | 4         | 4         | 20        | 0        | 0        | 1        | 33         | 0        | 0        | 0        | 33         |
| May              | 1                | 2         | 1         | 1         | 0        | 0        | 1        | 6          | 0        | 0        | 0        | 6          |
| June             | 1                | 3         | 2         | 10        | 0        | 0        | 0        | 16         | 0        | 0        | 0        | 16         |
| July             | 2                | 12        | 0         | 6         | 0        | 0        | 0        | 20         | 0        | 0        | 0        | 20         |
| August           | 0                | 22        | 2         | 6         | 0        | 0        | 0        | 30         | 0        | 0        | 0        | 30         |
| September        | 3                | 24        | 4         | 11        | 0        | 0        | 0        | 42         | 0        | 0        | 0        | 42         |
| October          | 1                | 2         | 1         | 2         | 0        | 0        | 0        | 6          | 0        | 0        | 0        | 6          |
| November         | 0                | 10        | 1         | 12        | 0        | 0        | 1        | 24         | 0        | 0        | 0        | 24         |
| December         | 0                | 5         | 5         | 19        | 0        | 0        | 2        | 31         | 0        | 0        | 0        | 31         |
| <b>YTD TOTAL</b> | <b>13</b>        | <b>95</b> | <b>23</b> | <b>98</b> | <b>0</b> | <b>0</b> | <b>5</b> | <b>234</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>234</b> |

| UNFOUNDED        | ALLEGATION TYPES |           |           |           |          |          |          | SUBTL     |          |          |          | TOTAL     |
|------------------|------------------|-----------|-----------|-----------|----------|----------|----------|-----------|----------|----------|----------|-----------|
|                  | UF               | UA        | CRD       | ND        | RS       | SS       | D        |           | PRO      | POL      | TF       |           |
| January          | 3                | 1         | 0         | 1         | 0        | 0        | 0        | 5         | 0        | 0        | 0        | 5         |
| February         | 1                | 3         | 3         | 1         | 1        | 0        | 0        | 9         | 0        | 0        | 0        | 9         |
| March            | 0                | 0         | 0         | 2         | 0        | 0        | 0        | 2         | 0        | 0        | 0        | 2         |
| April            | 1                | 0         | 1         | 1         | 0        | 0        | 0        | 3         | 0        | 0        | 0        | 3         |
| May              | 2                | 0         | 0         | 1         | 0        | 0        | 0        | 3         | 0        | 0        | 0        | 3         |
| June             | 0                | 0         | 1         | 0         | 0        | 0        | 0        | 1         | 0        | 0        | 0        | 1         |
| July             | 0                | 0         | 6         | 0         | 0        | 0        | 0        | 6         | 0        | 0        | 0        | 6         |
| August           | 0                | 2         | 3         | 5         | 0        | 0        | 1        | 11        | 0        | 0        | 0        | 11        |
| September        | 2                | 3         | 4         | 7         | 0        | 0        | 1        | 17        | 0        | 0        | 0        | 17        |
| October          | 0                | 5         | 7         | 3         | 0        | 0        | 0        | 15        | 0        | 0        | 0        | 15        |
| November         | 0                | 5         | 1         | 4         | 0        | 0        | 0        | 10        | 0        | 0        | 0        | 10        |
| December         | 0                | 2         | 1         | 0         | 0        | 0        | 0        | 3         | 0        | 0        | 0        | 3         |
| <b>YTD TOTAL</b> | <b>9</b>         | <b>21</b> | <b>27</b> | <b>25</b> | <b>1</b> | <b>0</b> | <b>2</b> | <b>85</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>85</b> |

# Days to Close - Cases Closed 2005



# Days to Close - Cases Sustained 2005



OCC MEDIATION PROGRAM  
FOR 2005

The OCC Mediation Program experienced a positive surge in both new eligible cases referred for mediation and cases mediated in 2005, under the auspice of newly appointed Mediation Coordinator Mark Scafidi. While new eligible cases more than trebled in number, more significantly, nearly one-half of the fifty-one cases submitted for mediation were successfully mediated (see graph below). The OCC Mediation Program anticipates a continued trend of growth due to greater scrutiny of case eligibility at the intake phase, maintaining the current level of case development, and greater awareness and education of civilians and police officers alike as to the benefits of mediating a civilian’s complaint. The complainants and officers participating in the mediation process have overwhelmingly favored its use in resolving citizens’ complaints. Two examples of such complaints are represented in the examples below\*.

|                        | <u>2004</u> | <u>2005</u> |
|------------------------|-------------|-------------|
| New Eligible Cases     | 16          | 51          |
| Refused by Complainant | 12          | 15          |
| Refused by Officer     | 0           | 7           |
| Mediations Pending     | 7           | 3           |
| Cases Mediated         | 6           | 25          |
| Complaints Withdrawn   | --          | 2           |

Example – Case #1

A motorist was cited for reportedly failing to yield to a pedestrian in the crosswalk. The motorist filed a complaint, claiming the traffic enforcement operation was a sham to raise city revenue. During mediation, the officers explained fully their pedestrian law enforcement program, yet demonstrated their understanding of the complainant’s frustration. The complainant deemed the officers to be “real gentleman,” as the parties left mediation to have coffee together and discuss the complainant’s joining the pedestrian safety program.

Example – Case #2

Officers who sought a strong-arm robbery suspect generally fitting the complainant’s description forcefully detained the complainant, an African-American male. The complainant believed he was the victim of racial profiling. During mediation, the officers explained the urgency in apprehending the suspect and, regrettably, the lack of time to explain their actions to the complainant as the police action occurred. The complainant better understood the officers’ abrupt actions and accepted their apology.

\* Note: The mediation participants waived confidentiality as to the appearance of the above mediation outcomes in this report.



























































