

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 01/09/18    **DATE OF COMPLETION:** 05/08/18    **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 alleged that the named officer ordered him to leave a store for no apparent reason.

The named officer stated he was asked by the store manager to remove the complainant from the store.

The evidence proved that the act, which provided the basis for the allegation, occurred. However, the act was justified, lawful, and proper.

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

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

**FINDINGS OF FACT:** The complainant stated that he exchanged words with named officer, including profanities.

The named officer denied the allegation, stating that he was professional.

A store employee could not recall the incident in question.

No other witness came forward.

There was insufficient evidence to either prove or disprove the allegation.

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**DATE OF COMPLAINT:** 01/09/18 **DATE OF COMPLETION:** 05/08/18 **PAGE#** 2 of 2

**SUMMARY OF ALLEGATION #3:** The officer used unnecessary force

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

**FINDINGS OF FACT:** The complainant stated that the named officer kicked the back of his leg as he was escorted out of the store. He stated that there were no witnesses and the kick occurred outside the security camera's view.

The named officer denied the allegation, stating that he did not kick the back of the complainant's leg or use any force on the complainant.

A store employee could not recall the incident in question.

No other witness came forward.

There was insufficient evidence to either prove or disprove the allegation.

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COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 02/22/18 **DATE OF COMPLETION:** 05/07/18 **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant stated that the incident report had the wrong race/ethnicity to describe her.

SFPD Report Writing Manual instructs officers to enter the race code abbreviation that best describes the reporting party.

He stated that he determined the complainant's race with the best of his knowledge.

Body Worn Camera (BWC) captured the complainant. The complainant is brown skinned and appears to be a woman of African descent.

The evidence proved that the act, which provided the basis for the allegation, occurred. However, the act was justified, lawful, and proper.

**SUMMARY OF ALLEGATION #2:** The complaint raises matters outside the DPA's jurisdiction.

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

**FINDINGS OF FACT:** This complaint raises matters outside the DPA's jurisdiction. This complaint was partially referred to:

San Francisco Police Department  
Internal Affairs Division  
1245 3<sup>rd</sup> Street  
San Francisco, CA 94158

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 02/28/18    **DATE OF COMPLETION:** 05/07/18    **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant stated that one of her tenants stole many things from her house, and stated that responding police officers arrested the tenant but released him immediately.

An officer identification poll was sent to the district station where the incident occurred. The poll came back with negative results.

Department records do not show a response to the address indicated on the date provided by the complainant.

The identity of the alleged officers could not be established.

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

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

**FINDINGS OF FACT:** The complainant stated that one of her tenants stole many things from her house, and stated that responding police officers threatened her with arrest and told her to go back to China.

An officer identification poll was sent to the district station where the incident occurred. The poll came back with negative results.

Department records do not show a response to the address indicated on the date provided by the complainant.

The identity of the alleged officers could not be established.

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**DATE OF COMPLAINT:** 02/21/18    **DATE OF COMPLETION:** 05/04/18    **PAGE#** 1 of 1

**SUMMARY OF ALLEGATIONS #1 - 2:** The officers spoke and behaved inappropriately.

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

**FINDINGS OF FACT:** The complainant stated she observed the named officers photographing a man who appeared to be mentally ill and/or intoxicated, as he crossed the street. The complainant said the named officers encouraged the man to “strike a pose” and told him to “be safe out there,” before sending him on his way. The complainant considered the named officers’ behavior an abuse of police power and an unacceptable way to interact with someone in the community.

The named officers stated they have a long-standing relationship with the subject of the complaint. They admitted taking his photo, but they stated they had his permission to do so. The named officers said the subject of the complaint did not appear to suffer from any mental illness or intoxication.

A preponderance of the evidence established that the named officers were not engaged in inappropriate behavior.

The evidence proved that the act alleged in the complaint did not occur or that the named officers were not involved in the act alleged.

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COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 03/19/18    **DATE OF COMPLETION:** 05/08/18    **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant stated that a police record of an interview of her child by an officer was published on social media, and that the officer should have kept it from being posted online, where it exposed her child to danger.

The officer assigned the case acknowledged that he had interviewed the complainant's child and created the record of the interview nine years before it was posted on the internet. The officer denied releasing the record of the interview to anyone not authorized to have possession of it and denied any knowledge of the person on whose social media site the document appeared.

As the officer pointed out, police evidence gathered in a criminal investigation is turned over to defendants and their lawyers as part of the process allowing defendants to review the evidence against them. Once the documents were provided to the defense, the officer stated he had no control over what was done with the evidence.

No witnesses were identified.

The identity of the alleged officer could not be established.

There was insufficient evidence to either prove or disprove the allegation.

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COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 03/19/18   **DATE OF COMPLETION:** 05/29/18   **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant stated officers were issuing citations for sharing marijuana to homeless people, which is allowed under the Adult Use of Marijuana Act (AUMA).

An Officer Identification poll sent to the District Station where the incident was alleged to have occurred failed to identify the officers involved.

No witnesses were identified.

The identity of the alleged officers could not be established

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**SUMMARY OF ALLEGATIONS #1-3:** The officers were driving improperly.

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

**FINDINGS OF FACT:** The complainant stated he saw officers riding their motorcycles in an unsafe manner, within inches of pedestrians.

The named officers stated that they were practicing skills they learned in training and at no time did they endanger the safety of others.

No witnesses were identified.

There was insufficient evidence to either prove or disprove the allegation.



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**DATE OF COMPLAINT:** 03/24/18    **DATE OF COMPLETION:** 05/22/18    **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant stated she was given a ticket for jaywalking even though she is mentally ill. She would not provide the date, location, officer description, or citation number connected to the incident.

The complainant denied any attempts to be interviewed.

The identity of the alleged officer could not be established.

No witnesses were identified.

The complainant failed to provide additional requested evidence.

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**DATE OF COMPLAINT:** 03/25/18 **DATE OF COMPLETION:** 05/29/18 **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant stated in an online complaint that officers charged him with crimes he did not commit. The complaint submitted did not contain sufficient information to identify the incident and the complainant failed to respond to efforts to locate and conduct an interview.

The complainant failed to provide additional requested evidence.

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

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

**FINDINGS OF FACT:** The complainant stated in an online complaint that an officer beat him up during an arrest. The complaint submitted did not contain sufficient information to identify the incident and the complainant failed to respond to efforts to locate and conduct an interview.

The complainant failed to provide additional requested evidence.

**SUMMARY OF ALLEGATION #3:** The officer behaved inappropriately.

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

**FINDINGS OF FACT:** The complainant stated in an online complaint that officers posted false information about him on the internet. The complaint submitted did not contain sufficient information to identify the incident and the complainant failed to respond to efforts to locate and conduct an interview.

The complainant failed to provide additional requested evidence.

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**DATE OF COMPLAINT:** 04/04/18   **DATE OF COMPLETION:** 05/11/18   **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officers behaved inappropriately.

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

**FINDINGS OF FACT:** The complainant stated officers leered at her as she walked past them on the street.

An officer identification poll was sent to the district station where the incident occurred. The poll came back with negative results.

The identity of the alleged officers could not be established.

No witnesses were identified.

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**DATE OF COMPLAINT:** 04/04/18 **DATE OF COMPLETION:** 05/29/18 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officer displayed a rude attitude.

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

**FINDINGS OF FACT:** The complainant stated she wanted police to address an on-going issue with the upstairs tenants, but when police arrived, they denied her access to the second floor where the tenants reside. The complainant said they treated her with a bad attitude.

The named officer explained that he did not allow the complainant access to the upstairs because she has no legal right to be there. He also indicated he did not have probable cause to question the tenants, and he does not know why she said he was rude.

A witness officer stated he did not hear the named officer say anything rude to the complainant. He is also aware that the complainant does not have the right to access the main house, and believes the matter was addressed adequately.

A preponderance of the evidence established that the act alleged in the complaint did not occur, or that the named officer was not involved in the acts alleged.

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**DATE OF COMPLAINT:** 04/20/18 **DATE OF COMPLETION:** 05/09/18 **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant left a message requesting a return call. Upon being contacted, the complainant requested a withdrawal of the complaint and did not provide a statement or further detail regarding his complaint.

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**DATE OF COMPLAINT:** 04/27/18 **DATE OF COMPLETION:** 05/14/18 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #:** The complaint raises matters not rationally within DPA jurisdiction.

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

**FINDINGS OF FACT:** This complaint raises matters not rationally within DPA jurisdiction.

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**DATE OF COMPLAINT:** 04/30/18 **DATE OF COMPLETION:** 05/07/18 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The complaint raises matters outside the DPA's jurisdiction.

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

**FINDINGS OF FACT:** This complaint raises matters outside DPA's jurisdiction. This complaint was forwarded to:

San Francisco Police Department  
Internal Affairs Division  
1245 3rd Street 4th Floor  
San Francisco, CA 94158

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 05/02/18 **DATE OF COMPLETION:** 05/14/18 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #:** The complaint raises matters not rationally within DPA jurisdiction.

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

**FINDINGS OF FACT:** This complaint raises matters not rationally within DPA jurisdiction.



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**DATE OF COMPLAINT:** 05/04/18 **DATE OF COMPLETION:** 05/17/18 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The complaint raises matters outside the DPA's jurisdiction.

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

**FINDINGS OF FACT:** This complaint raises matters outside DPA's jurisdiction. This complaint was forwarded to:

San Francisco Sheriff's Department  
Investigative Services Unit  
25 Van Ness Avenue Suite 350  
San Francisco, CA 94102

**DEPARTMENT OF POLICE ACCOUNTABILITY  
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**DATE OF COMPLAINT:** 05/04/18 **DATE OF COMPLETION:** 05/14/18 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #:** The complaint raises matters outside the DPA's jurisdiction.

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

**FINDINGS OF FACT:** This complaint raises matters outside the DPA's jurisdiction. This complaint was partially referred to:

Zuckerberg San Francisco General Hospital  
Patient Advocate Office  
1001 Potrero Avenue  
1st. Floor, Room 1Q1  
San Francisco, CA 94110

**SUMMARY OF ALLEGATION #:** The complaint raises matters outside the DPA's jurisdiction.

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

**FINDINGS OF FACT:** This complaint raises matters outside the DPA's jurisdiction. This complaint was partially referred to:

San Francisco Sheriff's Department  
Investigative Services Unit  
25 Van Ness Avenue Suite 350  
San Francisco, CA 94102

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**DATE OF COMPLAINT:** 05/14/18    **DATE OF COMPLETION:** 05/30/18    **PAGE#** 1 of 1

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

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

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

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

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

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

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**DATE OF COMPLAINT:** 05/22/18    **DATE OF COMPLETION:** 05/23/18    **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The complaint raises matters outside the DPA's jurisdiction.

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

**FINDINGS OF FACT:** This complaint raises matters outside DPA's jurisdiction. This complaint was forwarded to:

San Francisco Sheriff's Department  
Investigative Services Unit  
25 Van Ness Avenue Suite 350  
San Francisco, CA 94102

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**DATE OF COMPLAINT:** 05/29/18 **DATE OF COMPLETION:** 05/30/18 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The complaint raises matters not rationally within DPA jurisdiction.

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

**FINDINGS OF FACT:** This complaint raises matters not rationally within DPA jurisdiction.

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**DATE OF COMPLAINT:** 05/24/17    **DATE OF COMPLETION:** 05/14/18    **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officer discharged a firearm without cause.

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

**FINDINGS OF FACT:** The complainant stated that he and his dog were waiting for the light to change at an intersection, where officers were directing traffic. When the light changed, the complainant told his dog, “Get it!”, a command telling his dog to cross the street. Instead, the complainant stated that his dog approached the officer. The complainant stated he heard the named officer yell, “Get your dog!” and then shot his dog in the leg.

The named officer stated he was directing traffic at the intersection when he saw the complainant and his dog, a medium sized, muscular Pitbull, sitting on a post nearby. The named officer stated he had stopped traffic and was letting pedestrians cross the intersection when he heard the complainant say, “Go get him!” The named officer watched the dog walk out into the intersection, lock eyes with him, and sprint towards him. Thinking that he was going to get attacked, the named officer pulled out his firearm and fired one shot, striking the dog in the leg.

Security camera footage shows the complainant’s dog, off leash, running quickly towards the named officer – coming within several inches of the named officer, prompting the officer to shoot the dog. The footage shows the named officer quickly backing away as the dog was running towards him. The footage shows numerous pedestrians nearby.

SFPD General Order 5.01, Use of Force, section III.A.4 states that officers may use reasonable force in defense of others or in self-defense.

Given the totality of the circumstances, the named officer’s use of force was proper.

The evidence proved that the act, which provided the basis for the allegation, occurred. However, the act was justified, lawful, and proper.

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**DATE OF COMPLAINT:** 06/08/17    **DATE OF COMPLETION:** 05/07/18    **PAGE#** 1 of 1

**SUMMARY OF ALLEGATIONS #1-2:** The officers failed to properly process property.

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

**FINDINGS OF FACT:** The complainant stated that officers searched his person and removed all his personal belongings, including 121 dollars and his California Identification Card. The complainant stated his CA ID card was missing and his money was not added to his jail account, as the officers had told him.

The named officers stated they did not recall which officer searched the complainant or what items the complainant had on him. The named officers stated that all the complainant's property was turned over to the station master per DGO 4.01, Booking and Detention of Prisoners, and DGO 5.18, Prisoner Handling and Transportation. The named officers stated the complainant did not have a CA ID card on him and was identified using San Francisco Mug (SFMUG). The named officers further stated they did not tell the complainant his money would be added to his account.

Department records – a property receipt – showed that at the time of the arrest, the complainant had 21 dollars in his possession. The form listed no CA ID card. The form was signed and dated by both the complainant and station keeper. The complainant's possessions were turned over to the Sheriff's Department upon booking.

Additional records showed the complainant's possessions, including the 21 dollars, were returned to him upon his release from jail.

No witnesses were identified.

There was insufficient evidence to either prove or disprove the allegation.

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**DATE OF COMPLAINT:** 06/27/17 **DATE OF COMPLETION:** 05/17/18 **PAGE#** 1 of 5

**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 was walking down the street when the named officer detained her for no apparent reason.

The named officer stated he detained the complainant because he believed that she was loitering in the area with the intent to commit prostitution. The named officer stated he observed the complainant engaging in conversations with people on the street and in vehicles.

Department General Order 5.03, Investigative Detentions, section I.B. allows an officer to detain a person for questioning or request identification only if the officer has a reasonable suspicion that the person's behavior is related to criminal activity.

The evidence proved that the act, which provided the basis for the allegation, occurred. However, the act was justified, lawful, and proper.

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

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

**FINDINGS OF FACT:** The co-complainant stated he was filming his friend's arrest when he was detained.

The named officer stated he detained the co-complainant because he believed that the co-complainant was also loitering in the area with the intent to commit prostitution. The named officer stated the co-complainant was parked directly across the street from where the complainant was standing. The named officer noted that the incident occurred in an area known for extremely high prostitution activity and prostitution related criminal behavior.

Department General Order 5.03, Investigative Detentions, section I.B. allows an officer to detain a person for questioning or request identification only if the officer has a reasonable suspicion that the person's behavior is related to criminal activity. The evidence proved that the act, which provided the basis for the allegation, occurred. However, the act was justified, lawful, and proper.



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

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

**FINDINGS OF FACT:** The complainant stated that the named officer violently pushed her against a fence, busting her lip and injuring her eye.

The named officer's body worn camera recording (BWC) did not show the complainant being violently pushed against a fence. The recording shows that the named officer placing the complainant against a fence while attempting to place her in handcuffs. The recording shows a slight resistance on the complainant's part, attempting to turn towards the officer while being handcuffed.

The evidence proved that the act alleged in the complaint did not occur or that the named officer was not involved in the act alleged.

**SUMMARY OF ALLEGATION #4:** The officer used excessive force.

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

**FINDINGS OF FACT:** The co-complainant stated that the named officer "manhandled" him.

Body worn camera recordings failed to support the co-complainant's allegation against the named officer.

The evidence proved that the act alleged in the complaint did not occur or that the named officer was not involved in the act alleged.

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**SUMMARY OF ALLEGATION #5:** The officer issued a citation without cause.

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

**FINDINGS OF FACT:** The complainant stated that she was cited for no apparent reason.

The named officer stated that the complainant was cited for loitering with the intent to commit prostitution.

The named officer's observations were not captured on his body worn camera.

There was insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #6:** The officer failed to read the complainant the Miranda warning.

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

**FINDINGS OF FACT:** The complainant stated that she was not read her rights.

The named officer stated that he was not required to issue the complainant the Miranda warning, because he did not ask her any questions and she was not interrogated.

The evidence proved that the act, which provided the basis for the allegation, occurred. However, the act was justified, lawful, and proper.

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**SUMMARY OF ALLEGATION #7:** The officer failed to comply with DGO 5.07, Rights of Onlookers.

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

**FINDINGS OF FACT:** The co-complainant stated that the named officer detained him because he recorded the incident involving the complainant and the named officer.

The named officer denied the allegation, stating that he detained the co-complainant because he believed that the co-complainant was loitering in the area with the intent to commit prostitution.

No independent witnesses were identified.

There was insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #8:** The officer made inappropriate comments and behaved inappropriately.

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

**FINDINGS OF FACT:** The complainant stated that an unknown officer teased her and told her that her California identification did not look like her.

Officers questioned by the DPA denied the allegation.

No witnesses were identified.

The identity of the alleged officer could not be established.

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**SUMMARY OF ALLEGATION #SUMMARY OF ALLEGATION #9:** The officer failed to comply with DGO 6.15, Property Processing.

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

**FINDINGS OF FACT:** The co-complainant stated that he was not issued a property receipt.

Department records show that the co-complainant was not booked and was cited and released at the station.

The evidence proved that the act alleged in the complaint did not occur or that the named officer was not involved in the act alleged.

**SUMMARY OF ALLEGATION #10:** The officer cited the co-complainant without cause.

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

**FINDINGS OF FACT:** The co-complainant stated that he did not understand why he was cited.

The named officer stated he was instructed by his sergeant to cite the complainant.

The evidence proved that the act, which provided the basis for the allegation, occurred. However, the act was justified, lawful, and proper.

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**DATE OF COMPLAINT:** 06/27/17    **DATE OF COMPLETION:** 05/08/18    **PAGE#** 1 of 7

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

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

**FINDINGS OF FACT:** Department records show that the complainant was cited for driving in a transit-only lane and driving straight through an intersection from a right-turn only lane.

The complainant stated she moved to the right lane to pass the vehicle in front of her.

San Francisco Transportation Code section 7.2.72 prohibits private vehicles from driving in transit-only lanes, unless they are preparing to make a turn or when entering into/exiting from a stopped position at the curb. California Vehicle Code section 22101(d) makes it unlawful to disobey a sign at an intersection regulating turning movements through that intersection.

The evidence established that the complainant unlawfully entered a transit-only lane to pass the vehicle in front of her, providing the named officer the reasonable suspicion to detain the complainant.

The evidence proved that the act, which provided the basis for the allegation, occurred. However, the act was justified, lawful, and proper.

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**DATE OF COMPLAINT:** 06/27/17    **DATE OF COMPLETION:** 05/08/18    **PAGE#** 2 of 7

**SUMMARY OF ALLEGATIONS #2-3:** The officers behaved inappropriately and made inappropriate comments.

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

**FINDINGS OF FACT:** The complainant stated the officers yelled at her and questioned why she needed a Spanish speaking officer and insisted that she understood English. She said the officers said things she did not understand. She stated she did not know why she was being cited and handcuffed, or why she was being threatened with jail.

One of the named officers admitted saying “sign or jail” and stated that due to the traffic noise he spoke louder. The named officer added that it is his training that all handcuffed persons are to sit on the ground to prevent escape. The other named officer stated that he did not deny the complainant language services and did not recall insisting that she speak English. After viewing Body Worn Camera (BWC) footage, the named officer explained that, in his experience, some people say they don’t speak English to avoid getting in trouble or having to provide information. The named officer stated that the complainant seemed to speak good English at first. He acknowledged telling the complainant that her “trick” would not work, and said it was a bad choice of words.

The BWC footage shows the complainant speaking in broken English mixed with Spanish words and phrases from the beginning of her encounter with the named officers. The footage also shows that the complainant spoke with a non-English accent. The footage shows that one of the named officers stated, “sign or jail.” The footage also shows the other named officer insisting that the complainant did not need Spanish language access at first, though he eventually called for a Spanish certified officer to respond. The footage shows that officer saying, “that trick doesn’t work, unfortunately.”

SFPD General Order 2.01 rule 9 states:

MISCONDUCT. Any breach of peace, neglect of duty, misconduct or any conduct by an officer either within or without the State that tends to subvert the order, efficiency or discipline of the Department, or reflects discredit upon the Department or any member, or is prejudicial to the efficiency and discipline of the Department, although not specifically defined or set forth in Department policies and procedures, shall be considered unofficer-like conduct subject to disciplinary action.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 06/27/17    **DATE OF COMPLETION:** 05/08/18    **PAGE#** 3 of 7

**SUMMARY OF ALLEGATIONS #2-3 continued:**

The named officers acted as if the complainant was not of Limited English Proficiency (LEP), and treated her poorly as a result. The complainant was, in fact, an LEP person, who was struggling to understand what she had done wrong and explain her actions. From her perspective, the named officers were mistreating her because she could not understand or speak fluent English, bringing discredit upon the Department.

A preponderance of the evidence proved the conduct complained of did occur, and using as a standard the applicable regulations of the Department, the conduct was improper.

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

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

**FINDINGS OF FACT:** The complainant stated she moved to the right lane to pass the vehicle in front of her.

The named officer stated that the complainant was cited because she drove into a transit-only lane and drove straight through an intersection from a right-turn-only lane.

Department records show that the complainant was cited for driving in a transit-only lane and driving straight through an intersection from a right-turn only lane.

San Francisco Transportation Code section 7.2.72 prohibits private vehicles from driving in transit-only lanes, unless they are preparing to make a turn or when entering into/exiting from a stopped position at the curb. California Vehicle Code section 22101(d) makes it unlawful to disobey a sign at an intersection regulating turning movements through that intersection.

The evidence established that the complainant unlawfully entered a transit-only lane to pass the vehicle in front of her, providing the named officer the probable cause to cite her.

The evidence proved that the act, which provided the basis for the allegation, occurred. However, the act was justified, lawful, and proper.

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**DATE OF COMPLAINT:** 06/27/17    **DATE OF COMPLETION:** 05/08/18    **PAGE#** 4 of 7

**SUMMARY OF ALLEGATION #5:** The officer failed to explain the citation.

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

**FINDINGS OF FACT:** The complainant stated she did not know what she had done wrong, did not understand the officer, and was having trouble expressing herself. The complainant said that she did not want to sign the citation without a Spanish-speaking officer's assistance.

The named officer stated that he began explaining the citation to the complainant in English, but also said that he was interrupted when the senior officer present said, "sign or jail." The named officer also stated that he thought the complainant spoke English, but called for a Spanish-speaking officer anyway.

BWC footage documents that the named officer did not finish explaining the citation to the complainant. The BWC footage also shows that the complainant spoke broken English during the incident. It shows a Spanish-speaking officer arriving later, explaining the citation, and the complainant then appearing to understand and sign the citation.

SFPD General Order 9.01 Section II. Procedures A. Disposition of Traffic Offenses, requires that officers answer reasonable questions and inform the person of the nature of the violation and the proper means of disposing of the citation.

The evidence established that while the complainant was initially not provided adequate information about the citation, she was ultimately provided the information when the Spanish-speaking officer arrived.

There was insufficient evidence to either prove or disprove the allegation.



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**DATE OF COMPLAINT:** 06/27/17    **DATE OF COMPLETION:** 05/08/18    **PAGE#** 5 of 7

**SUMMARY OF ALLEGATION #6:** The officer handcuffed the complainant.

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

**FINDINGS OF FACT:** The complainant stated she did not understand why she was handcuffed and kept asking the officer for a Spanish speaker.

The named officer stated the complainant was handcuffed because she refused to sign the citation and was under arrest at that point. The named officer's partner stated that the complainant was handcuffed for officer safety reasons and to prevent her from leaving the scene while they waited for a Spanish-speaking officer to arrive.

BWC footage shows the complainant asking for a Spanish speaker while the named officer and his partner tried to get her to sign a citation. The footage shows the complainant using broken English to ask questions about why she was cited and attempting to explain her actions. The named officer and his partner both tell the complainant that she will go to jail if she does not sign. The named officer opens the driver door and orders the complainant to exit her car and turn around. The footage then shows the named officer applying handcuffs and seating the complainant on the sidewalk.

The evidence established that the complainant initially refused to sign the citation, because she did not know what she was being cited for. The officers' failure to provide an interpreter caused the complainant to refuse to sign the citation, resulting in her being placed in handcuffs.

A preponderance of the evidence proved that the conduct complained of did occur, and that, using as a standard the applicable regulations of the Department, the conduct was improper.

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**SUMMARY OF ALLEGATION #7:** The officer failed to comply with DGO 5.20, Language Access Services for Limited English Proficient (LEP) Persons.

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

**FINDINGS OF FACT:** The complainant stated she requested a Spanish-speaking officer; however, the officers insisted that she spoke perfect English and did not need one.

The named officer stated he called for a Spanish-speaking officer, and one did respond to provide services to the complainant. The named officer stated the complainant spoke perfectly fine until she was made aware that she would be cited, and then suddenly did not speak English.

BWC footage documents that the complainant is an LEP individual whose first language is not English, and she is mixing both English and Spanish words when trying to express herself.

The complainant was of Limited English Proficiency and the named officer was required to comply with DGO 5.20. The named officer did call for, and find, a Spanish-speaking officer, as required by the DGO. However, the named officer failed to promptly call for a Spanish-speaking officer, aggravating the situation.

There was insufficient evidence to either prove or disprove the allegation.

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COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 06/27/17    **DATE OF COMPLETION:** 05/08/18    **PAGE#** 7 of 7

**SUMMARY OF ALLEGATIONS #8-9:** The officers failed to comply with DGO 5.17, Policy Prohibiting Biased Policing.

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

**FINDINGS OF FACT:** The complainant believed the named officers were racist because they insisted she speak English and because they treated her, “Like a criminal.”

Both named officers denied biased policing.

BWC footage shows the named officers asking the complainant to sign her citation or go to jail after asking for her ID and before she is given an explanation about why she was being cited. The footage also shows that the named officers did this in English, while the complainant speaks in broken English and requests a Spanish-speaking officer. The footage also shows the named officers telling the complainant that she was speaking English, and accusing her of pretending to be of Limited English Proficiency.

SFPD General Order 5.17, Policy Prohibiting Biased Policing, states:

In an effort to prevent perceptions of biased law enforcement, each officer (with consideration for officer safety), should do the following when conducting pedestrian, bicycle, or vehicle stops:

1. Be courteous and professional.
2. Approach the person being stopped and provide an explanation for the stop as soon as practical. When effecting vehicle stops, the officer should provide this information before asking the driver for his or her license and registration.
3. Ensure the detention is no longer than necessary to take appropriate action for the known or suspected offense, and that the person understands the nature of reasonable delays.
4. Answer questions the person may have regarding the stop, including an explanation of options for traffic citation disposition, if relevant.
5. Provide his or her star number. Do so in writing if requested.

The named officers were discourteous to a person with Limited English Proficiency, and verbally doubted her lack of proficiency. However, there was insufficient evidence to support that the named officers engaged in biased policing.

There was insufficient evidence to either prove or disprove the allegation.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 06/27/17    **DATE OF COMPLETION:** 05/08/18    **PAGE#** 1 of 1

**SUMMARY OF ALLEGATIONS #1-4:** The officers used excessive force.

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

**FINDINGS OF FACT:** The complainant stated that while inside a police station parking lot, he witnessed a man being “shot” numerous times by police.

The named officers stated that the man entered the police station parking lot, yelling and screaming and wielding a knife. The named officers stated that the man refused to drop the knife, prompting the named officers to use an Extended Range Impact Weapon (ERIW). When the man was knocked to the ground with the use of an ERIW, the man was taken into custody.

The man who was shot with the ERIW admitted that he was trespassing, under the influence, medicated, and “incoherent.” He admitted brandishing a knife and refusing to drop it when ordered to do so by police.

The evidence proved that the act, which provided the basis for the allegation, occurred. However, the act was justified, lawful, and proper.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/03/17 **DATE OF COMPLETION:** 05/29/18 **PAGE#** 1 of 3

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

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

**FINDINGS OF FACT:** The complainant stated she was arrested for violating a stay-away order. The complainant denied that there was a stay-away order against her from where she was arrested.

The named officer stated that he observed the complainant walking slowly around a block. He then observed her lingering near a business that the officer knew the complainant had been court-ordered to stay away from. The named officer stated that when the complainant saw the named officer and his partner, she started walking away. The named officer stated that he approached her and arrested her for violating her court order.

Court documents confirm that the complainant was the subject of a valid no-loitering order at the address next door to where she was arrested.

Body-worn camera footage showed the named officer placing the complainant under arrest next door to the address she was ordered to stay away from.

The evidence proved that the act, which provided the basis for the allegation, occurred. However, the act was justified, lawful, and proper.

**SUMMARY OF ALLEGATION #2:** The officer ordered a strip search without cause.

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

**FINDINGS OF FACT:** The complainant stated that, after she was taken to a police station, the arresting officer ordered her to be strip searched. The complainant stated she was strip searched by a female officer.

The named officer and witness officers denied that a strip search was conducted.

A witness provided by the complainant did not come forward.

No other witnesses were identified.

There was insufficient evidence to either prove or disprove the allegation.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
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**DATE OF COMPLAINT:** 07/03/17 **DATE OF COMPLETION:** 05/29/18 **PAGE#** 2 of 3

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

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

**FINDINGS OF FACT:** The complainant stated while she was being arrested, she told the officers she would file a complaint, and they responded that they did not care.

Neither of the named officers remembered saying anything about not caring about a complaint. One of the named officers stated that it is the complainant's right to make a complaint.

Body worn camera footage from the arrest shows the complainant threatening to file a complaint during her arrest and the officers making no response, verbal or otherwise.

The evidence proved that the act alleged in the complaint did not occur or that the named officers were not involved in the act alleged.

**SUMMARY OF ALLEGATIONS #5 - 6:** The officers behaved inappropriately.

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

**FINDINGS OF FACT:** The complainant stated that, after she was arrested, one of the named officers ordered a strip search of the complainant. The complainant said that while she was being strip searched, the officers watched along with other officers. The complainant also stated that a female detainee was present to watch the strip search.

The named officers stated that a strip search never occurred. They acknowledged that a female officer did conduct an arrest search, but the named officers stated that neither they nor any other officer watched. The named officers did not recall a female detainee watching the search. The officer conducting the search stated that she performed an arrest search in a private area and was not aware of anyone at all watching.

A witness provided by the complainant did not come forward.

No other witnesses were identified.

There was insufficient evidence to either prove or disprove the allegation.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/03/17    **DATE OF COMPLETION:** 05/29/18    **PAGE#** 3 of 3

**SUMMARY OF ALLEGATION #7:** The officer conducted a strip search without cause.

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

**FINDINGS OF FACT:** The complainant stated that she was strip searched at the station.

The named officer stated that she was asked to perform a search subject to arrest. The named officer stated that she escorted the complainant to a secluded corner of the room to create a position of privacy. The named officer said that she asked the complainant to grab the wire of her bra and lift it. The named officer stated that she then searched under the complainant's bra. The named officer felt around the complainant's waistband and asked the complainant to pull the waistband of her clothes out from her body. The named officer looked in the gusset of her underwear and pants. The named officer stated she did not conduct a more invasive strip search.

Potential witness officers stated they did not observe the search.

A witness provided by the complainant did not come forward.

No other witnesses were identified.

There was insufficient evidence to either prove or disprove the allegation.

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COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/10/17    **DATE OF COMPLETION:** 05/07/18    **PAGE#** 1 of 2

**SUMMARY OF ALLEGATIONS #1-2:** The officers failed to prepare a timely incident report.

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

**FINDINGS OF FACT:** The complainant stated she was injured when a car struck her from behind as she was walking on the sidewalk. She stated the responding officers told her that a collision report would be ready within seven to ten days. She stated that both she and her attorney called the station several times after that window to get a copy of the report, but as of three months after the incident she was told that no report had been prepared.

The named officers stated that on the day of the incident the report was prepared on a special system dedicated to traffic collisions. They further stated that a server upgrade of that system around the time of this incident caused all the existing reports to be lost. The officers did not know why the report could not be located in the Records room.

A sergeant at the station stated that he spoke with both the officers and the original reviewing sergeant, who all confirmed that the report had been written. The sergeant also stated that an upgrade to the collision report writing system had resulted in officers being unable to retrieve any report written prior to the upgrade. The sergeant stated that he then contacted the Technology Division, which he said was able to provide a copy of the original report. The sergeant said he then provided this report to the complainant.

Department records confirm that the Technology Division located the report on the system and provided it to the sergeant pursuant to his request.

The original reviewing sergeant stated that he recalled reviewing the report but could not recall if he had signed it.

A technology support specialist was able to locate and print the original report directly from the old report writing system. The specialist confirmed that the date on this original report, which matched the date of the incident, had not been altered.

The evidence proved that the act alleged in the complaint did not occur or that the named officers were not involved in the act alleged.



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COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/10/17    **DATE OF COMPLETION:** 05/07/18    **PAGE#** 2 of 2

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

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

**FINDINGS OF FACT:** The complainant stated that she was injured after being struck by a vehicle, but an incident report was not prepared until nearly four months later.

The named sergeant stated that he reviewed the reporting officer's report shortly after the incident. He recalled some details of the incident itself but did not recall the actual act of signing the report. The named officer acknowledged that after a report is reviewed, it is signed and turned in to be taken downtown to Records Management. He stated that these correct avenues were followed in this instance, but he has no control over whatever may have happened after that.

A sergeant at the station stated the original report was timely prepared, but was lost due to a software upgrade. He stated that, nearly four months after the incident, the technology department was able to retrieve a copy of the original report. This report did not have a reviewing officer's signature on it, so this sergeant said he stamped it with his name and gave it to the complainant. This sergeant stated that, when he learned of the missing report, he spoke with both the officers and the named sergeant, who all confirmed that the report had been written.

Department records confirmed that the Technology Division located the report on the system and provided it to the sergeant pursuant to his request.

A Department technology support specialist was able to locate and print the original report directly from the old report writing system. The specialist confirmed that the date on this original report, which matched the date of the incident, had not been altered.

A witness officer stated he saw the named officer review and sign the report on the day the incident occurred.

The evidence proved that the act alleged in the complaint did not occur or that the named officer was not involved in the act alleged.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/13/17 **DATE OF COMPLETION:** 05/09/18 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATIONS #1 - 2:** The officers failed to properly investigate.

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

**FINDINGS OF FACT:** The complainant stated that she was punched and kicked by her neighbor's boyfriend during a dispute, prompting the complainant to call 911. The complainant alleged that the responding officers failed to properly investigate the incident.

Department records show that the named officers were dispatched to the complainant's 911 call. Records show that the named officers interviewed all of the parties involved, including a witness, documenting their statements in an incident report. Department records also show that both involved parties signed Citizen Arrest Forms, which were booked into evidence.

The evidence established that the officers' actions at the scene were proper.

The evidence proved that the act, which provided the basis for the allegation, occurred. However, the act was justified, lawful, and proper.

**SUMMARY OF ALLEGATIONS #3-4:** The officers failed to make an arrest.

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

**FINDINGS OF FACT:** The complainant stated that the officers failed to make an arrest.

Department records show that the named officers were dispatched to the complainant's 911 call. Records show that the named officers interviewed all of the parties involved, including a witness, documenting their statements in an incident report. Department records also show that both involved parties signed Citizen Arrest Forms, which were booked into evidence. Due to a lack of evidence, the officers were unable to determine the dominant aggressor. Pursuant to SFPD Department General Order 5.04 section II.8, an indent report was generated.

The evidence proved that the act, which provided the basis for the allegation, occurred. However, the act was justified, lawful, and proper.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/28/17 **DATE OF COMPLETION:** 05/07/18 **PAGE#** 1 of 2

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

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

**FINDINGS OF FACT:** The complainant stated he was picking up a passenger while working for a rideshare service, when he observed the named officer put his hands around a man's neck, choke him, body-slam him to the ground, and fall over on top of the man. The complainant stated the named officer used unnecessary force.

The named officer stated that he and two other officers observed a male subject standing in the middle of the roadway trying to hit passing cars with his fist. A citizen pulled up alongside the named officer and said he almost hit the man in the street. The named officer stated the person displayed obvious signs of intoxication and would not comply with his orders to sit down. The named officer stated that the person was a large male and smelled of alcohol. The named officer stated he pushed the male subject to the ground to get him in a seated position on the curb. The named officer stated he placed his leg behind the male subject and pushed him in the chest with an open hand. The named officer stated the amount of force used was reasonable and necessary to get the male subject to comply with his orders to sit down.

One of the named officer's partners stated the named officer did not grab the male subject by his neck. The officer stated that it appeared the named officer made contact with the male subject's upper chest area with his right hand. She observed the named officer step behind the male subject's legs with his right leg, and use his right hand to force the male subject to the ground. The second partner stated he had no recollection of the incident.

A witness stated he was walking up the street to meet the male subject when he saw two or three police vehicles pull up to his friend's location. The officers tried to detain his friend or make some sort of arrest. He thought the officers' actions were "overly aggressive." The witness that the officers tackled his friend and pinned him down. He decided to get involved and let the officers know they were being too aggressive and he wasn't happy with how they were treating his friend. The witness stated he and his friend had been drinking that night, and he acknowledged they were both intoxicated.

The male subject did not respond to the DPA's request for an interview.

The complainant identified 3 other witnesses. The DPA's attempts to contact these witnesses were not successful.

No other witnesses came forward.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/28/17 **DATE OF COMPLETION:** 05/07/18 **PAGE#** 2 of 2

**SUMMARY OF ALLEGATION #1 continued:**

SFPD General Order 5.01, Use of Force, states, in part: “officers may use force during the performance of their duties...to effect the lawful arrest/detention of persons resisting or attempting to evade that arrest/detention.”

The Body Worn Camera footage depicts a male in the street. The footage shows the named officer using a quick takedown by placing his right hand near the male subject’s left shoulder blade and upper chest, placing his foot/leg behind the male subject, and pushing him back and down. The footage shows that the male subject was resisting and uncooperative.

The Incident Report, written by the named officer, documents that the male subject, “[I]s 25 years old, weighs 190 pounds, and is 6’2” in height. He has an athletic build and appeared to be in good physical condition.” The named officer wrote that he was concerned that the male was “going to attempt to hit me or flee the scene based on his blank stare and unwillingness to comply with my command to sit down on the ground.”

A preponderance of the evidence established the named officer was justified in using force and that the type and level of force used were appropriate given the totality of the circumstances.

The evidence proved that the act, which provided the basis for the allegation, occurred. However, the act was justified, lawful, and proper.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/01/17      **DATE OF COMPLETION:** 05/08/18      **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant stated he never threw anything on the ground, but the named officer cited him without justification for littering.

The named officer said he was alone when his body worn camera recorded the complainant pulling a thin plastic cigarette package, tearing off the top of the pouch, and discarding it on the ground. He also saw the complainant retrieve items from the pouch and discard them in a similar manner in violation of 33 MPC, littering.

A friend of the complainant said nothing came out of the package where the complainant pulled the cigar, and that there was nothing on the floor.

Body worn camera footage from a distance shows the complainant making motions as if discarding the transparent wrapping of a thin cigar, but the wrapper is not visible in the air or landing on the ground.

No other witnesses were identified.

There was insufficient evidence to either prove or disprove the allegation.

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COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/03/17 **DATE OF COMPLETION:** 05/09/18 **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant stated he called police after he returned home and found a light on that he had turned off before he left. Two officers arrived several hours later and told him he could file his report online.

The named officers stated the complainant did not appear to be the victim of a crime. The named officers stated they told the complainant they could take a report or that he could file a complaint online. The named officers stated the complainant opted to file the complaint online because he wanted to obtain a copy of the report that day, so he could provide it to building management.

There is no evidence that a crime occurred. As such, there was no requirement for the officers to prepare an incident report.

The evidence proved that the act, which provided the basis for the allegation, occurred. However, the act was justified, lawful, and proper.

**SUMMARY OF ALLEGATION #:** This complaint raises matters outside the DPA's jurisdiction.

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

**FINDINGS OF FACT:** This complaint raises matters outside the DPA's jurisdiction. This complaint was partially referred to:

Operations Manager  
Division of Emergency Communications  
Department of Emergency Management  
1011 Turk Street, San Francisco, CA 94102

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/07/17 **DATE OF COMPLETION:** 05/31/18 **PAGE#** 1 of 2

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

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

**FINDINGS OF FACT:** The complainant stated that she changed the locks to an apartment building that she owned. She said that police came and arrested her, taking her keys, a locksmith receipt, and other items that were never returned to her.

The named officer stated he was called to an apartment building regarding a woman who had illegally changed the locks on an apartment building, leaving the tenants locked out. He interviewed the complainant and a tenant and determined that the complainant changed the locks illegally. He also discovered that the complainant had two warrants for her arrest. The named officer arrested the complainant and seized keys, a business card, and parts of a door knob as evidence of criminal activity. These items were booked into evidence.

Body-worn camera shows the named officer conducting a thorough investigation and making an informed decision to arrest and collect evidence.

The evidence proved that the act, which provided the basis for the allegation, occurred. However, the act was lawful, justified and proper.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/07/17 **DATE OF COMPLETION:** 05/31/18 **PAGE#** 2 of 2

**SUMMARY OF ALLEGATION #2:** The complaint raises matters outside the DPA's jurisdiction.

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

**FINDINGS OF FACT:** This complaint raises matters outside the DPA's jurisdiction. This complaint was partially referred to:

San Francisco Sheriff's Department  
Investigative Services Unit  
25 Van Ness Avenue Suite 350  
San Francisco, CA 94102



**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/15/17    **DATE OF COMPLETION:** 05/23/18    **PAGE#** 1 of 3

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

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

**FINDINGS OF FACT:** The complainant stated that the officer interrupted him while he was describing the incident, accused him of being the aggressor, manipulated the testimony of a witness to fit what the officer believed happened, and threatened to arrest the complainant for a hate crime.

The named officer stated that he was respectful and professional to all parties during his investigation of this incident. He also denied interrupting the complainant and denied manipulating the testimony of a witness. He said that what the complainant might have perceived as the officer interrupting his narrative was actually an effort on the officer's part to keep the parties separated and prevent the complainant from walking over and confronting the other party.

Another officer on scene interviewed the complainant's coworker, and body-worn camera footage shows that officer relating to the named officer her statement that she did not see what happened. The named officer's incident report reflects this.

Body worn camera footage also shows the named officer allowing the complainant to fully explain his account of events without interruption. The footage shows the named officer repeating the other party's statement that the complainant was the aggressor, but then immediately backing off and telling the complainant that he does not know the truth because there were no witnesses.

The body worn camera footage also depicts the other party telling the named officer that the complainant called him a sexual slur during their physical fight. The officer then mentions this to the complainant and tells him, "You can't say that in San Francisco." There is no evidence of any threat to arrest the complainant.

There was insufficient evidence to either prove or disprove that the named officer behaved inappropriately towards the complainant.

There was insufficient evidence to either prove or disprove the allegation.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/15/17 **DATE OF COMPLETION:** 05/23/18 **PAGE#** 2 of 3

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

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

**FINDINGS OF FACT:** The complainant stated that the named officer showed bias when investigating the incident because the complainant is African-American, and the other party was Caucasian. The complainant said that the officer told the other party that he believed his account. The complainant also said that the named officer implied that he was the aggressor when he told the complainant he was bigger than the other party.

The named officer was interviewed pursuant to DPA's Biased Policing Investigation Protocol. The named officer denied engaging in biased policing. He stated that the complainant asked him to state his opinion of who the primary aggressor was, and that he told him that he believed the complainant was. The named officer stated that this is part of his job as a police officer; no matter what type of scene he is called to, he has to determine who is at fault. He stated that the facts in this case led him to believe that it was the complainant because the complainant admitted to him that he was the first to physically strike the other. He also stated that the complainant is younger and more athletically built than the other party. He stated that he told the complainant that he could not arrest the other party because he did not personally witness the incident.

Body worn camera footage does show the named officer telling the other party that his inclination was to believe him. The video also shows the officer telling the complainant, "Look how much bigger you are" than the other party. However, the video also clearly shows the named officer offering each party repeated and equal opportunities to make a citizen's arrest against the other, which they both declined to do in the end. The officer also informed each party that he himself could not make any arrests because he did not witness the incident.

No other witnesses came forward.

There was insufficient evidence to either prove or disprove the allegation.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/15/17    **DATE OF COMPLETION:** 05/23/18    **PAGE#** 3 of 3

**SUMMARY OF ALLEGATION #3:** The officer used profanity.

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

**FINDINGS OF FACT:** The complainant stated that the named officer told a witness, “You’re being a fucking smart-ass!”

The named officer denied using any profanity and stated that the entire incident was captured on his body worn camera.

Body worn camera footage did not show any interaction between the officer and a witness, and showed no use of profanity by the named officer.

The witness did not come forward.

There was insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #4:** The officer failed to provide medical treatment.

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

**FINDINGS OF FACT:** The complainant stated that the named officer failed to inquire whether he needed medical attention after he had sustained a laceration.

The named officer stated that he asked the complainant if he wanted an ambulance and the complainant declined, saying that he was already making plans to go to the hospital soon. The named officer said that he repeated the offer more than once.

Body-worn camera footage shows the complainant showing the cut he sustained to the named officer. The named officer asks the complainant, “Do you want an ambulance?” The complainant responds, “No, man, I’m about to get picked up and go to the hospital.”

The evidence proved that the act alleged in the complaint did not occur or that the named officer was not involved in the act alleged.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/23/17 **DATE OF COMPLETION:** 05/31/18 **PAGE#** 1 of 2

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

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

**FINDINGS OF FACT:** The complainant stated the named officers detained him without justification.

The named officers stated the complainant is a convicted felon and Penal Code section 290 registrant. The complainant was on active parole at the time of the contact and was subject to a court-imposed search condition. The named officers stated they went to the complainant's residence to conduct a 290 registrant compliance check. The named officers stated that they used the MDT in the patrol car to check the complainant's status which showed he had complied with the obligation to register pursuant to Penal Code section 290.

The evidence proved that the act, which provided the basis for the allegation, occurred. However, the act was justified, lawful, and proper.

**SUMMARY OF ALLEGATION #3-4:** The named officers handcuffed the complainant without justification.

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

**FINDINGS OF FACT:** The complainant stated the named officers handcuffed him without justification.

The named officers stated the complainant was on active parole and is a Penal Code section 290 registrant. The named officers stated that the complainant has a violent criminal history and that there were family and friends in his apartment at the time. The named officers stated that as soon as they confirmed the complainant complied with the required registration they removed the handcuffs and released him.

The evidence proved that the act, which provided the basis for the allegation, occurred. However, the act was justified, lawful, and proper.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/23/17 **DATE OF COMPLETION:** 05/31/18 **PAGE#** 2 of 2

**SUMMARY OF ALLEGATIONS #5-6:** The named officers harassed the complainant.

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

**FINDINGS OF FACT:** The complainant stated the named officers harassed him for no reason.

The named officers denied the allegation. The named officers stated they only contacted the complainant once and released him.

The Body Worn Camera video footage does not corroborate the complainant's allegation. The footage documents that the named officers acted in a professional manner.

The evidence proved that the act alleged in the complaint did not occur or that the named officer was not involved in the act alleged.

**SUMMARY OF DPA-ADDED ALLEGATIONS #1-2:** The named officers failed to comply with Department General Order 5.03, Investigative Detention.

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

**FINDINGS OF FACT:** Department General Order 5.03 section II.A.3 states, "If you take the detained person to a police facility or physically restrained the person, issue a Certificate of Release.

The named officers stated that the detention was for a brief period and that the complainant was moved only a short distance. They did not consider handcuffing the complainant to be a physical restraint, so they did not issue a Certificate of Release.

The evidence established that the complainant was physically restrained when he was placed in handcuffs.

A preponderance of the evidence proved the conduct complained of did occur, and that using as a standard the applicable regulations of the Department, the conduct was improper.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/26/17 **DATE OF COMPLETION:** 05/23/18 **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant stated that he spoke to the named officer at the station. The complainant stated that the named officer refused to come out into the lobby, laughed and interrupted the complainant. The complainant stated that when he asked a hypothetical situation involving a man and a woman in which one struck the other, the named officer responded, "Don't hit her," which the complainant found "not helpful."

The named officer stated the complainant came into the station and, rather than pick up the phone to communicate with the named officer, the complainant sat on a table across from the front counter. The named officer stated he opened the door that leads to the lobby and spoke to the complainant, who was agitated. When the complainant asked if he could punch a person back if the complainant was pushed, the named officer advised the complainant to not engage the person and instead call 911. The named officer stated that the complainant was not satisfied with his response and walked out, stating that he would go to another police station.

A Police Service Aide (PSA) stated he recalled the named officer telling a man that the named officer was busy with a prisoner and for the man to come back later. The PSA did not hear the named officer make the alleged comment and did not hear the named officer laughing at the complainant. The PSA stated he was busy writing a report when the encounter occurred.

A preponderance of the evidence established the named officer's actions were proper.

The evidence proved that the act, which provided the basis for the allegation, occurred. However, the act was justified, lawful, and proper.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/13/17    **DATE OF COMPLETION:** 05/07/18    **PAGE#** 1 of 2

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

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

**FINDINGS OF FACT:** The complainant stated he was going to a friend's house and there was a movie being filmed at an intersection. Someone told the complainant he could not walk there and suddenly an officer ran up to him and yelled at him. The complainant stated the officer then placed both his hands aggressively on the complainant's chest. The complainant said he reached into his back pocket for his wallet and the officer swiftly grabbed the complainant's wrist and violently twisted him around with his arm behind his back. The complainant stated that neither the hands on the chest nor the grabbing of his arm hurt that much, but he thought they were completely unnecessary as he posed no threat.

The named officer stated the complainant was walking into a restricted area where a dangerous car stunt was being performed. The people on the set told the complainant to stop multiple times but he refused to listen. The named officer stated he also told the complainant to stop, to no avail. As the two speeding cars were coming around the corner, the named officer put his hands on the complainant's shoulders to turn him around and walk him to a safe area. The named officer stated he did not touch the complainant in any other way and denied putting his arm behind his back.

The officer's body worn camera footage shows the officer making physical contact around the complainant's shoulder area and turning him around to guide him away from the street. There is no footage of the named officer pulling the complainant's arm behind his back. The footage also captures the sound of squealing tires in the background and another person on the set telling the complainant he cannot go where he was going.

A witness who worked for the film shoot stated that he saw the officer put his hands on the complainant's shoulders and move him to a safe area. The witness stated that they were being extremely cautious as the car stunt could lead to an injury of a passerby and the officer was acting out of the safety of the complainant.

The evidence proved that the act alleged in the complaint did not occur or that the named officer was not involved in the act alleged.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/13/17 **DATE OF COMPLETION:** 05/07/18 **PAGE#** 2 of 2

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

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

**FINDINGS OF FACT:** The complainant stated that he was going to a friend's house and there was a movie being filmed at an intersection. Someone told the complainant he could not walk there and suddenly an officer ran up to him and yelled at him and would not let him proceed.

The named officer stated that the complainant was walking into an area where a dangerous car stunt was about to be filmed, and that it was his job to keep the area clear. The officer said that he told the complainant that, once the stunt was complete, the complainant could go into the area. The officer stated that the complainant was free to go anywhere except the restricted area and was never detained.

A witness stated that the area was restricted for less than five minutes and the complainant was free to enter the area once the stunt was complete.

The evidence proved that the act alleged in the complaint did not occur or that the named officer was not involved in the act alleged.

**SUMMARY OF ALLEGATION #3:** The officer used profanity.

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

**FINDINGS OF FACT:** The complainant stated that an officer used profanity directed at him multiple times.

The officer denied using profanity.

The officer's body-worn camera footage did not have any profanity on it. A witness stated that he did not hear any profanity.

The evidence proved that the act alleged in the complaint did not occur or that the named officer was not involved in the act alleged.



**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/22/17    **DATE OF COMPLETION:** 05/23/18    **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officer used profane language.

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

**FINDINGS OF FACT:** The complainant stated that the named officer used profanity towards her for no apparent reason.

The named officer could not recall making contact with the complainant and denied ever using profanity with a woman while on duty.

Another officer on scene denied his partner used profanity and recalled no such contact with the complainant.

No other witnesses were identified.

There was insufficient evidence to either prove or disprove the allegation.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 10/17/17 **DATE OF COMPLETION:** 05/17/18 **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 stated that he filed a police report at a police station for a stalking incident. He stated that he has not heard any updates on the status of the investigation, and that he has gone into the station a few times asking about his case but has not received any information.

An Officer Identification Poll was sent to two district police stations and came back with negative results.

The identity of the alleged officer could not be established.

No witnesses were identified.

There was insufficient information to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #2:** The complaint raises matters outside the DPA's jurisdiction.

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

**FINDINGS OF FACT:** This complaint raises matters outside the DPA's jurisdiction. This complaint was partially referred to:

San Francisco Sheriff's Department  
Investigative Services Unit  
25 Van Ness Avenue Ste. 350  
San Francisco, CA 94102

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 11/09/17 **DATE OF COMPLETION:** 05/09/18 **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant stated that she and her daughter saw a drunk African American male hitting his head against a MUNI bus shelter, prompting her to call 911. The complainant stated that the named officer made inappropriately comments toward her and belittled her and her daughter.

The named officer stated she was courteous and professional during the incident and did not speak with the complainant.

Other officers at the scene stated that they could not recall the named officer's interaction with the complainant.

No other witnesses came forward.

There was insufficient evidence to either prove or disprove the allegation.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 12/29/17    **DATE OF COMPLETION:** 05/07/18    **PAGE#** 1 of 2

**SUMMARY OF ALLEGATIONS #1-3:** The officers behaved inappropriately and made inappropriate comments.

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

**FINDINGS OF FACT:** The complainant stated she was in a dispute with another resident of her hotel over the use of a washing machine when he pushed her. The complainant stated the officers who responded to her complaint of assault were “mean” and that they laughed, mocked her, and yelled at her. The complainant also stated the officers sided with the other party and an employee from the apartment building. The complainant further stated the officers accused her of stealing the other party’s laundry and that they threatened to arrest her.

The named officers stated they were calm and professional with the complainant. The named officers denied siding with anyone at the scene. The named officers stated they fully investigated the matter. The named officers further denied accusing the complainant of stealing the other party’s property or threatening to arrest her.

The body worn camera footage revealed the complainant was verbally accusatory, repetitious and uncooperative in answering questions of officers. The footage revealed that officers attempted to explain what they were doing, asked the complainant if she were hurt by the assault, and answered her questions. The footage showed no evidence of an officer threatening to arrest her, and that when she asked one of the officers if she were to be arrested, he answered “no,” and “negative.”

Two witnesses who were present when the officers were in contact with the complainant stated that the named officers were calm and professional while the complainant yelled.

The evidence proved that the act alleged in the complaint did not occur or that the named officer was not involved in the act alleged.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 12/29/17 **DATE OF COMPLETION:** 05/07/18 **PAGE#** 2 of 2

**SUMMARY OF ALLEGATIONS #4-6:** The officers failed to properly investigate

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

**FINDINGS OF FACT:** The complainant stated that, after a verbal dispute in a laundry room, another resident in her hotel pushed her. The complainant stated that responding officers failed to properly investigate the matter and failed to arrest her assailant. She said the named officers failed to review the building's video recordings and interview a witness she identified. The complainant further stated that the officers did not search her room to prove that she did not steal the other party's laundry.

The named officers denied they failed to investigate pertinent evidence. One named officer stated he did not search the room of the complainant because nobody had alleged theft, and he was not investigating theft. The named officers stated they interviewed the complainant, witnesses identified by the complainant, the alleged assailant and the complainant. The named officers also stated they asked about the building's video recordings, but the building staff told the officers they did not have access to the video at the time and that there was no video surveillance of the room where the assault allegedly took place. The named officers stated that they explained to the complainant that they could not arrest someone for an alleged misdemeanor that didn't happen in the officers' presence without a Citizen's Arrest form and the complainant refused to complete such a form.

The named officers stated their investigation determined that there was no merit to the complaint's claim that the other party assaulted her. One of the named officers stated he spoke to the complainant's witness, who stated he did not witness the incident. The named officers provided the complainant with an incident number and a follow up form. The Body-Worn Camera (BWC) footage revealed that the named officers interviewed the involved parties and building staff as well as investigated the call.

The video footage also showed one of the named officers instructing the complainant on requirements for a citizen's arrest and providing her with a Citizen's Arrest Form, which the complainant refused to sign.

Three people who stated they were at the hotel when the complainant called police told the DPA they spoke to the officers and advised them there were no video recordings available of the area where the alleged assault of the complainant took place.

Department records indicated that the named officers wrote an incident report detailing their investigation, and included the evidence they gathered. The evidence proved that the act, which provided the basis for the allegation, occurred. However, the act was justified, lawful, and proper.